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## James Mill, ***The History of British India, vol. 1*** [1817]

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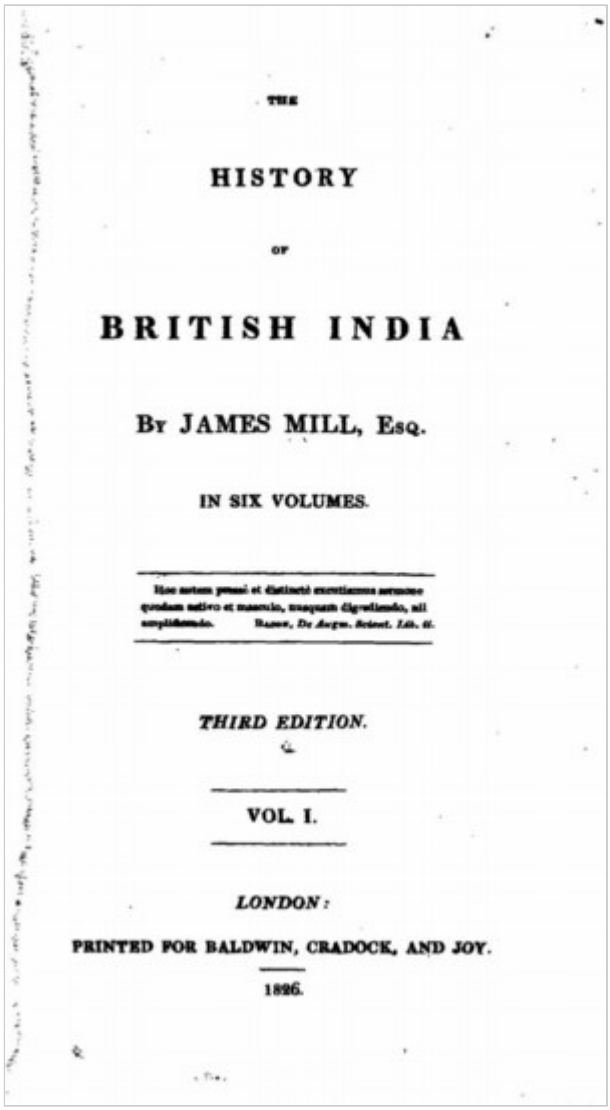

THE

HISTORY

OF

BRITISH INDIA

BY JAMES MILL, ESQ.

IN SIX VOLUMES.

Hoc autem praesi et distincte excutiamus sermone quodam activo et masculo, nunquam digrediendo, nil amplificando. BACON, *De Augm. Scient. Lib. ii.*

*THIRD EDITION.*

VOL. I.

*LONDON:*

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1826.

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Author: James Mill

## About This Title:

James Mill's *History* is a work of Benthamite "philosophical history" from which the reader is supposed to draw lessons about human nature, reason and religion, and the deleterious impact of commercial monopolies like the East India Company.

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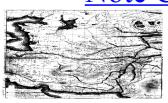

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# PREFACE.

In the course of reading and investigation, necessary for acquiring that measure of knowledge which I was anxious to possess, respecting my country, its people, its government, its interests, its policy, and its laws. It was met, and in some degree surprised, by extraordinary difficulties, when I arrived at that part of my inquiries which related to India. On other subjects, of any magnitude and importance, I generally found, that there was some one book, or small number of books, containing the material part of the requisite information; and in which direction was obtained, by reference to other books, if, in any part, the reader found it necessary to extend his researches. In regard to India, the case was exceedingly different. The knowledge, requisite for attaining an adequate conception of that great scene of British action, was collected no where. It was scattered in a great variety of repositories sometimes in considerable portions, often in very minute ones; sometimes by itself, often mixed up with subjects of a very different nature: and, even where information relating to India stood disjoined from other subjects, a small portion of what was useful lay commonly imbedded in a large mass of what was trifling and insignificant; and of a body of statements, given indiscriminately as matters of fact, ascertained by the senses, the far greater part was in general only matter of opinion, borrowed, in succession, by one set of Indian gentlemen from another.1

In bestowing the time, labour, and thought, necessary to explore this assemblage of heterogeneous things, and to separate, for my own use, what was true and what was useful, from what was insignificant and what was false, I was led to grieve, that none of those who had preceded me, in collecting for himself a knowledge of Indian affairs, had been induced to leave his collection for the benefit of others; and perform the labour of extracting and ordering the dispersed and confused materials of a knowledge of India, once for all. The second reflection was, that, if those who preceded me had neglected this important service, and in so doing were not altogether free from blame, neither should I be exempt from the same condemnation, if I omitted what depended upon me, to facilitate and abridge to others the labour of acquiring a knowledge of India; an advantage I should have valued so highly, had it been afforded by any former inquirer.

In this manner, the idea of writing a History of India was first engendered in my mind. I should have shrunk from the task, had I foreseen the labour in which it has involved me.

The books, in which more or less of information respecting India might be expected to be found, were sufficiently numerous to compose a library. Some were books of Travels. Some were books of History. Some contained philological, some antiquarian, researches. A considerable number consisted of translations from the writings of the natives in the native tongues; others were books on the religion of the people of India; books on their laws; books on their sciences, manners, and arts.

The transactions in India were not the only transactions of the British nation, to which the affairs of India had given birth. Those affairs had been the subject of much discussion by the press, and of many legislative, executive, and even judicial proceedings, in England. Those discussions and proceedings would form of course an essential part of the History of British India; and the materials of it remained to be extracted, with much labour, from the voluminous records of British literature, and British legislation.

The British legislature had not satisfied itself with deliberating, and deciding; it had also inquired; and, inquiring, it had called for evidence. This call, by the fortunate publicity of parliamentary proceedings, brought forth the records of the councils in India, and their correspondence, with one another, with their servants, and with the constituted authorities in England: a portion of materials, inestimable in its value; but so appalling by its magnitude, that many years appeared to be inadequate to render the mind familiar with it.

Such is a short and very imperfect description of the state of the materials.1 The operations necessary to draw from them a useful history, formed the second subject of consideration. To omit other particulars, which will easily present themselves, and are common to this with all undertakings of a similar nature, a peculiar demand, it is evident, was presented for the exercise of discrimination, that is, of criticism, in a chaotic mass, of such extent, where things relating to the subject were to be separated from things foreign to it; where circumstances of importance were to be separated from circumstances that were insignificant; where real facts, and just inferences, were to be separated from such as were the contrary; and above all things, where facts, really testified by the senses, were to be discriminated from matters, given as testified by the senses, but which, in truth, were nothing but matters of opinion, confounded with matters of fact, and mistaken for them, in the minds of the reporters themselves.2

A history of India, therefore, to be good for any thing, must, it was evident, be, what, for want of a better appellation, has been called, “A Critical History.”1 To criticise means, to judge. A critical history is, then, a *judging* history. But, if a judging history, what does it judge?

It is evident that there are two, and only two, classes of objects, which constitute the subject of historical judgments. The first is, the matter of statement, the things given by the historian, as things really done, really said, or really thought. The second is, the matter of evidence, the matter by which the reality of the saying, the doing, or thinking, is ascertained.

In regard to evidence, the business of criticism visibly is, to bring to light the value of each article, to discriminate what is true from what is false, to combine partial statements, in order to form a complete account, to compare varying, and balance contradictory statements, in order to form a correct one.

In regard to the matter of statement, the business of criticism is, to discriminate between real causes and false causes; real effects and false effects; real tendencies and

falsely supposed ones; between good ends and evil ends; means that are conducive, and means not conducive to the ends to which they are applied.

In exhibiting the result of these several judgments, the satisfaction, or the instruction of the reader, is very imperfectly provided for, if the reasons are not adduced. I have no apology, therefore, to make, for those inductions, or those ratiocinations, sometimes of considerable length, which were necessary to exhibit the grounds upon which my decisions were founded. Those critical disquisitions may be well, or they may be ill performed; they may lead to correct, or they may lead to erroneous conclusions; but they are, indisputably, in place; and my work, whatever had been its virtues in other respects, would have remained most imperfect without them.[1]

There will be but one opinion, I suppose, with regard to the importance of the service, which I have aspired to the honour of rendering to my country; for the public are inclined to exaggerate, rather than extenuate, the magnitude of the interests which are involved in the management of their Indian affairs. And it may be affirmed, as a principle, not susceptible of dispute, that good management of any portion of the affairs of any community is almost always proportional to the degree of knowledge respecting it diffused in that community. Hitherto the knowledge of India, enjoyed by the British community, has been singularly defective. Not only among the uneducated, and those who are regardless of knowledge, but among those who are solicitous to obtain a competent share of information with respect to every other great branch of the national interests, nothing is so rare as to meet with a man who can with propriety be said to know any thing of India, and its affairs. A man who has any considerable acquaintance with them, without having been forced to acquire it by the offices he has filled, is scarcely to be found.

The same must continue to be the case, till the knowledge of India is rendered more accessible. Few men can afford the time sufficient for perusing even a moderate portion of the documents from which a knowledge of India, approaching to completeness, must have hitherto been derived. Of those, whose time is not wholly engrossed, either by business or by pleasure, the proportion is very moderate whom the prospect of a task so heavy, and so tedious, as that of exploring the numerous repositories of Indian knowledge, would not deter. And, with respect to the most important of all the sources of information, the parliamentary documents, they were not before the public, and were by the very nature of the case within the reach of a number comparatively small.

But though no dispute will arise about the importance of the work, I have no reason to expect the same unanimity about the fitness of the workman.

One objection will doubtless be taken, on which I think it necessary to offer some observations, not-withstanding the unfavourable sentiments which are commonly excited by almost any language in which a man can urge pretensions which he may be suspected of urging as his own; pretensions which, though they must exist, in some degree, in the case of every man who writes a book, and ought to be encouraged, therefore, rather than extinguished, had better, in general, be understood, than expressed.

This writer, it will be said, has never been in India; and, if he has any, has a very slight, and elementary acquaintance, with any of the languages of the East.

I confess the facts; and will now proceed to mention the considerations which led me, notwithstanding, to conclude, that I might still produce a work, of considerable utility, on the subject of India.

In the first place, it appeared to me, that a sufficient stock of information was now collected in the languages of Europe, to enable the inquirer to ascertain every important point, in the history of India. If I was right in that opinion, it is evident, that a residence in India, or a knowledge of the languages of India, was, to express myself moderately, not indispensable.

In the next place, I observed, that no exceptions were taken to a President of the Board of Control, or to a Governor-General, the men entrusted with all the powers of government in India, because they had never been in India, and knew none of its languages.

Again, I certainly knew, that some of the most successful attempts in history had been made, without ocular knowledge of the country, or acquaintance with its language. Robertson, for example, never beheld America, though he composed its history. He never was in either Germany or Spain, yet he wrote the history of Charles the Fifth. Of Germany he knew not so much as the language; and it was necessary for him to learn that of Spain, only because the documents which it yielded were not translated into any of the languages with which he was acquainted. Tacitus, though he never was in Germany, and was certainly not acquainted with the language of our uncultivated ancestors, wrote the exquisite account of the manners of the Germans.

But, as some knowledge may be acquired by seeing India, which cannot be acquired without it; and as it can be pronounced of hardly any portion of knowledge that it is altogether useless, I will not go so far as to deny, that a man would possess advantages, who, to all the qualifications for writing a history of India which it is possible to acquire in Europe, should add those qualifications which can be acquired only by seeing the country and conversing with its people. Yet I have no doubt of being able to make out, to the satisfaction of all reflecting minds, that the man who should bring to the composition of a history of India, the qualifications alone which can be acquired in Europe, would come, in an almost infinite degree, better fitted for the task, than the man who should bring to it the qualifications alone which can be acquired in India; and that the business of acquiring the one set of qualifications is almost wholly incompatible with that of acquiring the other.

For, let us inquire what it is that a man can learn, by going to India, and understanding its languages. He can treasure up the facts which are presented to his senses; he can learn the facts which are recorded in such native books, as have not been translated; and he can ascertain facts by conversation with the natives, which have never yet been committed to writing. This he can do; and I am not aware that he can do any thing further.

But, as no fact is more certain, so none is of more importance, in the science of human nature, than this; that the powers of observation, in every individual, are exceedingly limited; and that it is only by combining the observations of a number of individuals, that a competent knowledge of any extensive subject can ever be acquired. Of so extensive and complicated a scene as India, how small a portion would the whole period of his life enable any man to observe!

If, then, we may assume it as an acknowledged fact, that an account of India, complete in all its parts, at any one moment, still more through a series of ages, could never be derived from the personal observation of any one individual, but must be collected from the testimony of a great number of individuals, of any one of whom the powers of perception could extend but a little way, it follows, as a necessary consequence, that the man best qualified for dealing with evidence, is the man best qualified for writing the history of India. It will not, I presume, admit of much dispute, that the habits which are subservient to the successful exploration of evidence are more likely to be acquired in Europe than in India.

The man who employs himself in treasuring up, by means of perception and the languages, the greatest portion of knowledge in regard to India, is he who employs the greatest portion of his life, in the business of observing, and in making himself familiar with the languages. But the mental habits which are acquired in mere observing, and in the acquisition of languages, are almost as different as any mental habits can be, from the powers of combination, discrimination, classification, judgment, comparison, weighing, inferring, inducting, philosophizing in short; which are the powers of most importance for extracting the precious ore from a great mine of rude historical materials.

Whatever is worth seeing or hearing in India, can be expressed in writing. As soon as every thing of importance is expressed in writing, a man who is duly qualified may obtain more knowledge of India in one year in his closet in England, than he could obtain during the course of the longest life, by the use of his eyes and his ears in India.

As soon as the testimony is received of a sufficient number of witnesses, to leave no room for mistake from the partial or the erroneous statements which they may have separately made, it is hardly doubtful, that a man, other circumstances being equal, is really better qualified for forming a correct judgment on the whole, if his information is totally derived from testimony, than if some little portion of it is derived from the senses. It is well known, how fatal an effect on our judgments is exerted by those impulses, called partial impressions; in other words, how much our conceptions of a great whole are apt to be distorted, and made to disagree with their object, by an undue impression, received from some particular part. Nobody needs to be informed, how much more vivid, in general, is the conception of an object which has been presented to our senses, than that of an object which we have only heard another man describe. Nobody, therefore, will deny, that, of a great scene, or combination of scenes, when some small part has been seen, and the knowledge of the rest has been derived from testimony, there is great danger, lest the impression received from the senses should exert an immoderate influence, hang a bias on the mind, and render the conception of the whole erroneous.

If a man were to lay down the plan of preparing himself for writing the history of India, by a course of observation in the country, he must do one of two things. Either he must resolve to observe minutely a part; or he must resolve to take a cursory review of the whole. Life is insufficient for more. If his decision is to observe minutely; a very small portion comparatively is all that he will be able to observe. What aid he can derive from this, in writing a history, has partly been already unfolded, and may for the rest be confided to the reflections of the intelligent reader.

What I expect to be insisted upon with greatest emphasis is, that, if an observer were to take an expansive view of India, noting, in his progress, those circumstances alone which are of greatest importance, he would come with peculiar advantage to the composition of a history; with lights capable of yielding the greatest assistance in judging even of the evidence of others. To estimate this pretension correctly, we must not forget a well-known and important law of human nature. From this we shall see, that a cursory view, of the nature of that which is here described, is a process, in the highest degree effectual, not for removing error, and perfecting knowledge, but for strengthening all the prejudices, and confirming all the prepossessions or false notions, with which the observer sets out. This result is proved by a very constant experience; and may further be seen to spring, with an almost irresistible necessity, from the constitution of the human mind. In a cursory survey, it is understood, that the mind, unable to attend to the whole of an infinite number of objects, attaches itself to a few; and overlooks the multitude that remain. But what, then, are the objects to which the mind, in such a situation, is in preference attracted? Those which fall in with the current of its own thoughts; those which accord with its former impressions; those which confirm its previous ideas. These are the objects to which, in a hasty selection, all ordinary minds are directed, over-looking the rest. For what is the principle in the mind by which the choice is decided? Doubtless that of association. And is not association governed by the predominant ideas? To this remains to be added, the powerful influence of the affections; first the well known pleasure which a man finds, in meeting, at every step, with proofs that he is in the right, inspiring an eagerness to look out for that source of satisfaction; and, secondly, the well-known aversion which a man usually has, to meet with proofs that he is in the wrong, yielding a temptation, commonly obeyed, to overlook such disagreeable objects.

He who, without having been a percipient witness in India, undertakes, in Europe, to digest the materials of Indian history, is placed, with regard to the numerous individuals who have been in India, and of whom one has seen and reported one thing, another has seen and reported another thing, in a situation very analogous to that of the judge, in regard to the witnesses who give their evidence before him. In the investigation of any of those complicated scenes of action, on which a judicial decision is sometimes required, one thing has commonly been observed by one witness, another thing has been observed by another witness; the same thing has been observed in one point of view by one, in another point of view by another witness; some things are affirmed by one, and denied by another. In this scene, the judge, putting together the fragments of information which he has severally received from the several witnesses, marking where they agree and where they differ, exploring the tokens of fidelity in one, of infidelity in another; of correct conception in one, of incorrect conception in another; comparing the whole collection of statements with

the general probabilities of the case, and trying it by the established laws of human nature, endeavours to arrive at a complete and correct conception of the complicated transaction, on which he is called to decide. Is it not understood, that in such a case as this, where the sum of the testimony is abundant, the judge, who has seen no part of the transaction, has yet, by his investigation, obtained a more perfect conception of it, than is almost ever possessed by any of the individuals from whom he has derived his information?1

But, if a life, in any great degree devoted to the collecting of facts by the senses and to the acquiring of tongues, is thus incompatible with the acquisition of that knowledge, and those powers of mind, which are most conducive to a masterly treatment of evidence; it is still less compatible with certain other endowments, which the discharge of the highest duties of the historian imperiously demands. Great and difficult as is the task of extracting perfectly the light of evidence from a chaos of rude materials, it is yet not the most difficult of his operations, nor that which requires the highest and rarest qualifications of the mind. It is the business of the historian not merely to display the obvious outside of things; the qualities which strike the most ignorant observer, in the acts, the institutions, and ordinances, which form the subject of his statements. His duty is, to convey just ideas of all those objects; of all the transactions, legislative, administrative, judicial, mercantile, military, which he is called upon to describe. But in just ideas of great measures what is implied? A clear discernment, undoubtedly, of their causes; a clear discernment of their consequences; a clear discernment of their natural tendencies; and of the circumstances likely to operate either in combination with these natural tendencies, or in opposition to them. To qualify a man for this great duty hardly any kind or degree of knowledge is not demanded; hardly any amount of knowledge, which it is within the competence of one man to acquire, will be regarded as enough. It is plain, for example, that he needs the most profound knowledge of the laws of human nature, which is the end, as well as instrument, of every thing. It is plain, that he requires the most perfect comprehension of the principles of human society; or the course, into which the laws of human nature impel the human being, in his gregarious state, or when formed into a complex body along with others of his kind. The historian requires a clear comprehension of the practical play of the machinery of government; for, in like manner as the general laws of motion are counteracted and modified by friction, the power of which may yet be accurately ascertained and provided for, so it is necessasy for the historian correctly to appreciate the counteraction which the more general laws of human nature may receive from individual or specific varieties, and that allowance for it with which his anticipations and conclusions ought to be formed. In short, the whole field of human nature, the whole field of legislation, the whole field of judicature, the whole field of administration, down to war, commerce, and diplomacy, ought to be familiar to his mind.1

What then? it will be said, and most reasonably said; do you hold yourself up, as the person in whom all these high qualifications are adequately combined? No. And I am well assured, that by not one of those by whom I shall be criticised, not even by those by whom I shall be treated with the greatest severity, will the distance between the qualifications which I possess, and the qualifications which are desirable in the writer of a history, be estimated at more than it is estimated by myself. But the whole of my

life, which I may, without scruple, pronounce to have been a laborious one, has been devoted to the acquisition of those qualifications; and I am not unwilling to confess, that I deemed it probable I should be found to possess them in a greater degree, than those, no part of whose life, or a very small part, had been applied to the acquisition of them. I was also of opinion, that if nobody appeared, with higher qualifications, to undertake the work, it was better it should be done imperfectly, better it should be done even as I might be capable of doing it, than not done at all.

Among the many virtues which have been displayed by the Company's servants, may justly be enumerated the candour with which they themselves confess the necessity under which they are laid, of remaining to a great degree ignorant of India. That they go out to their appointments at a time of life when a considerable stock of general knowledge cannot possibly have been acquired, is a fact which nobody will dispute. And they are the foremost to declare, that their situation in India is such, as to preclude them from the acquisition of local knowledge. Notwithstanding the high degree of talent, therefore, and even of literary talent, which many of them have displayed, more than some very limited portion of the history of India none of them has ventured to undertake.[1]

"When we consider," said Lord Teignmouth, in his celebrated Minute on the Revenues of Bengal, "the nature and magnitude of our acquisitions, the characters of the people placed under our dominion, their difference of language, and dissimilarity of manners; that we entered upon the administration of the government ignorant of its former constitution, and with little practical experience in Asiatic finance, it will not be deemed surprising that we should have fallen into errors; or if any should at this time require correction.—If we further consider the form of the British government in India, we shall find it ill calculated for the speedy introduction of improvement. The members composing it are in a state of constant fluctuation, and the period of their residence often expires, before experience can be acquired, or reduced to practice. Official forms necessarily occupy a large portion of time; and the constant pressure of business leaves little leisure for study and reflection, without which no knowledge of the principles and detail of the revenues of this country can be attained. True information is also procured with difficulty, because it is too often derived from mere practice, instead of being deduced from fixed principles."[1]

Lord William Bentinck, after being Governor of Fort St. George, and President of the Council at Madras, expresses himself in very pointed terms. "The result of my own observation, during my residence in India, is that the Europeans generally know little or nothing of the customs and manners of the Hindoos. We are all acquainted with some prominent marks and facts, which all who run may read: but their manner of thinking; their domestic habits and ceremonies, in which circumstances a knowledge of the people consists, is I fear in great part wanting to us. We understand very imperfectly their language. They, perhaps, know more of ours; but their knowledge is by no means sufficiently extensive to give a description of subjects not easily represented by the insulated words in daily use. We do not, we cannot associate with the natives. We cannot see them in their houses, and with their families. We are necessarily very much confined to our houses by the heat. All our wants and business,

which would create a greater intercourse with the natives, is done for us; and we are in fact strangers in the land."[1]

Another servant of the Company, Sir Henry Strachey, distinguished both by his local experience, and by general knowledge, remarking upon the state of judicature, under the English government in India, says, "Another impediment, though of a very different nature from those I have mentioned, and much more difficult to remove, is to me too palpable to be overlooked;—I mean, that arising from Europeans in our situation being necessarily ill qualified, in many points, to perform the duties required of us, as judges and magistrates. This proceeds chiefly from our very imperfect connexion with the natives; and our scanty knowledge, after all our study, of their manners, customs, and languages." "We cannot study the genius of the people it its own sphere of action. We know little of their domestic life, their knowledge, conversation, amusements, their trades, and casts, or any of those national and individual characteristics, which are essential to a complete knowledge of them." "The difficulty we experience in discerning truth and falsehood among the natives, may be ascribed, I think, chiefly, to our want of connexion and intercourse with them; to the peculiarity of their manners and habits, their excessive ignorance of our characters; and our almost equal ignorance of theirs."[1]

One or two things. I may venture to affirm that I have done.

I have performed the business of research, with a labour, and patience, which it would not be easy to surpass. And I believe there is no point, of great importance, involved in the History of India, which the evidence I have adduced is not sufficient to determine. I am, at the same time, aware, that in regard to some things there are documents which were not within my reach; and, concerning the latter part of the history, in particular, that there are individuals in England, possessed of information, which, in several places, would have rendered the narrative richer, and perhaps more accurate, in matters of detail. If I shall be found to have performed, with any tolerable success, what I had the means of performing, the liberality which distinguishes the gentlemen of India gives me reason to hope, that many of those who are possessed of useful information, but whom it was impossible for me to find out, will not be unwilling to contribute their aid to the improvement of the History of British India.

Having thus placed before me the materials of Indian history in a state, I believed, of greater fulness and completeness, than any preceding inquirer, I followed the course of my own thoughts in the judgments which I formed; not because I vainly imagined my thoughts more valuable than those of all other men, but because the sincere and determined pursuit of truth imposed this rigid law. It would not allow me to give for true the opinion of any man, till I had satisfied myself that it was true; still less to give the opinion of any man for true, when I had satisfied myself that it was not true.

Mr. Locke has declared; that he who follows his own thoughts in writing, can hope for approvers in the small number alone, of those who make use of their own thoughts in reading; that, by the rest, "a man is not permitted, without censure, to follow his own thoughts in the search of truth, when they lead him ever so little out of the common road."

If this is the severe condition, under which a man follows his own thoughts, in writing even on abstract and general truths, how much harder must be the lot of him who follows them, in writing of the actions and characters of powerful men, and bodies of men? Conscious, however, that I had been faithful in forming my opinions, I believed that I lay under an indispensable obligation to be faithful in expressing them: "to give them without violation of modesty, but yet with the courage of a man unwilling to betray the rights of reason;" and with that manly plainness, which the sincerity of the historical character appeared to require.

I could not overlook the probable consequences. "La perfection d'une Histoire," says a great judge, "est d'etre desagréable à toutes les sectes, et à toutes les nations; car c'est une preuve que l'auteur ne flate ni les uns ni les autres, et qu'il a dit à chacun ses verités."1

He who desires to obtain a considerable portion of immediate applause, has two well-known, and well-trodden paths before him.

The first is, to be a zealot for some particular and powerful party; to panegyrize its leaders; attack its opponents; place its principles and practices in the fairest possible light; and labour to bring odium upon the principles and practices of its opponents. This secures the loud and vehement applause of those who are gratified; and the vehement applause of a great party carries, by contagion, along with it, all, or the greater part of those, who are not very strongly engaged by their interests or passions on the opposite side.

The next of the easy ways to the acquisition of fame, consists of two principal parts. The first is, "to wanton in common topics, where a train of sentiment generally received enables a writer to shine without labour and to conquer without a contest."2 The second is to deal for ever in compromise; to give up the half of every opinion and principle; go no further in favour of any side of any question, than may be reconcileable in some degree with the good opinion of those who oppose it; and having written as much on one side, as to extract applause from one set of persons, to turn immediately and write as much on the other, as will extract applause from the opposite sort. This is done, without glaring marks of inconsistency, by avoiding all close encounter with the subject, and keeping to vague and general phrases. And in this manner, by a proper command of plausible language, it is easy to obtain reputation with all parties; reputation, not only of great talents, but of great moderation, great wisdom, and great virtue.1

If my book were possessed of a much greater share of the titles to applause, than even the partialities of the writer allow him to ascribe to it; I have travelled so very wide of those beaten paths to success, that my only chance for it depends, I cannot fail to perceive, upon the degree in which real liberality, that is, strength of mind, is diffused in the community. I have done enough, doubtless, to secure to myself the malignity of the intemperate, and the narrow-minded, of all parties. I have encouraged myself, however, with the belief, that civilization, and the improvement of the human mind, had, in this country, attained a sufficient elevation to make a book he received as useful, though it neither exaggerated, nor extenuated the good, or the evil, of any man,

or combination of men: to afford a multitude, in every party far enough removed from the taint of vulgar antipathies, to yield to an author, who spoke with sincerity, and who though he has not spoken with a view to gratify any party, or any individual, most assuredly has never spoken with a view to hurt any, a compensation for the hostilities of the lower and more ungenenous portion of every party.

Though I am aware of many defects in the work which I have ventured to offer to the public; and cannot forget how probable it is, that more impartial and more discerning eyes will discover many which are invisible to mine, I shall yet appeal from the sentence of him, who shall judge of me solely by what I have not done. An equitable and truly useful decision would be grounded upon an accurate estimation of what I have done, and what I have not done, taken together.

It will also deserve to be considered, how much was in the power of any individual to compass. In so vast a subject, it was clearly impossible for one man to accomplish every thing. Some things it was necessary to leave, that others might be taken; some things it was necessary to handle but slightly, that others might be treated with greater attention. The geography, for example, alone, would have occupied a life-time. To nicety in the details of geography. I was, therefore, unable to aspire. I followed without much criticism, the authors whom I was consulting, and was only careful to give, with correctness, that outline and those particulars, which were necessary for understanding completely the transactions recorded in my work. To compensate as far as possible, for that which, in this department, I myself was unable to perform, I was anxious to afford the reader the advantage of Mr. Arrowsmith's map, by far the finest display which has yet been made of the geography of India; and in any discrepancy, if any should appear, between the text and that reduction of his noble map, which is prefixed to the second volume, I desire the reader to be guided rather by the geographer than by the historian.

In the orthography of Indian names, I should not have aimed at a learned accuracy, even if my knowledge of the languages had qualified me for the task. I have not been very solicitous even about uniformity in the same name; for as almost every author differs from another in the spelling of Eastern names, it appeared to me to be not altogether useless, that, in a book intended to serve as an introduction to the knowledge of India, a specimen of this irregularity should appear.

There is another apparent imperfection, which I should have more gladly removed. In revising my work for the press, some few instances have occurred, in which I have not been able to verify the references to my authorities. This arose from one of the difficulties of my situation. Unable to command at once the large and expensive number of books, which it was necessary for me to consult, I was often dependent upon accident for the period of my supply; and, if not provided with the best channels of information, obliged to pursue my inquiries, at the moment, in such as I possessed. It was often, in these cases, useful, for the sake of memory, and of following out the thread of research, to quote, in the first instance, at second hand. When I afterwards obtained the better authority, it was a matter of anxious care to adjust the reference; but I have met with some instances in which I am afraid the adjustment has not been performed. I mention this, to obviate cavils at the appearance of inaccuracy, where the

reality does not exist; inaccuracy in form, rather than in substance; for I have no apprehension that those who shall trace me with the requisite perseverance will accuse me of wanting either the diligence, or the fidelity of an historian; and I ought not to have undertaken the task, if I had not possessed the prospect of obtaining, sooner or later, the means of carrying it to completion.

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# GLOSSARY

Adawlut. Justice, equity; a court of justice. The terms Dewanny Adawlut, and Foujdarry Adawlut, denote the civil and criminal courts of justice. See Dewanny and Foujdarry.
Ameer, Meer, Emir. A nobleman.
Ameer ul Omrah. Noble of nobles, lord of lords.
Anna. A piece of money, the sixteenth part of a rupee.
Aumeen. Trustee, commissioner. A temporary collector or supravisor, appointed to the charge of a country on the removal of a Zemindar, or for any other particular purpose of local investigation or arrangement.
Aumil. Agent, officer, native collector of revenue. Superintendant of a district or division of a country, either on the part of the government, Zemindar, or renter.
Aumildar. Agent, the holder of an office. An intendant and collector of the revenue, uniting civil, military, and financial powers, under the Mahomedan government.
Aurung. The place where goods are manufactured.
Bala-Ghaut. Above the Ghauts, in contradistinction to Payeen Ghaut, below the Ghauts. The terms are generally applied to the high tableland in the centre of India, towards its southern extremity.
Banyan. A Hindu merchant, or shopkeeper. The term Banyan is used in Bengal to denote the native who manages the money concerns of the European, and sometimes serves him as an interpreter. At Madras, the same description of persons is called Dubash, which signifies one who can speak two languages.
Batta. Deficiency, discount, allowance. Allowance to troops in the field.
Bazar. Daily market, or market place.
Bega. A land measure equal, in Bengal, to about the third part of an acre.
Begum. A lady, princess, woman of high rank.
Bice, Vaisya. A man of the third Hindu cast, who by birth is a trader, or husbandman.
Brahmen, Brahmin, Brahman, Bramin. A divine, a priest; the first Hindu cast.
Brinjarrie, Binjary, Benjary, Banjary. A grain merchant.
Bungalow. The name used in Bengal, for a species of country-house, erected by Europeans.
Caly Yug, Calyoogum. The present, or fourth age of the world, according to the chronology of the Hindus.
Caste, Cast. A tribe, or class of people.
Caravan-Serai. The serai of the caravan. See Serai and Choultry.
Cawzi, Cazi, Kazy. A Mahomedan judge, or justice, who also officiates as a public notary, in attesting deeds, by affixing his seal. The same as the officer we name Cadi, in Turkey.
Cauzy-ul-Cazaut. Judge of judges; the chief judge, or justice.
Chandala. One of the names for the most degraded Hindu casts.

Choky, Chokee. A chair, seat; guard, watch. The station of a guard or watchman. A place where an officer is stationed to receive tolls and customs.
Choultry. A covered public building, for the accommodation of passengers.
Chout. A fourth: a fourth part of sums litigated. Mahratta chout; a fourth of the revenues, exacted as tribute by the Mahrattas.
Chubdar. Staff-bearer. An attendant on a man of rank. He waits with a long staff, plated with silver, announces the approach of visitors, and runs before his master, proclaiming aloud his titles.
Chunam. Lime.
Circar. Head of affairs; the state or government; a grand division of a province; a head man; a name used by Europeans in Bengal, to denote the Hindu writer and accountant, employed by themselves, or in the public offices.
Colluries, Colerees. Saltworks, the places where salt is made.
Coolites, Cooly. Porter, labourer.
Coss. A term used by Europeans, to denote a road-measure of about two miles, but differing in different parts of India.
Chore. Ten millions.
Csnatriya, Kshatriya, Chetterie, Khetery. A man of the second or military caste.
Cutcherry. Court of justice; also the public office where the rents are paid, and other business respecting the revenue transacted.
Cutwal, Katwal. The chief officer of police in a large town or city, and superintendant of the markets.
Dar. Keeper, holder. This word is often joined with another, to denote the holder of a particular office or employment, as Chob-dar, staff-holder; Zemin-dar, land-holder. This compound word, with *i, ee, y*, added to it, denotes the office, as Zemindar-ee.
Darogah. A superintendant, or overseer; as of the police, the mint, &c.
Daum, Dam. A copper coin, the fortieth part of a rupee.
Deccan. Literally, the south. A term employed by Mahomedan writers, to denote the country between the rivers Nerbuddah and Crishna.
Decoits. Gang-robbers. *Decoity*, gang-robbery.
Dewan, Duan. Place of assembly. Native minister of the revenue department; and chief justice, in civil causes, within his jurisdiction; receiver-generad of a province. The term is also used, to designate the principal revenue servant under an European collector, and even of a Zemindar. By this title, the East India Company are receivers-general of the revenues of Bengal, under a grant from the Great Mogul.
Dewanny, Duannee. The office, or jurisdiction of a Dewan.
Dewanny Court of Adawiur. A court for trying revenue, and other civil causes.
Doab, Doowab. Any tract of country included between two rivers.
Droog. A fortified hill or rock.
Dubash. See Banyan.
Durbar. The court, the hall of audience; a levee.
Faqueer, Fakir. A poor man, mendicant, a religious beggar.

Firmaun, Phirmaund. Order, mandate. An imperial decree, a royal grant, or charter.
Foujdar, Fojedar, Phousdar, Fogedar. Under the Mogul government, a magistrate of the police over a large district, who took cognizance of all criminal matters within his jurisdiction, and sometimes was employed as receiver-general of the revenues.
Foujdarry, Fojedaree. Office of a Foujdar.
Foujdarry Court. A court for administering the criminal law.
Ghaut. A pass through a mountain; applied also to a range of hills, and the ford of a river.
Ghee. Clarified butter, in which state they preserve that article for culinary purposes.
Ghirdawar, Girdwar. An overseer of police, under whom the *goyendas*, or informers, act.
Gomastah. A commissioner, factor, agent.
Gooroo, Guru. Spiritual guide.
Goyenda. An inferior officer of police; a spy, informer.
Gunge. A granary, a depot, chiefly of grain for sale. Wholesale markets, held on particular days. Commercial depots.
Gurry. A name given to a wall flanked with towers.
Haram. Seraglio, the place where the ladies reside.
Hircarra, Harcarrah. A guide, a spy, a messenger.
Howda. The seat of great men fixed on an elephant, not much unlike the body of a sedan in shape.
Jaghire, Jagheer. Literally, the place of taking. An assignment, to an individual, of the government share of the produce of a portion of land. There were two species of jaghires; one, personal, for the use of the grantee; another, in trust, for some public service, most commonly, the maintenance of troops.
Jamma, Jumma. Total, amount, collection, assembly. The total of a territorial assignment.
Jammabundy, Jummabundy. A writted schedule of the whole of an assessment.
Jeel, Keel. A shallow lake, or morass.
Jinjal. A large musket, fixed on a swivel, used in Indian forts, and fired with great precision.
Jug. See Yug.
Jungle, Jangle. A wood, or thicket; a country overrun with shrubs, or long grass.
Khalsa. Pure, unmixed. An office of government, in which the business of the revenue department is transacted: the exchequer. Khalsa lands, are lands, the revenue of which is paid into the exchequer.
Khan, Cawn. A title, similar to that of Lord.
Khilaut, Kelaut. A robe of honour, with which princes confer dignity.
Killader, Kelladar. Warder of a castle commander of a fort.
Kist. Stated payment, instalment of rent.
Kushoon, Cushogn. A body of military, corresponding nearest to our term brigade; varying from one to six or eight thousand.

Lac. One hundred thousand.
Lascar. Properly a camp-follower, but applied to native sailors and artillery-men.
Limber. A low two-wheeled carriage, on which the trial of a gun is fixed when travelling: it is released in a moment if wanted to fire, which is called unlimbering; the cattle being yoked to the limber, guns are of course always dragged breech first.
Maal, Mahl, Mehal, Mhal. Places, districts, departments. Places, or sources of revenue, particularly of a territorial nature; lands.
Maha. Great.
Mocurrery. As applied to lands, it means lands let on a fixed lease.
Mofussil. Separated, particularized; the subordinate divisious of a district, in contradistinction to Saddur, or Sudder, which implies the chief seat of government.
Mofussil Dewanny Adawlut. Provincial court of civil justice.
Molungee. Manufacturer of salt.
Moofty, Muftee. The Mahomedan law-officer who declares the sentence.
Monsoon. The ramy season. The periodical winds and rains.
Moolavy, Mohlavee. A learned and religious man, an interpreter of the Mahomedan law.
Moonshee. Letter-writer, secretary. Europeans give this title to the native who instructs them in the Persian language.
Mosque. A Mahomedan temple.
Musnud. The place of sitting; a seat; a throne, or chair of state.
Mutseddey, Mutaseddee. Iutent upon. Writer, accountant, secretary.
Nabob, Nawab. Very great deputy vicegerent. The governor of a province under the Mogul government.
Naib. A deputy.
Naib Nazim. Deputy of the Nazim, or Governor.
Naig, Naik. A petty military officer.
Nair. Chief. The Nairs are a peculiar description of Hindus, on the Malabar coast.
Nazim. Composer, arranger, adjuster. The first officer of a province, and minister of the department of criminal justice.
Nizam. Order, arrangement; an arranger.
Nizam ul Mulk. The administrator of the empire.
Nizamut. Arrangement, government; the office of the Nazim, or Nizam.
Nizamut Adawlut. The court of criminal justice.
Nulla. Streamlet, water-course.
Nuzzer. A vow, an offering; a present made to a superior.
Omrah. A lord, a grandee, under the Mogul government.
Pagoda. A temple; also the name of a gold coin, in the south of India, valued at eight shillings.
Palankeen. A litter in which gentleman in India recline, and are carried on the shoulders of four men.
Pariar. A term used by Europeans in India to denote the outcasts of the Hindu tribes.
Patan. A name applied to the Afghaun tribes.

Peshwa, Peishwa. Guide, leader. The prime minister of the Mahratta government.
Peon. A lootmon, a foot soldier; an inferior officer or servant employed in the business of the revenue, police, or judicature.
Pergunnah. A small district, consisting of several villages.
Peshcush. A present, particularly to government, in consideration of an appointment, or as an acknowledgment for any tenure. Tribute, fine, quit-rent, advance on the stipulated revenues.
Pettah. The suburbs of a fortified town.
Polligar, Polygar. Head of a village district. Military chieftain in the Peninsula, similar to hill Zemindar in the northern circars.
Pollam. A district held by a Polligar.
Potail. The head man of a village. The term corresponds with that of Mocuddim and Mundul in Bengal.
Pottah. A lease granted to the cultivators on the part of government, either written on paper, or engraved with a style on the leaf of the fan palmira tree
Pundit. A learned Brahmen.
Purana, Pooran. Literally ancient: the name given to such Hindu books as treat of creation in general, with the history of their gods and ancient heroes.
Pyke. A foot messenger. A person employed as a night-watch in a village, and as a runner or messenger on the business of the revenue.
Rajah. King, prince, chieftain, nobleman; a title in ancient times given to chiefs of the second or military Hindu tribe only.
Rajepoot. Literally, son of a king. The name of a warlike race of Hindus.
Rana. A species of rajah.
Ranny, Ranee. Queen, princes, wife of a rajah.
Roy Royan. A Hindu title given to the principal officer of the Khalsa, or chief treasurer of the exchequer.
Rupee. The name of a silver coin; rated in the Company's accounts, the current rupee at 2*s*.; the Bombay rupee at 2*s*. 3*d*.
Ryot. Peasant, subject; tenant of house or land.
Sayer. What moves; variable imposts, distinct from land rent or revenue; consisting of customs, rolls, licences, duties on goods, also taxes on houses, shops, bazars, &c.
Sepoy. A native soldier.
Serai. The same as Choaltry.
Shaster. The instrument of government or instruction; any book of instruction, particularly containing divine ordinances.
Shroff, Shrof. A banker, or money-changer.
Sirdar. Chief, captain, head man.
Soucar. A merchant, or banker; a money-lender.
Subah. A province such as Bengal. A grand division of a country, which is again divided into circars, chucklas, pergunnahs, and villages.
Subahdar. The holder of the subah, the governor or viceroy.
Subahdary. The office and jurisdiction of a subahdar.
Sudder. The breast; the fore-court of a house; the chief seat of government, contradistinguished from Mofussil, or interior of the country; the presidency.

Sudder Dewanny Adawlut. The chief civil court of justice under the Company's government, held at the presidency.
Sudder Nizamut Adawlut. The chief criminal court of justice, under the Company's government.
Sudra, Shudra, Sooder. A Hindu of the fourth, or lowest tribe.
Sonnud. A prop, or support; a patent, charter, or written authority for holding either land or office.
Talookdar. A holder of a talook, which is a small portion of land; a petty land-agent.
Tank. Pond, reservoir.
Tannahdar. A petty police officer.
Teed. A note of hand; a promissory note given by a native banker, or money-lender, to Zemindars and others, to enable them to furnish government with security for the payment of their rents.
Tehsildar. Who has charge of the collections. A native collector of a district, acting under a European or Zemindar.
Topashes. Native black Christians, the remains of the ancient Portuguese.
Tope. A grove of trees.
Tuncaw, Tunkha. An assignment on the revenue, for personal support, or other purposes.
Tumbril. A carriage for the gun ammunition.
Vackbel, Vaqnibl. One endowed with authority to act for another.
Ambassador, agent sent on a special commission, or residing at a court.
Native law pleader, under the judicial system of the Company.
Vizir, Vizier. Under the Mogul government, the prime minister of the sovereign.
Vedas, Veds, Beeds. Science, knowledge. The sacred scriptures of the Hindus.
Yogies, Jogies. Hindu devolees.
Yug, Jug, Yoog. An age; a great period of the Hindus; also a religious ceremony.
Zemindar. From two words signifying, earth, land, and holder or keeper.
Land-keeper. An officer who, under the Mahomedan government, was charged with the superintendance of the lands of a district, financially considered; the protection of the cultivators, and the realization of the government's share of its produce, either in money or kind.
Zemindarry. The office or jurisdiction of a Zemindar.
Zenana. The place where the ladies reside.
Zillah. Side, part, district, division. A local division of a country having reference to personal jurisdiction.

N. B. The explanations of the above terms are taken, for the most part, from the Glossary attached to the fifth Report of the Committee of the House of Commons on Indian affairs, appointed in 1810.

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# ERRATUM.

The correction, which the following notice in the first edition required to be made, was forgotten till that part of the text was reprinted. The passage therefore stands as in the first edition.

VOL. III.—*Page* 150. It has been suggested to me, that the allusion to the death of 400 Gentoos, made in the note of the translator of the Seer Mutakhareen, may have a stress laid upon it, which I should regret. I copied the note, merely as a specimen of the criticisms which were made on the spot, by persons not partial to the English. This, I conceived, was matter of instruction. But I never meant that any fact should stand, as confirmed, upon the authority of the translator of the Seer Mutakhareen; nor will it be so understood by any considerate reader. Had the statement appeared to me to rest upon proof, I should have thought it of sufficient importance to give it a place in the text. I have, since the volume was printed, had reasons given to me, by which I am convinced, that the allusion is not well founded, and that no such catastrophe ever occurred.

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# HISTORY OF BRITISH INDIA.

## BOOK I.

## 1527–1707.

Commencement of the British Intercourse with India; and the Circumstances of its Progress, till the Establishment of the Company on a durable Basis by the Act of the Sixth of Queen Anne.

Two centuries have elapsed, since a few British merchants humbly solicited permission of the Indian princes to traffic in their dominions.

The British power at present embraces nearly the whole of that vast region, which extends from Cape Comorin to the mountains of Tibet, and from the mouths of the Brahmapootra to the Indus.

In the present undertaking, it is proposed, to collect, from its numerous and scattered sources, the information necessary to convey correct and adequate ideas of this empire, and of the transactions through which it has been acquired; and for that purpose,

book i.

I. To describe the circumstances in which the intercourse of the British nation with India commenced, and the particulars of its early progress, till the era when it could first be regarded as placed on a firm and durable basis:

II. To exhibit as accurate a view as possible of the character, the history, the manners, religion, arts, literature, and laws of the extraordinary people with whom this intercourse had thus begun; as well as of the physical circumstances, the climate, the soil, and productions, of the country in which they were placed:

III. To deduce to the present times a history of that part of the British transactions, which have had an immediate relation to India; recording the train of events; unfolding the constitution of that Body, half political, half commercial, through which the business has been ostensibly performed; describing the nature, the progress, and effects of its commercial operations; exhibiting the legislative proceedings, the discussions and speculations, to which the connection of Great Britain with India has given birth; analysing the schemes of government which she has adopted for her Indian dominions; and attempting to discover the character and tendency of that species of relation to one another in which the mother country and her eastern dependencies are placed.

The subject forms an entire, and highly interesting, portion of the British History; and it is hardly possible that the matter should have been brought together, for the first

time, without being instructive, how unskilfully soever the task may have been performed. If the success corresponded with the wishes of the author, he would throw light upon a state of society, curious, and commonly misunderstood; upon the history of society, which in the compass of his work presents itself in almost all its stages and all its shapes; upon the principles of legislation, in which he has so many important experiments to describe; and upon interests of his country, of which, to a great degree, his countrymen have remained in ignorance, while prejudice usurped the prerogatives of understanding.

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# CHAP. I.

From the Commencement of the Efforts to begin a Trade with India, till the Change of the Company from a regulated to a joint-stock Company.

The Portuguese had formed important establishments in India, before the British offered themselves as competitors for the riches of the East.

From the time when Vasco de Gama distinguished his nation by discovering the passage round the Cape of Good Hope, a whole century had elapsed, during which, without a rival, the Portuguese had enjoyed, and abused, the advantages of superior knowledge and art, amid a feeble and half-civilized people. They had explored the Indian ocean, as far as Japan; had discovered its islands, rich with some of the favourite productions of nature; had achieved the most brilliant conquests; and by their commerce poured into Europe, in unexampled profusion, those commodities of the East, on which the nations at that time set an extraordinary value.

The circumstances of this splendid fortune had violently attracted the attention of Europe. The commerce of India, even when confined to those narrow limits which a carriage by land had prescribed, was
supposed to have elevated feeble states into great ones; and to have constituted an enviable part in the fortune even of the most opulent and powerful; to have contributed largely to support the Grecian monarchies both in Syria and Egypt; to have retarded the downfall of Constantinople; and to have raised the small and obscure republic of Venice to the rank and influence of the most potent kingdoms. The discovery therefore of a new channel for this opulent traffic, and the happy experience of the Portuguese, inflamed the cupidity of all the maritime nations of Europe, and set before them the most tempting prospects.



An active spirit of commerce had already begun to display itself in England. The nation had happily obtained its full share of the improvement which had dawned in Europe; and the tranquil and economical reign of Elizabeth had been favourable both to the accumulation of capital, and to those projects of private emolument on which the spirit of commerce depends. A brisk trade, and of considerable extent, had been carried on during the greater part of the sixteenth century with the Netherlands, at that time the most improved and commercial part of Europe. The merchants of Bristol had opened a traffic with the Canary Islands; those of Plymouth with the coasts of Guinea and Brazil: the English now fished on the banks of Newfoundland; and explored the sea of Spitzbergen, for the sovereign of the waters: they engrossed, by an exclusive privilege, the commerce of Russia: they took an active part in the trade of the Mediterranean: the company of merchant-adventurers pushed so vigorously the traffic with Germany and the central parts of Europe, as highly to excite the jealousy of the Hans Towns: and the protestant inhabitants of the Netherlands and France, flying from the persecutions of their own

oppressive and bigoted governments, augmented the commercial resources of England by the capital and skill of a large importation of the most ingenious and industrious people in Europe.1

In these circumstances, the lustre of the Portuguese transactions in the East peculiarly attracted the admiration of the English. Already a most adventurous spirit of navigation was roused in the nation. The English were the first who had imitated the example of the Spaniards in visiting the New World. In 1497, Cabot, with a small squadron, explored the coast of America, from Labrador to Virginia, and discovered the islands of Newfoundland and St. John.2 An English merchant, named Robert Thorne, who had been stationed for many years at Seville in Spain, and had acquired particular knowledge of the intercourse which the Portuguese had opened with the East, presented a project to Henry VIII. about the year 1527, the accomplishment of which he imagined would place his countrymen in a situation no less enviable than that of the Portuguse. As that nation had obtained a passage to India by a course to the south-east, and pretended a right, which they defended by force, to its exclusive occupation, he supposed that his countrymen might reach the same part of the globe by sailing to the north-west, and thus obtain a passage at once expeditious and undisputed.3 What effect this representation produced on the mind of Henry is not accurately known. But two voyages in the course of his reign were undertaken for the discovery of a north-west passage, one about this period,1 and another ten years later.2



Nothing can more clearly prove to us the ardour with which the English coveted a share in the riches supposed to be drawn from the East, than the persevering efforts which they made to discover a channel from which the Portuguese should have no pretence to exclude them. Two attempts in the reign of Henry to obtain a passage by the north-west having failed, their exploring fancy anticipated a happier issue from a voyage to the north-east. A small squadron, under the direction of Sir Hugh Willoughby, was fitted out in the reign of Edward VI.; and, sailing along the coast of Norway, doubled the North Cape,3 where it was encountered by a storm. The ship of Sir Hugh was driven to an obscure spot in Russian Lapland, where he and his crew perished miserably by the climate. The other principal vessel found shelter in the harbour of Archangel, and was the first foreign ship by which it was entered. So well did Chancellour, its captain, improve the incident, that he opened a commercial intercourse with the natives, visited the monarch in his capital, stipulated important privileges for his countrymen; and laid the foundation of a trade which was immediately prosecuted to no inconsiderable extent. This voyage but little damped the hopes of obtaining a north-east passage to the riches of India. Some vigorous attempts were made by the company in whose hands the commerce with Russia was placed;4 the last of them in 1580, when two ships were sent out to explore the passage through the straits of Waygatz. After struggling with many perils and difficulties from the ice and the cold, one of the vessels returned unsuccessful; of the other no intelligence was ever received.

Before this hope was abandoned, the project of obtaining a passage by the north-west was ardently resumed. No fewer than six voyages were made in the course of a few years. Two barks of twenty-five tons each, and a pinnace of ten, sailed under Martin Frobisher in the year 1567, and entered Hudson's bay, which they at first imagined was the inlet about to conduct them to the golden shore. The same navigator was encouraged to make a second attempt in the same direction in 1576. As he brought home some minerals, which were supposed to be impregnated with gold, the attention of government was excited; and after two years, Frobisher was sent out with fifteen of the Queen's ships, miners for the supposed ore, and 120 persons as the rudiments of a colony. Having spent his provisions, and lost one of his ships, but not having found the expected passage, nor left his settlers, he returned with 300 tons of the supposed treasure, which proved to be only a glittering sand.1 The nation persevered in its hopes and its enterprises. A few years afterwards, Captain John Davis sailed as far as 66° 40′ north, and discovered the straits distinguished by his name. In a second voyage, undertaken in 1586, he explored in vain the inlet which he had thus discovered, and after a few years was enabled to proceed in a third expedition, which had no better success than the preceding two.2



After the defeat of so many efforts to discover a new passage to India, the English resolved to be no longer deterred by the pretensions of the Portuguese. A voyage to China by the Cape of Good Hope was undertaken in 1582. Four ships proceeded to the coast of Brazil, fought with some Spanish men of war, and were obliged to return for want of provisions.1 Another expedition, consisting of three ships, was fitted out in 1596, the commander of which was furnished with Queen Elizabeth's letters to the Emperor of China. This voyage proved eminently unfortunate. The ships were driven upon the coast of Spanish America, where only four men were preserved alive from the effects of storms, famine, and disease.2

Amid these unsuccessful endeavours two voyages were accomplished, which animated the hopes of the nation, and pointed out the way to more fortunate enterprises. Francis Drake, the son of a clergyman in Kent, who at a tender age had been put an apprentice to the master of a slender bark trading to the coast of Holland and France, had early evinced that passionate ardour in his profession which is the usual forerunner of signal success.3 He gained the affections of his master, who left him his bark at his death; at the age of eighteen he was purser of a ship which sailed to the bay of Biscay; at twenty he made a voyage to the coast of Guinea; in 1565 he ventured his all in a voyage to the West Indies, which had no success; and in 1567 he served under his kinsman Sir John Hawkins, in his unprosperous expedition to the bay of Mexico. In these different services, his nautical skill, his courage, and sagacity, had been conspicuously displayed. In 1570 his reputation enabled him to proceed to the West Indies with two vessels under his command. So vehemently was he bent on executing some great design, that he renewed his visit the next year, for the sole purpose of obtaining information. He had no sooner returned than he planned an expedition against the Spaniards, executed it with two ships and seventy-three men, sacked the town of Nombre de Dios, and returned with great treasure. It is said that, in this voyage, he saw from the top of a

high-tree, that is, fancied he saw, across the American isthmus, the Southern Ocean, and became inflamed with the desire of reaching it in a ship of England.

For this expedition he prepared on a great scale; obtaining the commission of the Queen, and the command of five vessels, one of 100 tons, another of eighty, one of fifty, another of thirty, and a pinnace of fifteen; the whole manned with 164 select sailors. The historians of his voyage are anxious to display the taste and magnificence, as well as judgment, of his preparations; expert musicians, rich furniture, utensils of the most curious workmanship, vessels of silver for his table, and many of the same precious metal for his cook-room.

The expedition sailed from Plymouth on the 13th of December, 1577. Having passed the Straits of Magellan, and ravaged the western coast of Spanish America, Drake feared the encounter of a Spanish fleet, should he attempt to return in the same direction, and formed the bold design of crossing the Pacific Ocean, and regaining England by the Cape of Good Hope.

With one ship, the only part of the fleet which remained, he steered along the coast of America to the
latitude of 38° north, and then entered upon that immense navigation, in which Magellan, the only circumnavigator who preceded him, had sustained so many disasters. No memorable occurrence attended the voyage. Of the islands which have been discovered in the Pacific Ocean none were observed till he approached the Asiatic coast. Fixing his attention on the Moluccas, of which the fame had been circulated in Europe by the rich spices thence imported by the Portuguese, he passed, with little observation, the more eastern part of the numerous islands which stud the Indian seas, and held his course for Tidore. From intelligence, received on the passage, he waved his intention of landing on that island, and steered for Ternate, the sovereign of which he understood to be at enmity with the Portuguese.



His intercourse with that island forms a remarkable epoch in the history of the British nation in India, as it was the beginning of those commercial transactions which have led to the greatest results. The King, having received assurances that his new visitants came with no other intention than that of trading with his country, gave them a very favourable reception. This monarch possessed considerable power, since the English navigators were informed that he ruled over seventy islands, besides Ternate, the most valuable of all the Moluccas; and in the visits which they paid to his court they were eyewitnesses of no contemptible magnificence. They exchanged presents with him, and received him on board; they traded with his subjects, laid in a cargo of valuable spices, and acquainted themselves with the nature and facilities of a commerce which was the object of admiration and envy in Europe.

Not satisfied with the information or the commodities which they received on one island, they visited
several, being always amazed at their prodigious fertility, and in general delighted with the manners of the inhabitants. Among other places they landed in the great island of Java, famous afterwards as the seat of

the Dutch government in India. They held some friendly intercourse with the natives, and departed with a tolerable knowledge both of the character of the people, and the productions of the country.

They now spread their sails for that navigation between Europe and India, to which the Portuguese claimed an exclusive right, and by which they monopolized the traffic with India. Those discoverers had craftily disseminated in Europe terrific accounts of dangers and horrors attending the navigation round the Cape of Good Hope. As the voyage of the English proved remarkably prosperous, they were surprised and delighted with the safety and ease which seemed to them to distinguish this envied passage, and conceived a still more lofty opinion of the advantages enjoyed by the nation that engrossed it. After leaving Java, the first land which they touched was the Cape of Good Hope. They landed once more at Sierra Leone, on the African coast, and received supplies which sufficed for the remainder of the voyage. They arrived at Plymouth on Monday the 26th of September, 1580, after a voyage of two years, ten months, and a few days; exhibiting to the wondering eyes of the spectators the first ship in England, and the second in the world, which had circumnavigated the globe. The news quickly spread over the whole kingdom, which resounded with the applauses of the man who had performed so daring and singular an enterprise. Whoever wished to be distinguished as the patron of merit hastened to confer some mark of his admiration on Captain Drake. The songs, epigrams, poems, and other pieces, which were composed in celebration of his exploits, amounted to several collections.[1] The Queen, after some delay, necessary to save appearances with the Spanish court, which loudly complained of the depredations of Drake, though as reprisals perhaps they were not undeserved, paid a visit in person to the wonderful ship at Deptford; accepted of an entertainment on board, and conferred the honour of knighthood on its captain; observing, at the same time, that his actions did him more honour than his title.[2]

book i.Chap. 1. 1580.

We may form some conception of the ardour which at that time prevailed in England for maritime exploits, by the number of men of rank and fortune, who chose to forego the indulgences of wealth, and to embark their persons and properties in laborious, painful, and dangerous expeditions. Among them we find such names as those of the Earls of Cumberland and Essex, of Sir Richard Greenville, Sir Walter Ralegh, Sir Humphry Gilbert, Sir Robert Dudley, who prepared squadrons at their own expense, and sailed to various parts of the world. No undertaking of this description was attended with more important circumstances than that of Thomas Cavendish.

This gentleman, descended from a family of distinction, and inheriting a large estate in the county of Suffolk, had been early fired with a passion for maritime adventure. In a vessel of his own, he had accompanied Sir Richard Greenville in his unsuccessful voyage to Virginia; and now sold or mortgaged his estate, to equip a squadron with which he might rival the glory of Drake. It consisted of three ships, the largest of 140 tons, one of sixty, and a bark of about forty, the whole supplied with two years' provisions, and manned with 126 officers and sailors, of whom several had served in the celebrated expedition of Drake.

book i.Chap. 1. 1586.

They sailed from Plymouth on the 21st of July, 1586. Their voyage through the Straits of Magellan, and the depredations which they proceeded to commit along the western coast of the American continent, not only in the spirit of avarice, but even of wanton devastation, form no part of our present subject, and may without regret be left to other recorders. They had reached the coast of Calefornia, and nearly 24° of northern latitude; when, having taken a very rich Spanish ship, and completed their schemes of plunder, they commenced their voyage across the Pacific Ocean. They left the coast of America on the 19th of November, and came in sight of Guam, one of the Ladrone islands, on the 3d of January. From this island they were visited by sixty or seventy canoes full of the inhabitants, who brought provisions to exchange for commodities, and so crowded about the ship, that the English, when they had finished their traffic, discharged some of their fire arms to drive them away.1 With the Philippines, to which
they next proceeded, they opened a more protracted intercourse; having cast anchor at one of the islands, where they lay for nine days, and carried on an active trade with the inhabitants.



The cluster of islands, to which the Europeans have given the name of the Philippines, was discovered by Magellan. Philip II., shortly after his accession to the Spanish throne, planted there a colony of Spaniards, by an expedition from New Spain; and a curious commerce had from that time been carried on across the Great Pacific between this settlement and the dominions of Spain in the new world. To Manilla, the capital of the Philippine colony, the Chinese, who resorted thither in great numbers, brought all the precious commodities of India; and two ships were sent annually from New Spain, which carried to the Philippines the silver of the American mines, and returned with the fine productions of the East. The impatience, however, of the natives under the Spanish yoke, was easily perceived. When they discovered that the new visitors were not Spaniards, but the enemies of that people, they eagerly testified their friendship; and the princes of the island, where Cavendish landed, engaged to assist him with the whole of their forces, if he would return and make war upon the common adversary.

This adventurous discoverer extensively explored the intricate navigation of the Indian Archipelago, and observed the circumstances of the new and extraordinary scene with a quick and intelligent eye. He visited the Ladrones; shaped a course among the Philippines, which brought the greater part of those islands within his view; passed through the Moluccas; sailed along that important chain of islands, which bounds the Indian Archipelago from the Strait of Malacca to the extremity of Timor; and passing the Strait of Bally,
between the two Javas, cast anchor on the south-west side of the great island of that name, where he traded with the natives for provisions, and formed a sort of treaty, stipulating a favourable reception when his visit should be renewed.



He sailed for the Cape of Good Hope on the 16th of March, careful to treasure up information respecting a voyage, which was now the channel of so important a commerce. He made astronomical observations; he studied the weather, the winds, and the tides; he noted the bearing and position of lands; and omitted nothing which might facilitate a repetition of the voyage to himself or his countrymen. He passed the

Cape with prosperous navigation about the middle of May, and, having touched at St. Helena to recruit his stores, he landed at Plymouth on the 9th of September, 1588. In the letter which, on the very day of his arrival, he wrote to Lord Hunsdon, then Chamberlain to Queen Elizabeth, he says, "I navigated to the islands of Philippines, hard upon the coast of China, of which country I have brought such intelligence as hath not been heard of in these parts; a country, the stateliness and riches of which I fear to make report of, lest I should not be credited. I sailed along the islands of Moluccas, where, among some of the heathen people, I was well entreated, and where our countrymen may have trade as freely as the Portugals, if they themselves will."

The tide of maritime adventure which these splendid voyages were so well calculated to swell, flowed naturally towards India, by reason of the fancied opulence, and the prevailing passion for the commodities, of the East. The impatience of our countrymen had already engaged them in a circuitous traffic with that part of the globe. They sailed to the eastern shores of the Mediterranean Sea, where they found cargoes of Indian goods conveyed over land: and a mercantile company, denominated the Levant Company, was instituted, according to the policy of the age, to secure to the nation the advantages of so important a commerce.[1] The Company which, after the discovery of the port of Archangel, had been formed to carry on the trade with Russia, had opened a communication with Persia, and thence imported the commodities of India: Mr. Anthony Jenkinson, an active and enterprising agent of the Russia Company, sailed down the Volga, in 1558, to the Caspian Sea, which he crossed into Persia, and at Boghar, a city of some importance, found merchants not only from various parts of the Persian empire, but from Russia, and China, and India. This voyage he performed seven times; and opened a considerable trade for raw and wrought silk, carpets, spices, precious stones, and other Asiatic productions. In 1563, there was business enough to require the presence of three agents at Casbin, the seat of the Persian court; and the traffic flourished for several years.



Accidental circumstances contributed to enliven the admiration excited by the Indian trade. During that expedition to the coast of Spain, on which Sir Francis Drake was sent, by Queen Elizabeth, to harass the Spanish shipping, and prevent as far as possible the preparations for the Invincible Armada, he took one of the Portuguese ships from India, known at that time by the name of Carracks. The value of her cargo inflamed the imaginations of the merchants; and the papers which she carried afforded information respecting the traffic in which she was engaged.[1] A still more important capture of the same sort was made in 1593. An expedition fitted out for the West Indies by Sir Walter Ralegh, and commanded by Sir John Boroughs, encountered near the Azores the greatest of all the Portuguese Carracks, a vessel of 1,600 tons, carrying 700 men, and thirty-six brass cannon, and after an obstinate contest carried her into Dartmouth. This was the largest vessel which had ever been seen in England, laden with spices, calicoes, silks, gold, pearls, drugs, porcelain, ebony, &c.; and stimulated the impatience of the English to be engaged in so opulent a commerce.[2]

Some members of the Turkey or Levant Company finished about the same time an expedition to India.3 They had carried some cloth, tin, and other goods from Aleppo to Bagdat, which they next conveyed down the Tigris to Ormus in the Persian Gulph, and thence transported to Goa, the great mart between the Portuguese and Indians on the coast of Malabar. From this place they commenced an extensive survey of the adjoining countries; repaired to Agra, at that time the capital and residence of the Mogul Emperor; visited Lahor; traversed Bengal; travelled to Pegu and Malacca; and, returning by sea to Ormus, retraced their steps to Aleppo, whence they sailed for England, bearing with them important and extensive information respecting the countries they had explored. Intelligence now poured itself into the nation by a variety of channels. An Englishman, of the name of Stevens, had sailed with the Portuguese from Lisbon to Goa, by the Cape of Good Hope, and wrote an account of his voyage, which was read with avidity, and contributed to swell the general current of enterprise which now ran so vehemently toward India.1



The first application which was made to government was by a memorial, in the name of "divers merchants," addressed to the Lords of Council, in 1589, for the royal permission to send three ships, and as many pinnaces, on a voyage to India. They enumerated the different places, at which the Portuguese had already effected settlements, on the coasts of Malabar and Coromandel, in Malacca, and in the Banda and Molucca islands, places from which it seemed to be tacitly understood that other nations were bound to abstain. But they added, that the islands and shores of the Indian ocean presented many other places, open to the enterprise of English merchants, an intercourse with which might yield the greatest advantages.2 What reception this application received is unknown. But the unfortunate expedition of Captain Raymond; remarkable as being the first of which India was the immediate destination, though its object was not trade, so much as plunder, by cruising against the Portuguese; was fitted out in 1591. Disease had made such ravages among the crews, before they reached the Cape of Good Hope, that one of the vessels was sent home with the sick; and the rest, two in number, had not long doubled the Cape, when the principal ship was lost in a storm. Captain James Lancaster, in the remaining vessel, after a disastrous voyage to the East, sailed to the West Indies, where he lost the ship, and with great difficulty found means to return in a French privateer.1



While the English fluctuated between desire and execution in this important enterprise, the Dutch, in 1595, boldly sent four ships to trade with India by the Cape of Good Hope.2 This exploit added fuel, at once, to the jealousy, and to the ambition of the English. In 1599, an association was formed, and a fund subscribed, which amounted to 30,133*l*. 6*s*. 8*d*., and consisted of 101 shares; the subscriptions of individuals varying from 100*l*. to 3,000*l*. It was agreed to petition the Queen for a warrant to fit out three ships, and export bullion, and also for a charter of privileges. A committee of fifteen, the origin and foundation of a Court of Directors, were chosen to manage. The approbation of the government was readily signified; but as a treaty was then pending with Spain, policy appeared to counsel delay. The subscribers, known by the name of the adventurers, were impatient, and presented a memorial, distinguishing the places with which the Spaniards and Portuguese had established an

intercourse, from others to which, without any ground of complaint on the part of those nations, the English might with unspeakable advantage resort. The council replied, that "it was more beneficiall for the generall state of merchandise to entertayne a peace, then that the same should be hindered, by the standing w$^{th}$ y$^{e}$ Spanishe comissions, for the mayntayning of this trade, to forgoe the oportunety of the concluding of the peace."3 The memorial was referred to Sir Foulke Greville, who made a favourable report: and in the course of the same year, the Queen sent John Mildenhall over land by Constantinople on an embassy to the Great Mogul.

It was attended with little success. The Portuguese and Venetian agents exerted themselves to raise suspicions against the designs of the English, and effectually obstructed the endeavours of the ambassador.

Towards the end of the year 1600 the efforts of the adventurers were renewed; and the consent of government was obtained to proceed in preparations for an Indian voyage, while the patent of incorporation was still under consideration. Meanwhile an application was made from government, with what views does not appear, for the employment of Sir Edward Michel-bourne in the expedition. The answer of the committee, though petitioners for a favour not yet conceded, affords a curious specimen of their independence, and of the mode of thinking of the times. They stated it as their resolution "not to employ any *gentleman* in any place of charge," and requested "that they may be allowed to sort theire business with men of their own qualitye, lest the suspicion of the employm$^{t}$ of *gentlemen* being taken hold uppon by the generalitie, do dryve a great number of the adventurers to withdraw their contributions."1 The adventure was prosecuted with ardour. On the 8th of October the five following ships were already provided; the Malice Scourge, of 200 men, and 600 tons burden; the Hector, of 100 men, and 300 tons; the Ascension, of eighty men, and 260 tons; the Susan, of eighty men, and 240 tons; and a pinnace of forty men, and 100 tons. To provision these ships for twenty months the cost was computed at 6,600*l*. 4*s*. 10*d*.; and the cargo, consisting of iron and tin, wrought and unwrought, of lead, cloths, and some smaller articles, chiefly intended as presents, was estimated, exclusive of bullion, at 4,545*l*. It was determined that thirty-six factors or super-cargoes should be appointed for the voyage, divided into separate classes, rising above one another in trust and emoluments. Captain James Lancaster, whose difficult return from a predatory expedition has already been mentioned, was chosen to command the fleet; and on the 31st of December the charter of privileges was obtained.1



This charter, the origin of a power so anomalous and important as that which was afterwards accumulated in the hands of the East India Company, contained nothing which remarkably distinguished it from the other charters of incorporation, so commonly in that age bestowed upon trading associations. It constituted the adventurers a body politic and corporate by the name of "the Governor and Company of Merchants of London, trading to the East Indies;" and vested them with the usual privileges and powers. The plan which they had already adopted for the management of their affairs, by a committee of twentyfour, and a chairman, both to be chosen annually, was confirmed and rendered obligatory. With a reservation in favour of the rights granted to other associations, and with prohibition extending to all such places

as might be already occupied by the subjects of states in amity with her Majesty, and whose objection to rivals should be declared, the privilege of trading to the East Indies, that is, to all places beyond the Cape of Good Hope and the Straits of Magellan, was bestowed upon the Company, with power to export in each voyage 30,000*l*. in gold and silver, also English goods for the first four voyages exempt from duties, and to re-export Indian goods in English ships under the same privilege to the end of the
charter. According to the principle of the times, the charter was exclusive; prohibiting the rest of the community from trading within the limits assigned to the Company, but granting to them the power, whenever they pleased, of bestowing licenses for that purpose. It was granted for a period of fifteen years; but under condition that, if not found to be advantageous to the country, it might be annulled at any time under a notice of two years: if advantageous it might, if desired by the Company, be renewed for fifteen years.



The ardour of individuals, where any thing is to be risked, is more easily excited, than upheld. Though the list of subscribers, while the scheme of Indian adventure was yet in contemplation, had been readily filled up, the calls of the committees for the payment of the instalments were very imperfectly obeyed. Even when the charter was obtained, it was either understood to confer no power of compelling payment, or the directors were afraid to make use of it. Instead of exacting the stipulated sums, and trading upon the terms of a joint-stock company, the subscribers who had paid were invited to take upon themselves the expense of the voyage, and, as they sustained the whole of the risk, to reap the whole of the profit.

The sums which were thus advanced amounted to 68,373*l*. which greatly exceeded the capital originally subscribed. Of this, 39,771*l*. was expended in the purchase and equipment of ships—the four, excluding the pinnace, which were taken up by the committee of original adventurers: 28,742*l*. was expended in bullion: and 6,860*l*. in goods; consisting partly of British commodities, cloth, lead, tin, cutlery, glass, &c.; partly of foreign, as quicksilver, Muscovy hides, &c. The choice of Captain Lancaster to command the fleet was renewed; and it sailed from Torbay on the 2d of May, 1601, carrying letters of recommendations
from the Queen to the sovereigns of the different ports to which it might resort.[1]



A first and experimental attempt was naturally unproductive of any remarkable result: but the first voyage of the East India Company was not discouraging. The first place in India to which they repaired was Acheen, a principal city in the island of Sumatra, at which they were favourably received. They formed a treaty of commerce with the chief or sovereign of the place; obtained permission to erect a factory; and, having taken on board a quantity of pepper, set sail for the Moluccas. In the Straits of Malacca they captured a Portuguese vessel of 900 tons burthen, carrying calicoes and spices, which sufficed to lade the fleet. They diverted their course, therefore, to Bantam in the island of Java; where the Captain, delivering his letters and presents, and meeting with a
favourable reception, left some agents, the first rudiments of the Company's factories; and returned to England, where he arrived,

in September, 1603, with a handsome profit to his owners on the capital of the voyage.[1]

In the course of the years from 1603 to 1613, eight other voyages were fitted out, on similar terms. The first, in 1603, under the command of Captain Middleton, consisted of the ships which had but just returned from the preceding voyage; and the capital subscribed was 60,450*l*.; of which, 48,140*l*. was laid out in the preparation and provision of the ships; 11,160*l*. in bullion, and 1,142*l*. in goods. The second, in 1606, consisted of three ships commanded by Captain Keeling, with a capital of 53,500*l*.; of which 28,620*l*. was for the equipment of the fleet, 17,600*l*. was in bullion, and 7,280*l*. in goods. The third, in 1607, consisted of two ships, 15,000*l*. in bullion, and 3,400*l*. in goods. The fourth voyage, in 1608, had but one ship; 13,700*l*. subscription; expense of equipment, 6,000*l*.; bullion, 6,000*l*.; goods, 1,700*l*. The fifth, in 1609, had three ships, larger than in any former voyage; capital subscribed 82,000*l*.; cost of shipping 32,000*l*.; the investment, 28,500*l*. bullion, and 21,000*l*. goods. The sixth voyage, in 1610, had four ships; and subscription, 71,581*l*.; divided into 42,500*l*. for shipping, 19,200*l*. bullion, 10,081*l*. goods. The seventh, in 1611, of four vessels, had 76,355*l*. subscription, expended 48,700*l*. on the fleet, had 17,675*l*. in bullion, and 10,000*l*. in goods. The eighth, in 1612, had one ship, and subscription, 7,200*l*.; divided into 5,300*l*. for the vessel, 1,250*l*. bullion, and 650*l*. in goods. All these voyages, with one exception, that in 1607, of which both the vessels were lost, were prosperous: the clear profits, hardly ever below 100 per cent, being in general more than 200 on the capital of the voyage.[1]



The years in which these voyages were performed were not without other incidents of considerable importance. In 1604, the Company were alarmed by a licence in violation of their charter, granted to Sir Edward Michelborne and others, to trade to “Cathaia, China, Japan, Corea, and Cambaya, &c.” This injury was compensated in 1609, when the facility and indiscretion of King James encouraged the Company to aim at a removal of those restrictions which the more cautious policy of Elizabeth had imposed. They obtained a renewal of their charter, confirming all their preceding privileges, and constituting them a body corporate, not for fifteen years, or any other limited time, but for ever; still, however, providing that, on experience of injury to the nation, their exclusive privileges should, after three years notice, cease and expire.

The earliest of the Company's voyages were exclusively directed to the islands in the Indian Ocean, as Sumatra, Java, and Amboyna, the returns being raw silk, fine calicoes, indigo, cloves, and mace. In 1608, the factors at Bantam and in the Moluccas reported that the cloths and calicoes imported from the continent of India were in great request in the islands; and recommended the opening of a trade at Surat and Cambaya, to supply them with those commodities, which might be exchanged, with extraordinary profit, for the spice and other productions of the islands. To profit by these advantages, the fleet which sailed under the orders of Sir Henry Middleton, in 1609, was directed to steer for the western coast of the Asiatic continent, where they made several attempts to establish a commercial intercourse. At Aden and Mocha they were opposed by the Turks; who surprised one of the ships, and made the Captain and seventy men prisoners. On the

book i.Chap. 1. 1603–13.

coast of India their endeavours were frustrated by the influence of the Portuguese. A fleet which sailed in 1611 had better success. Attacked at Swally, a place at no great distance from Surat, by a large Portuguese armament, it made a successful defence; and, notwithstanding the intrigues and efforts of the Portuguese, obtained a favourable reception at Surat. The English now succeeded in forming a commercial arrangement. They obtained permission to establish factories at Surat, Ahmedabad, Cambaya, and Goga, which were pointed out, by the agents of the Company, as the best situations; and agreeing to pay a duty of 3 ½ per cent, received assurance, that this should be the only exaction to which their merchandise should be subject; that protection should be afforded to their factories; and that their property, even in the case of the death of their agents, should be secured till the arrival of another fleet. A phirmaun or decree of the Emperor, conferring these privileges, was received on the 11th of January, 1612; and authorised the first establishment of the English on the continent of India, at that time the seat of one of the most extensive and splendid monarchies on the surface of the globe.[1]

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# CHAP. II.

*From the Change of the Company into a Joint-Stock Company, in* 1612, *till the Formation of the third Joint-Stock in* 1631-2.

book i.Chap. 2. 1613.

Hitherto the voyages of the East India traders had been conducted on the terms rather of a regulated than a joint-stock company; each adventure being the property of a certain number of individuals, who contributed to it as they pleased, and managed it for their own account, subject only to the general regulations of the Company. Whether this was more adapted or not, to the nature of commerce, and the interests of the nation, it was less favourable to the power and consequence of a Governor and Directors, than trading on a joint-stock, which threw into their hands the entire management and power of the whole concern. Accordingly, *they* exerted themselves to decry the former method, and, in 1612, were enabled to come to a resolution, that in future, the trade should be carried on by a joint-stock only.1

book i.Chap. 2. 1613–16.

It still appears to have been out of their power to establish a general fund, fixed in amount, and divided into regular shares; the capital was still raised by a sort of arbitrary subscription, some individuals, whose names stood as members of the Company, advancing nothing, others largely. They now, however, subscribed, not each for a particular adventure, with an association of his own choosing, but all into the hands of the Governor and Directors, who were to employ the aggregate as one fund or capital for the benefit of those by whom it was advanced. On these terms 429,000*l*. was raised, which the Directors thought proper to divide for the purpose of four separate adventures or voyages, to be undertaken in as many successive years. The voyages were regulated, and composed as follows:

| Year. | Vessels. | Investment. Bullion. | Goods. |
|---|---|---|---|
| 1613 | 8 | 18,810*l.* | 12,446*l.* |
| 1614 | 8 | 13,942 | 23,000 |
| 1615 | 6 | 26,660 | 26,065 |
| 1616 | 7 | 52,087 | 16,506 |

The purchase, repair, and equipment of the vessels amounted to 272,544*l*., being the remainder of the stock.

The profit of these voyages was far from setting the management of a court of Directors, as compared with that of individuals taking charge of their own affairs, in a favourable light. The average of the profits on the eight voyages which preceded, leaving out of the account the small adventure of what is called the Company's fourth voyage, wholly unfortunate, was 171 per cent. The average of the profit on the four voyages in question, was only 87 1/2 per cent.1

As the power of the Portuguese in the East carried the usual consequences of power along with it. among other things, an overbearing and insolent spirit, they had already embroiled themselves with the Mogul government: an event favourable to the English, who were thus joined with that government in a common cause. At the same

time the splendid achievements of the English, against an enemy whom the governments of India were ill able to resist, raised high their reputation for prowess in war. A Portuguese fleet burned the towns of Baroach and Goga: and a powerful armament arrived at Swally with the Portuguese Viceroy, in January 1614; which attacked the English; but was defeated, with a loss of 350 men. To improve these favourable circumstances, an agent of the Company repaired to the Mogul court, where he was well received, and obtained a royal phirmaun for a general and perpetual trade; and in the same year took place the celebrated royal embassy of Sir Thomas Roe. The character of an ambassador, and the respect attached to it by the discernment of more enlightened nations, were but little understood at the court of the Mogul. On that occasion the choice of the English Ambassador was happy: Sir Thomas was a man of discernment, and temper, and made the most of the circumstances in which he was placed; though he soon discovered that it was bad policy by which he had been sent. He obtained redress of some of the grievances of which the English merchants complained; and concluded, though with difficulty, a sort of treaty, in which liberty was promised them of trading and establishing factories in any part of the Mogul dominions; Surat, Bengal, and Sindy being particularly named.[1]

book i.Chap. 2. 1613–16.

Besides his other services, Sir Thomas bestowed advice upon the Company. "At my first arrival," says he, "I understood a fort was very necessary; but experience teaches me we are refused it to our own advantage. If the Emperor would offer me ten, I would not accept of one." He then states his reasons: first, he adduces evidence that it would be of no service to their trade: "secondly, the charge," he says, "is greater than the trade can bear; for to maintain a garrison will eat out your profit; a war and traffic are incompatible. By my consent you shall never engage yourselves but at sea, where you are like to gain as often as to lose. The Portugueses, notwithstanding their many rich residences, are beggared by keeping of soldiers; and yet their garrisons are but mean. They never made advantage of the Indies since they defended them: observe this well. It has also been the error of the Dutch, who seek plantations here by the sword. They turn a wonderful stock; they prole in all places; they possess some of the best: yet their dead pays consume all the gain. Let this be received as a rule, that if you will profit, seek it at sea, and in quiet trade; for, without controversies, it is an error to affect garrisons and land wars in India."

book i.Chap. 2. 1613–19.

"It is not a number of ports, residences, and factories, that will profit you. They will increase charge, but not recompence it. The conveniency of one, with respect to your sails, and to the commodity of investments, and the well employing of your servants, is all you need." If Sir Thomas had lived to the present day, he might have urged the trade with China as proof, by experiment, of the proposition he advanced.

"The settling your traffic here will not need so much help at court as you suppose. A little countenance and the discretion of your factors will, with easy charge, return you most profit; but you must alter your stock. Let not your servants deceive you; cloth,

lead, teeth, quicksilver, are dead commodities, and will never drive this trade; you must succour it by change."

"An ambassador lives not in fit honour here. A meaner agent would, among these proud Moors,
better effect your business. My quality, often, for ceremonies, either begets you enemies, or suffers unworthily. Half my charge shall corrupt all this court to be your slaves. The best way to do your business in it is to find some Mogul, that you may entertain for 1000 rupees a year, as your solicitor at court. He must be authorized by the king, and then he will serve you better than ten ambassadors. Under him you must allow 500 rupees for another at your port to follow the Governor and customers, and to advertise his chief at court. These two will effect all; for your other smaller residences are not subject to much inconveniency."

book i.Chap. 2. 1613–19.

The permission to the Company's servants to trade privately on their own account, which afterwards produced so many inconveniences, was, it seems, even at this early period, a source of abuse. "Concerning this, it is my opinion," says Sir Thomas, "that you absolutely prohibit it, and execute forfeitures, for your business will be the better done. All your loss is not in the goods brought home; I see here the inconveniences you think not of; I know this is harsh to all men, and seems hard. Men profess they come not for bare wages. But you will take away this plea, if you give great wages to their content; and then you know what you part from; but then you must make good choice of your servants, and use fewer."

Sir Thomas tells the Company that he was very industrious to injure the Dutch. "The Dutch," he says, "are arrived at Surat from the Red Sea, with some money and southern commodities. I have done my best to disgrace them; but could not turn them out without further danger. Your comfort is here
are goods enough for both."[1] If so, why seek to turn them out?

book i.Chap. 2. 1617.

One of the objects at which the adventurers from England most eagerly aspired was a share in the traffic of the Spice Islands. The spices, from their novelty, were at that time a favourite object of consumption to those the supply of whose wants is so naturally but thoughtlessly regarded by the dealer as peculiarly profitable, the rich and the great: and the commerce, brilliant as compared with that of other nations, which the enterprise and diligence of the Dutch now carried on with the East, almost entirely consisted of those commodities. The English, by their connexion with Sumatra and Java, had their full share in the article of pepper; but were excluded from cinnamon, cloves, nutmegs, and all the finer spices. Agents were now sent from Bantam to Amboyna, Banda, and other islands, who fired the jealousy and cupidity of the Dutch. Defeated in their endeavours at all the places where the Dutch had already established themselves, the English projected, as a last resource, a factory at Macassar, of which the produce was only rice, but which might serve as a magazine for spices collected from the neighbouring islands.[2]

In the year 1617, or the year of the last of the four voyages in which the general subscription had been employed, the Company's agents reported; That Surat

book i.Chap. 2. 1617.

was the place at which the cloths of India could best be obtained, though nothing could there be disposed of in return except China goods, spices, and money: That large quantities of Indian wove goods might be sold, and gold, camphor, and benjamin obtained, at the two factories of Acheen and Tekoo on the island of Sumatra: That Bantam afforded a still larger demand for the wove goods of India, and supplied pepper for the European market: That Jacatra, Jambee, and Polania, agreed with the two former places in the articles both of demand and supply, though both on a smaller scale: That Siam might afford a large vent for similar commodities, and would yield gold, silver, and deer skins for the Japan market: That English cloth, lead, deer skins, silks, and other goods might be disposed of at Japan for silver, copper, and iron, though hitherto want of skill had rendered the adventures to that kingdom unprofitable: That, on the island of Borneo, diamonds, bezoar stones, and gold, might be obtained at Succadania, notwithstanding the mischief occasioned by the ignorance of the first factors; but from Banjarmassin, where the same articles were found, it would be expedient, on account of the treacherous character of the natives, to withdraw the factory: That the best rice in India could be bought, and the wove goods of India sold at Macassar: And that at Banda the same goods could be sold, and nutmegs and mace procured, even to a large amount, if the obstruction of European rivals were removed.1

Surat and Bantam were the seats of the Company's principal establishments.

book i.Chap. 2. 1618.

In the year 1617–18, a subscription was opened for a new fund, and was carried to the large amount of 1,600,000*l*. This was denominated the Company's Second Joint-stock. They were now, we are told, possessed of thirty-six ships, from 100 to 1,000 tons burthen; and the proprietors of stock amounted to 954.1 But as the accounts of the Company have never been remarkable for clearness, or their historians for precision, we are not informed whether these ships belonged to the owners of the first joint-stock, or to the owners of the second; or if to both, in what proportion; whether the 954 proprietors of stock were the subscribers to both funds, or to the last only; whether any part of the first joint-stock had been paid back to the owners, as the proceeds came in; or whether both funds were now in the hands of the Directors at once, employed for the respective benefit of the respective lists of subscribers: two trading capitals in the same hands, employed separately, for the separate account of different associations. That such was the case to a certain extent may be concluded from this, that of the last of the voyages, upon the first of the funds, the returns were not yet made. We shall see that, afterwards, the Directors had, in their hands, at one and the same time, the funds of several bodies of subscribers, which they were bound to employ separately, for the separate benefit of each; that they, as well as their agents abroad, experienced great inconvenience in preserving the accounts and concerns separate and distinct; and that the interests and pretensions of the several bodies were prone to interfere.

The new subscription was divided into portions for three separate voyages.

The passion, naturally, of the Company's agents, at the different stations abroad, was to grasp at every

book i.Chap. 2. 1618.

thing, with little regard to the narrowness of the funds upon which their operations depended. In one point of view this was advantageous: while the ground was yet imperfectly explored, it yielded a wider field for selection. The factors at Surat were captivated with the project of a trade to Persia; it promised a vent for English woollens to a large amount, and would furnish silk and other goods, which, both in Europe and in India, might sell to the greatest advantage. Sir Thomas Roe dissuaded the speculation; on the ground, that the Portuguese were already in possession of the commerce, and that it would cost the Company more to protect themselves in it, than they could hope to gain by it. The views of the factors, because the most flattering, were the most persuasive; agents were sent to the court of Persia; grants of privileges were obtained; and a trade was opened, which experience proved to be of little importance.

The rivalship between the East India Company and the other nations of Europe includes, for a considerable time, the principal incidents of the Company's history. The Portuguese, on the pretence of discovery, had long maintained an exclusive claim to the passage by the Cape of Good Hope: they had, partly by conquest, partly by agreement, made themselves masters of Goa, Bombay, and other places, on the Malabar coast; of Aden, at the entrance of the Red Sea; of Ormus, in the Persian Gulf; of part of the Malay coast, in the Straits of Malacca; of the Molucca islands; and of the coasts of Ceylon, the most valuable of all the eastern islands: they were possessed of factories in Bengal and in Siam; and they had erected the city of Macao on the coast of China.

book i.Chap. 2. 1618.

The Dutch, while subject to the crown of Spain, had been accustomed to repair to Lisbon for the productions of the East; which, even at that early period, they were employed in distributing to the rest of Europe. When they broke the chains of their ancient masters, one of the means which Philip employed to distress them was, to deprive them of the commerce of his dominions. Prevented from obtaining Indian commodities by traffic with the subjects of Philip, they became ruinous competitors for the trade with India itself.

At the time when the Dutch commenced their voyages to the East, the crown of Spain was engaged in enterprises of so much importance, in other quarters, and so much engrossed with the contemplation of its splendid empire in the New World, that the acquisitions, in the East Indies, of the Portuguese, now become its subjects, were treated with comparative neglect. The Dutch, accordingly, who entered upon the trade to India with considerable resources and the utmost ardour, were enabled to supplant the Portuguese in the spice trade, and, after a struggle, to expel them from the Molucca islands. That celebrated people, now freed from the oppression of a bad government, were advancing in the career of prosperity with great and rapid strides. The augmentation of capital was rapid, in Holland, beyond what has often been witnessed in any other part of the globe. A proportional share of this capital naturally found its way into the channel of the India trade, and gave both extent and vigour to the enterprises of the nation in the East; while the English, whose country, oppressed by misgovernment, or scourged with civil war, afforded little capital to extend its trade, or means to afford it protection, found themselves unequal competitors, with a people so favourably situated

as the Dutch.



During that age, the principles of public wealth were very imperfectly understood, and hardly any trade was regarded as profitable but that which was exclusive. The different nations which traded to India, all traded by way of monopoly; and the several exclusive companies treated every proposal for a participation in their traffic, as a proposal for their ruin. In the same spirit, every nation which obtained admittance into any newly explored channel of commerce endeavoured to exclude from it all participators, and considered its own profits as depending on the absence of all competition.

The Dutch, who were governed by the same prejudices as their contemporaries, and actuated, at least in that age, with rather more perhaps than the usual intensity of the appetite for gain, beheld, with great impatience, the attempts of the English to share with them in the spice trade. While contending for their independence against the power of Spain, and looking to England for support, they were constrained to practise moderation and forbearance; and during this time the English were enabled to form a connexion with Sumatra, to establish themselves at Bantam, and obtain a share in the traffic of pepper, which being a commodity so generally produced in the East, could not easily become the subject of monopoly. But before the English made efforts on any considerable scale to interfere with the trade of the further India, where the finer spices were produced, the power and confidence of the Dutch had greatly increased.

That people were more effectual opponents than the Portuguese, between whom and the English the interference was not so direct. The chief settlements of the Portuguese on the continent of India were on the Malabar coast, at a great distance from Surat, which was the principal seat of the English: it was in the Persian trade alone that much incompatibility of interest existed: and feeble, in India, as the English at that time were, it is remarkable that they were an overmatch at sea for the Portuguese; and hardly ever encountered them without a brilliant victory, or at least decided advantages. The case was different in regard to the Dutch: the pretensions of the English to the spice trade interfered with the very vitals of the Dutch commerce in the East; and the fleets which the prosperous enterprise of the new republic enabled it to maintain were so far superior to those which the restricted means of the English Company allowed them to send, that contention became altogether hopeless and vain.

book i.Chap. 2. 1618.

It was not till the year 1617–18, that the hostility of the two nations displayed itself in operations of force; the Dutch, in those places where they had formed establishments, having in general been able, by intrigue and artifice, to defeat the attempts of their rivals. The English took possession of two small islands, called Polaroon and Rosengin, which were not formally occupied by the Dutch, but intimately connected with some of their possessions. The Dutch raised pretensions to them, and attacked the English. The English had, however, so well fortified themselves, that the Dutch found it impracticable at the first attempt to expel them; but they found the means, partly by force, and partly by artifice, to get possession of two English ships, on their voyage to these islands; carried them to a Dutch settlement, and refused to deliver them up, till every pretension to the Spice Islands was renounced.[1]

The proceedings of the Dutch, though regarded by the English as in the highest degree unjust and rapacious, were founded on pretensions, not inferior to those on which the English Company endeavoured to convert claims into rights; and on pretensions which it is clear, at any rate, that the Dutch themselves regarded as valid and equitable; since they presented them to the English monarch, as the ground of complaint against his subjects, and of a demand for his interference to prevent the recurrence of similar injuries. In a memorial to James, in 1618, the Dutch Company set forth, that, at their own cost and hazard, they had expelled the Portuguese from the Spice Islands, and had established a treaty with the natives, on the express condition of affording the natives protection against the Portuguese, and enjoying the exclusive advantage of their trade; that the agents of the English Company, however, had interfered with those well-established rights, and had not only endeavoured to trade with the natives, but to incite them against the Dutch.



To these complaints the English Company replied, by an enumeration of injuries, from the resistance, the intrigues, and violence of the Dutch, in places where no factories of theirs had ever existed. But they also enumerated among their grievances, the hostilities experienced at Tydore and Amboyna, places to which the pretensions of the Dutch applied in all their force.1 And if the ideas are admitted, which then prevailed, and on which the English as confidently grounded themselves as any other nation; ideas importing that, in newly-discovered countries, priority of occupancy constituted sovereignty, and that the will of the natives was to be counted for nothing; the English could not make out a right to the trade of the Moluccas; for though Polaroon and Rosengin might not, by actual occupancy, have accrued to the Dutch, they form part of a narrow and closely connected cluster of islands, of which the Dutch had seized the principal, and with the security of which the presence of the English in any of the rest could as little be reconciled, as the security of Great Britain could be reconciled with the dominion of Ireland by the French. With respect to Java, and the settlements at Bantam and Jacatra, the English had an equitable plea, of which they appear not to have availed themselves; they might have insisted on the consent of the Dutch, who had not resisted their early settlement on that island, now sanctioned by time.



After a tedious interchange of hostilities, in which intrigue and force were combined, (the practice of buying up the pepper, at prices higher than the English could afford, forming one of the principal subjects of English complaint), it was agreed between the two governments in Europe, at that time allies, to institute a mutual inquiry, and form an arrangement respecting the claims of their subjects in the East. Commissioners were appointed; and, after repeated conferences, a treaty was concluded at London, on the 17th July, 1619. It was stipulated, that there should be a mutual amnesty, and a mutual restitution of ships and property; that the pepper trade at Java should be equally divided; that the English should have a free trade at Pullicate on the Coromandel coast on paying half the expences of the garrison; and that of the trade of the Moluccas and Bandas they should enjoy one third, the Dutch two, paying the charges of the garrisons in the same proportion. Beside these conditions, which regarded

their opposite pretensions, the treaty included arrangements for mutual profit and defence. Each Company was to furnish ten ships of war, which were not to be sent in the European voyages, but employed in India for mutual protection; and the two nations were to unite their efforts to reduce the duties and exactions of the native governments at the different ports. To superintend the execution of this treaty a council was appointed, to be composed of four members of each Company, called the *Council of Defence*. And the treaty was to be in force during twenty years.[1]



This solemn engagement is a proof, if there was not another, of the imperfection which still adhered to the art of legislation. The principal stipulations were so vague, and the execution of them dependent on so many unascertained circumstances, that the grounds of dispute and contention were rather multiplied than reduced. For these evils, as far as they were foreseen, the Council of Defence seems to have been devised, as the remedy. But experience taught here, what experience has uniformly taught, that in all vague arrangements the advantages are reaped by the strongest party. The voice of four Englishmen in the Council of Defence was but a feeble protection against the superior capital and fleets of the Dutch. The English, to secure their pretensions, should have maintained a naval and military force superior to that of their opponents. In that case, they would have been the oppressors; the Dutch would have been expelled from the spice trade; the spice trade would have rested with the English, who would have overlooked the continent of India, because their capital would not have sufficed to embrace it; the continent would have been left to the enterprise of other nations; and that brilliant empire, established by the English, would never, it is possible, have received a commencement.



In consequence of this treaty, by which the English were bound to send a fleet of ten ships to India, a larger fund was this year raised than had been provided for any preceding voyage: 62,490*l*. in the precious metals, and 28,508*l*. in goods, were exported with the fleet. The return was brought back in a single ship, and sold at 108,887*l*.[1]

In the interval between the time of concluding the treaty and the establishment of the *Council of Defence* at Jacatra, the Dutch had committed various acts of oppression on the English; and, when the council began its operations, the Dutch, after executing some of the least important conditions of the treaty, endeavoured to evade the rest. They consented to restore the ships taken from the English, but not the goods or stores taken by individuals; on the pretext, that the Company could not be responsible for any acts but their own; though, if the letters may be credited of the English factors at Jacatra, they exploded the same pretension when it was urged against themselves: They refused to admit the English to their share of the pepper trade, till indemnified for certain fortifications, and for the expences incurred by them at the siege of Bantam: They insisted that at Jacatra, and all other places where they had erected fortifications, they possessed the rights of sovereignty; and that the English could claim no permission to reside there except under the Dutch laws: They set forth the large expense they had incurred in fortifications on the Spice Islands; the maintenance of

book i.Chap. 2. 1619.

which they estimated at 60,000*l*. per annum; and of all this they required the English to advance their due proportion, before they could be admitted to the stipulated share of the trade. The English objected, that some of the fortifications were at places where no produce was obtained, and that none of them were useful but for defence against the Spaniards and Portuguese, with whom they were not at war. On the whole it may be remarked, that if there were fortifications at places where none were required, the English had a right to decline paying for the blunders of the Dutch; but as they claimed a share of the trade upon the foundation of the Dutch conquests, and would not have been admitted to it, without a war, had not those conquests taken place, it was a less valid plea, to say that they were not at war with the Spaniards and Portuguese. In framing the treaty, no distinction was made between past and future expenses. The English intended to bind themselves only for a share of the future: The Dutch availed themselves of the ambiguity to demand a share of the past: And in all these pretensions, they acted with so high a hand, that the English commissioners of the Council of Defence reported the impracticability of continuing the English trade, unless measures were taken in Europe to check the overbearing and oppressive proceedings of the Dutch.1

book i.Chap. 2. 1622.

In the circle of which Surat was the centre, as the English were more of a match for their antagonists, they had a better prospect of success. In 1620, two of the Company's ships, which sailed from Surat to Persia, found the port of Jasques blockaded by a Portuguese fleet, consisting of five large and sixteen smaller vessels. Unable to cope with so disproportionate a force, they sailed back to Surat; where they were joined by two other ships. Returning with this re-inforcement, they attacked the Portuguese, and, after an indecisive action, entered the port. The Portuguese retired to Ormus, but, after refitting, came back for revenge. An obstinate conflict ensued, in which the English were victorious over a vast superiority of force. Such an event was calculated to produce a great impression on the minds of the Persians.

The English and Persians agreed to attack with joint forces the Portuguese on the island of Ormus, which that nation in the days of its prosperity had seized and fortified. The English furnished the naval, the Persians the military force; and the city and castle were taken on the 22d of April, 1622. For this service the English received part of the plunder of Ormus, and a grant of half the customs at the port of Gombroon; which became their principal station in the Persian gulf. The agents of the Company at Bantam, who were already vested with the superb title of President and Council, and with a sort of control over the other factories, condemned this enterprise; as depriving them of the ships and effects, so much required to balance the power, and restrain the injustice, of the Dutch.1

The domestic proceedings of the Company at this period were humble. In 1621–22, they were able to fit out only four ships, supplied with 12,900*l*. in gold and silver, and 6,253*l*. in goods; the following year, they sent five ships, 61,600*l*. in money, and 6,430*l*. in goods; in 1623–24, they equipped seven vessels, and furnished them with 68,720*l*. in money, and 17,340*l*. in goods. This last was a prosperous year to the domestic exchequer. Five ships arrived from

India with cargoes, not of pepper only, but of all the finer spices, of which, notwithstanding the increasing complaints against the Dutch, the Company's agents had not been prevented from procuring an assortment. The sale of this part alone of the cargoes amounted to 485,593*l*.; that of the Persian raw silk to 97,000*l*.; while 80,000*l*. in pursuance of the treaty of 1619, was received as compensation money from the Dutch.[1]

book i.Chap. 2. 1622.

Other feelings were the result of demands, by the King, and by the Duke of Buckingham, Lord High Admiral, of shares, to the one as droits of the crown, to the other as droits of the admiralty, of the prize money, gained by the various captures of the Company, particularly that of Ormus. The Company, who deemed it prudent to make little opposition to the claims of the King, objected, as having acted not under letters of marque from the Admiral but under their own charter, to those of the Duke of Buckingham. The question was referred to the Judge of the Admiralty court; witnesses were examined to ascertain the amount of the prize money, which was estimated at 100,000*l*. and 240,000 reals of eight. The Company urged the expense of their equipments, the losses they had sustained, the detriment to their mercantile concerns, by withdrawing their ships from commerce to war. All possible modes of solicitation to the King and the Admiral were employed; but the desire for their money was stronger than their interest. Buckingham, who knew they must lose their voyage, if the season for sailing was passed, made their ships be detained; and the Company, to escape this calamity, were glad of an accommodation. The Duke agreed to accept of 10,000*l*., which he received. A like sum was demanded for the King, but there is no direct evidence that it ever was paid.

book i.Chap. 2. 1623.

The animosities, between the English and Dutch, were now approaching to a crisis in the islands. The English complained of oppression, and were so weak, as to find themselves at the mercy of their rivals. They represented that, in the execution of the joint articles of the treaty, they were charged with every item of expense, though their voice was entirely disregarded in the disposal of the money, in the employment of the naval and military force, and even in the management of the trade; that, instead of being admitted to their stipulated share of the spice commerce, they were almost entirely extruded from it; and that, under the pretext of a conspiracy, the Dutch had executed great numbers of the natives at Banda, and reduced Polaroon to a desert.[1] At last arrived that event, which made a deep and lasting impression on the minds of Englishmen. In February, 1623, Captain Towerson and nine Englishmen, nine Japanese, and one Portuguese sailor, were seized at Amboyna, under the accusation of a conspiracy to surprise the garrison, and to expel the Dutch; and, being tried, were pronounced guilty, and executed. The accusation was treated by the English as a mere pretext, to cover a plan for their extermination. But the facts of an event, which roused extreme indignation in England, have never been exactly ascertained. The nation, whose passions were kindled, was more disposed to paint to itself a scene of atrocity, and to believe whatever could inflame its resentment, than to enter upon a rigid investigation of the case. If it be improbable, however, on the one hand, that the English, whose numbers were small, and by whom ultimately so little advantage could be gained, were really guilty of any such design as the Dutch imputed to them; it is on the other hand equally improbable that

book i.Chap. 2. 1623.

the Dutch, without believing them to be guilty, would have proceeded against them by the evidence of a judicial trial. Had simple extermination been their object, a more quiet and safe expedient presented itself; they had it in their power at any time to make the English disappear, and to lay the blame upon the natives. The probability is, that, from certain circumstances, which roused their suspicion and jealousy, the Dutch really believed in the conspiracy, and were hurried on, by their resentments and interests, to bring the helpless objects of their fury to a trial; that the judges before whom the trial was conducted, were in too heated a state of mind to see the innocence, or believe in any thing but the guilt, of the accused; and that in this manner the sufferers perished. Enough, assuredly, of what is hateful may be found in this transaction, without supposing the spirit of demons in beings of the same nature with ourselves, men reared in a similar state of society, under a similar system of education, and a similar religion. To bring men rashly to a trial whom a violent opposition of interests has led us to detest, rashly to believe them criminal, to decide against them with minds too much blinded by passion to discern the truth, and to put them to death without remorse, are acts of which our own nation, or any other, was then, and would still be, too ready to be guilty. Happy would it be, how trite soever the reflection, if nations, from the scenes which excite their indignation against others, would learn temper and forbearance in cases where they become the actors themselves! 2

book i.Chap. 2. 1623.

One of the circumstances, the thought of which most strongly incited the passions of the English, was the application of the torture. This, however, under the Civil Law, was an established and regular part of a judicial inquiry. In all the kingdoms of continental Europe, and Holland among the rest, the torture was a common method of extorting evidence from supposed criminals, and would have been applied by the Dutch judges to their own countrymen. As both the Japanese, who were accused of being accessaries to the imputed crime, and the Englishmen themselves, made confession of guilt under the torture, this, however absurd and inhuman the law, constituted legal evidence in the code of the Dutch, as well as in the codes of all the other continental nations of Europe. By this, added to other articles of evidence which would have been insufficient without it, proof was held to be completed; and death, in all capital cases, authorized and required. This was an ancient and established law; and as there are scarcely any courses of oppression to which Englishmen cannot submit, and which they will not justify and applaud, provided only it has ancient and established law for its support, they ought, of all nations, to have been the most ready to find an excuse and apology for the Dutch.1 From the first moment of acting upon the treaty, the Dutch had laid it down,

book i.Chap. 2. 1624.

as a principle, that at all the places where they had erected fortifications, the English should be subject to the Dutch laws; and though the English had remonstrated, they had yet complied.

It was in vain, that the English President and Council at Java, on hearing of the massacre as they called it, remonstrated in terms of the utmost indignation, and even intimated their design of withdrawing from the island. In their representations to the Court of Directors at home, they declared, what might have been seen from the beginning, that it was

impossible to trade on a combination of interests with the Dutch; and that, negotiation being fruitless, nothing but a force in the islands, equal to that of their rivals, could ensure to their countrymen a share of the trade. book i.Chap. 2. 1624.

When the news of the execution at Amboyna arrived in England, the people, whose minds had been already inflamed against the Dutch, by continual reports of injustice to their countrymen, were kindled into the most violent combustion. The Court of Directors exerted themselves to feed the popular fury. They had a hideous picture prepared, in which their countrymen were represented expiring upon the rack, with the most shocking expressions of horror and agony in their countenance and attitudes, and the most frightful instruments of torture applied to their bodies. The press teemed with publications, which enlarged upon the horrid scene at Amboyna; and to such a degree of rage were the populace excited, that the Dutch merchants in London became alarmed, and applied to the Privy Council for protection. They complained of the inflammatory publications; more particularly of the picture, which, being exposed to the people, had contributed to work them up to the most desperate resolutions. The Directors, when called before the Privy Council to answer these complaints, denied that they had any concern with the publications, but acknowledged that the picture was produced by their order, and was intended to be preserved in their house as a perpetual memorial of the cruelty and treachery of the Dutch. The Directors were aware that the popular tide had reached the table of the council room, and that they had nothing to apprehend from confessing how far they had been instrumental in raising the waters.[1]

Application was made to the King, to obtain signal reparation from the Dutch government, for so great a national insult and calamity. The whole nationl was too violently agitated to leave any suspicion that the application could be neglected. A commission of inquiry was formed of the King's principal servants, who reported, in terms confirming the general belief and indignation; and recommended an order, which was immediately issued, for intercepting and detaining the Dutch East India fleats, till satisfaction was obtained. With great gravity the Dutch government returned for answer; that they would send orders to their Governor General in the Indies to permit the English to retire from the Dutch settlements without paying any duties; that all disputes might be referred to the Council of Defence; that the English might build forts for the protection of their trade, provided they were at the distance of thirty miles from any fort of the Dutch; that the “administration, however, of politic government, and particular jurisdiction, both civil and criminal, at all such places as owe acknowledgement to the Dutch,” should remain wholly in their hands; and that to the Dutch belonged the exclusive right to the Moluccas, Bandas, and Amboyna.[1] book i.Chap. 2. 1624.

This was an undisguised assumption of all the rights for which their subjects were contending in India. It is remarkable enough that the English East India Company, who were highly dissatisfied with the other parts of this answer, declared their acceptance of the first article, which permitted their servants to retire from the Dutch settlements. And here, for the present, the matter rested.

In 1624, the Company applied, by petition, to the King, for authority to punish their servants abroad, by martial, as well as municipal law. It appears not that any difficulty was experienced in obtaining their request; or that any parliamentary proceeding, for transferring unlimited power over the lives and fortunes of the citizens, was deemed even a necessary ceremony. This ought to be regarded as an era in the history of the Company.[1]

book i.Chap. 2. 1625.

In the year 1624–5, the Company's voyage to India consisted of five ships; but of the amount of the capital with which they were supplied, no account, it should seem, remains. In 1625–26, it consisted of six ships: and in 1626–27, of seven; farther information wanting as before.[2] In the last of these years, we gain the knowledge, collaterally, of one of those important facts, in the Company's history, which it has been their sedulous care to preserve concealed, except when some interest, as now, was to be served by the disclosure. Sir Robert Shirley, who had been ambassador at the court of Persia, made application to the King and Council to order the East India Company to pay him 2000*l*. as a compensation for his exertions and services in procuring them a trade with Persia. The Company, beside denying the pretended services, urged their inability to pay; stating that they had been obliged to contract so large a debt as 200,000*l*.; and that their stock had fallen to 20 per cent. discount, shares of 100*l*. selling for no more than 80*l*.[3]

The Company's Persian trade was not prosperous, under the caprice and extortions of the Persian magistrates. At Java their agents, tired out with the mortifications and disasters to which they were exposed from the Dutch, retired to the island of Lagundy, in the Straits of Sunda; having abandoned both Bantam and Jacatra, at which the Dutch, under the name of Batavia, had now established their principal seat of government. The island of Lagundy was found to be so unhealthy, that, in less than a year, the imprudent English were anxious to return. Their distress was so great, that out of 250 individuals 120 were sick; and they had not a crew sufficient to navigate a ship to any of the English factories. In these circumstances the Dutch lent them assistance, and brought them back to Batavia.[1] On the coast of Coromandel some feeble efforts were continued. The Company had established factories at Masulipatam and Pullicat; but the rivalship of the Dutch pursued and obliged them to relinquish Pullicat. In 1624–5, they projected an establishment in the kingdom of Tanjore, but were opposed by a new rival, the Danes. At Armegum, however, situated a little to the south of Nellore, they purchased, in the succeeding year, a piece of ground from the chief of the district; erected and fortified a factory; and, suffering oppression from the native government at Masulipatam, they withdrew the factory in 1628, and transferred it to Armegum.[2]

book i.Chap. 2. 1627.

Shortly after the first application to James on account of the injury at Amboyna, that monarch died. In 1627–8, the application was renewed to Charles; and three large Dutch Indiamen from Surat, which put into Portsmouth, were detained. The Company, watching the decline of the royal authority, and the growing power of the House of Commons, were not satisfied with addressing the King, but in the year following presented, for the

first time, a memorial to the Commons. They represented that, by their failure in the spice trade, and the difficulties they experienced in opening a trade for wove goods on the coast of Coromandel, they were nearly driven from all their factories; and assigned as causes, partly the opposition of the native powers, but chiefly the hostility of the Dutch. The narrowness of their own funds, and their unskilful management, by the negligent Directors of a jointstock, far more powerful causes, they overlooked or suppressed. They set forth, however, the merits of the Company, as towards the nation, in terms repeated to the present day: they employed many seamen: they exported much goods; as if the capital they employed would have remained idle; as if it would not have maintained seamen, and exported goods, had the East India Company, or East India traffic, never existed.[1]

book i.Chap. 2. 1628.

The detention of the ships, and the zeal with which the injury seemed now to be taken up in England, produced explanation and remonstrance on the part of the Dutch: They had appointed judges to take cognizance of the proceedings at Amboyna, even before the parties had returned from Europe: Delay had arisen, from the situation of the judges on whom other services devolved, and from the time required to translate documents written in a foreign tongue: The detention of the ships, the property of private individuals altogether unconcerned with the transaction, might bring unmerited ruin on them, but could not accelerate the proceedings of the judges; on the other hand, by creating national indignation, it would only tend to unfit them for a sober and impartial inquiry: And were the dispute allowed, unfortunately, to issue in war, however the English in Europe might detain the fleets of the Dutch, the English Company must suffer in India far greater evils than those of which they were now seeking the redress. At last, on a proposal that the States should send to England commissioners of inquiry, and a promise that justice should be speedily rendered, the ships were released. It was afterwards recommended by the ministry, that the East India Company should send over witnesses to Holland to afford evidence before the Dutch tribunal; but to this the Company objected, and satisfaction was still deferred.[1]

book i.Chap. 2. 1628.

In 1627–28, the Company provided only two ships and a pinnace for the outward voyage. They deemed it necessary to assign reasons for this diminution; dreading the inferences which might be drawn: They had many ships in India which, from the obstructions of the Dutch, and the state of their funds, had been unable to return: Though the number of ships was small; the stock would be large, 60,000*l*. or 70,000*l*. in money and goods: And they hoped to bring home all their ships richly laden the following year. In 1628–29, five ships went out; two for the trade with India, and three for that with Persia; and though no account is preserved of the stock with which they were supplied, a petition to the King remains for leave to export 60,000*l*. in gold and silver in the ships destined to Persia. In the succeeding year four ships were sent to Persia, and none to India. Of the stock which they carried with them no account is preserved.[2]

As the sums in gold and silver, which the Company had for several years found it necessary to export, exceeded the limits to which they were confined by the terms of their charter, they had proceeded annually upon a petition to the

book i.Chap. 2. 1629.

King, and a special permission. It was now, however, deemed advisable to apply for a general license, so large, as would comprehend the greatest amount which on any occasion it would be necessary to send. The sum for which they solicited this permission was 80,000*l*. in silver, and 40,000*l*. in gold; and they recommended, as the best mode of authenticating the privilege, that it should be incorporated in a fresh renewal of their charter; which was accordingly obtained.[1]

Notwithstanding the terms on which the English stood with the Dutch, they were allowed to reestablish their factory at Bantam after the failure of the attempt at Lagundy: a war, in which the Dutch were involved with some of the native princes of the island, lessened, perhaps, their disposition, or their power, to oppose their European rivals. As Bantam was now a station of inferior importance to Surat, the government of Bantam was reduced to an agency, dependent upon the Presidency of Surat, which became the chief seat of the Company's government in India. Among the complaints against the Dutch, one of the heaviest was, that they sold European goods cheaper, and bought Indian goods dearer, at Surat, than the English; who were thus expelled from the market. This was to complain of competition, the soul of trade. If the Dutch sold so cheap and bought so dear, as to be losers, all that was necessary was a little patience on the part of the English. The fact was, that the Dutch, trading on a larger capital, and with more economy, were perfectly able to outbid the English both in purchase and sale.

book i.Chap. 2. 1630.

The English at Surat had to sustain at this time not only the commercial rivalship of the Dutch, but also a powerful effort of the Portuguese to regain their influence in that part of the East. The Viceroy at Goa had in April, 1630, received a reinforcement from Europe of nine ships and 2000 soldiers, and projected the recovery of Ormus. Some negotiation to obtain the exclusive trade of Surat was tried in vain with the Mogul Governor; and in September, an English fleet of five ships endeavouring to enter the port of Swally, a sharp, though not a decisive action, was fought. The English had the advantage; and, after sustaining several subsequent skirmishes, and one great effort to destroy their fleet by fire, succeeded in landing their cargoes.[1]

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# CHAP. III.

*From the Formation of the third Joint-stock, in* 1632, *till the Coalition of the Company with the Merchant Adventurers in* 1657.

book i.Chap. 3. 1632.

In 1631–32, a subscription was opened for a third joint-stock. This amounted to 420,700*l*.[1] Still we are left in darkness with regard to some important circumstances. We know not in what degree the capital which had been placed in the hands of the Directors by former subscriptions had been repaid; not even if any part of it had been repaid, though the Directors were now without funds to carry on the trade.

With the new subscription, seven ships were fitted out in the same season; but of the money or goods embarked no account remains. In 1633–34, the fleet consisted of five ships; and in 1634–35, of no more than three, the money or goods in both cases unknown.[2]

book i.Chap. 3. 1634.

During this period, however, some progress was made in extending the connexions of the Company with the eastern coast of Hindustan. It was thought advisable to replace the factory at Masulipatam not long after it had been removed; and certain privileges, which afforded protection from former grievances, were obtained from the King of Golconda, the sovereign of the place. Permission was given by the Mogul Emperor to trade to Pipley in Orissa; and a factor was sent from Masulipatam. For the more commodious government of these stations, Bantam was again raised to the rank of a Presidency, and the eastern coast was placed under its jurisdiction. Despairing of success in the contest with the Dutch for the trade of the islands, the Company had, for some time, dispatched their principal fleets to Surat; and the trade with this part of India and with Persia now chiefly occupied their attention. From servants at a vast distance, and the servants of a great and negligent master, the best service could not easily be procured. For this discovery the Directors were indebted, not to any sagacity of their own, but to a misunderstanding among the agents themselves; who, betraying one another, acknowledged that they had neglected the affairs of their employers to attend to their own; and, while they pursued with avidity a private trade for their private benefit, had abandoned that of the Company to every kind of disorder.[1]

As pepper was a product of the Malabar coast, a share was sought in the trade of that commodity, through a channel, which the Dutch would not be able to obstruct: A treaty was concluded, between the English and Portuguese, in 1634–35, and confirmed with additional articles the following year, in which it was ordained that the English should have free access to the ports of the Portuguese, and that the Portuguese should receive from the English factories the treatment of friends.[2]

The Company, like other unskiful, and for that reason unprosperous, traders; had always competitors, of one description or another, to whom they ascribed their own

want of success. For several years they had spoken with loud condemnation of the clandestine
trade carried on by their own servants; whose profits, they said, exceeded their own. Their alarms, with regard to their exclusive privilege, had for some time been sounded; and would have been sounded much louder, but for the ascendancy gained by the sentiments of liberty, the contentions between Charles and his parliament being already high; and the fear that their monopoly would escape the general wreck, with which institutions at variance with the spirit of liberty were threatened, only if its pretensions were prudently kept in the shade. The controversy, whether monopolies, and among others that of the Company, were injurious to the wealth and prosperity of the nation, had already employed the press: but, though the Company had entered boldly enough into the lists of argument, they deemed it their wisest course, at the present conjuncture, not to excite the public attention, by any invidious opposition to the infringements which private adventure was now pretty frequently committing on their exclusive trade.



An event at last occurred which appeared to involve unusual danger. A number of persons, with Sir William Courten at their head, whom the new arrangements with the Portuguese excited to hopes of extraordinary profit, had the art, or the good fortune, to engage in their schemes Endymion Porter, Esq., a gentleman of the bedchamber to the King, who prevailed upon the sovereign himself to accept of a share in the adventure, and to grant his license for a new association to trade with India. The preamble to the license declared that it was founded upon the misconduct of the East India Company, who had accomplished nothing for the good of the nation, in proportion to the great privileges they had obtained, or even to the funds of which they had disposed. This was, probably, the general opinion of the nation; nothing less seeming necessary to embolden the King to such
a violation of their charter. Allowing the contrariety to the interests of the nation, the consequences were not so ruinous, but that the stipulated notice of three years might have been given, and a legal end been put to the monopoly. The Company petitioned the King, but without success. They sent, however, instructions to their agents and factors in India, to oppose the interlopers, at least indirectly. An incident occurred of which they endeavoured to avail themselves to the utmost. One of their ships from Surat reported that a vessel of Courten's had seized and plundered two junks belonging to Surat and Diu, and put the crews to the torture. The latter part at least of the story was, in all probability, forged; but the Directors believed, or affected to believe, the whole. In consequence of the outrage, the English President and Council at Surat had been imprisoned, and the property of the factory confiscated to answer for the loss. A memorial was presented to the King, setting forth in the strongest terms, the injuries which the Company sustained by the license to Courten's Association, and the ruin which threatened them unless it were withdrawn. The Privy Council, to whom the memorial was referred, treated the facts alledged, as little better than fabrication, and suspended the investigation till Courten's ships should return.[1]

book i.Chap. 3. 1645.

The arrival of Courten's ships at Surat seems to have thrown the factory into the greatest confusion. It is stated as the cause of a complete suspension of trade on the

part of the Company, for the season, at that principal seat of their commercial operations.2 The inability early and constantly displayed by the Company to sustain even the slightest competition is a symptom of inherent infirmities.

book i.Chap. 3. 1637.

In 1637–38, several of Courten's ships returned, and brought home large investments, which sold with an ample profit to the adventurers. The fears and jealousies of the Company were exceedingly raised. They presented to the crown a petition for protection; placing their chief reliance, it should seem, on the lamentable picture of their own distresses. Their remonstrance was, however, disregarded; a new license was extended to Courten's Association, continuing their privileges for five years; and, to form a line between them and the Company, it was ordained, that neither should they trade at those places where the Company had factories, nor the Company trade at any places at which Courten's Association might have erected establishments.1

The Directors, as if they abandoned all other efforts for sustaining their affairs, betook themselves to complaint and petition.2 They renewed their addresses to the throne: They dwelt upon the calamities which had been brought upon them by competition; first, that of the Dutch, next that of Courten's Association: They endeavoured to stimulate the jealousy of the King, by reminding him that the redress which he had demanded from the States General had not been received: And they desired to be at least distinctly informed what line of conduct in regard to their rivals they were required to pursue. The affairs of the King were now at a low ebb; and this may account in part for the tone which the Company assumed with him. A committee of the Privy Council, was formed to inquire into their complaints; and had instructions to inquire, among other particulars, into the means of obtaining reparation from the Dutch, and of accomplishing a union between the Company and Courten's Association. One thing is remarkable, because it shows the unfavourable opinion, held by that Privy Council, of the mode of trading to India by a joint-stock Company: The Committee were expressly instructed, “to form regulations for this trade, which might satisfy the noblemen and gentlemen who were adventurers in it; and to vary the principle on which the India trade had been conducted, or that of a general joint-stock, in such a manner as to enable each adventurer to employ his stock to his own advantage, to have the trade under similar regulations with those observed by the Turkey and other English Companies.”1

book i.Chap. 3. 1638.

The committee of the Privy Council seem to have given themselves but little concern about the trust with which they were invested. No report from them ever appeared. The Company continued indefatigably pressing the King, by petitions and remonstrances. At last they affirmed the necessity of abandoning the trade altogether, if the protection for which they prayed was not afforded. And now their importunity prevailed. On the condition that they should raise a new joint-stock, to carry on the trade on a sufficient scale, it was agreed that Courten's license should be withdrawn.2

On this occasion we are made acquainted incidentally with an important fact; that the Proprietors of the third joint-stock had made frequent but unavailing calls upon the

Directors to close that concern, and bring home what belonged to it in India.3 For the first time, we learn that payment was demanded of
the capital of those separate funds, called the joint-stocks of the Company. Upon this occasion a difficult question might have presented itself. It might have been disputed to whom the immoveable property of the Company, in houses and in lands, both in India and in England, acquired by parts indiscriminately, of all the joint-stocks, belonged. Amid the confusion which pervaded all parts of the Company's affairs, this question had not begun to be agitated: but to encourage subscription to the new joint-stock, it was laid down as a condition, "That to prevent inconvenience and confusion, the old Company or adventurers in the third joint-stock should have sufficient time allowed for bringing home their property, and should send no more stock to India, after the month of May."1 It would thus appear, that the Proprietors of the third joint-stock, and by the same rule the Proprietors of all preceding stocks, were, without any scruple, to be deprived of their share in what is technically called the *dead stock* of the Company, though it had been wholly purchased with their money. There was another condition, to which inferences of some importance may be attached; the subscribers to the new stock were themselves, in a general court, to elect the Directors to whom the management of the fund should be committed, and to renew that election annually.2 As this was a new Court of Directors, entirely belonging to the fourth joint-stock, it seems to follow that the Directors in whose hands the third joint-stock had been placed, must still have remained in office, for the winding up of that concern. And, in that case, there existed, to all intents and purposes, two East India Companies, two separate bodies of Proprietors,
and two separate Courts of Directors, under one charter.





So low, however, was the credit of East India adventure, under joint-stock management, now reduced, that the project of a new subscription almost totally failed. Only the small sum of 22,500*l*. was raised. Upon this a memorial was presented to the King, but in the name of whom; whether of the new subscribers, or the old; whether of the Court of Directors belonging to the old joint-stock, or of a Court of Directors chosen for the new, does not appear. It set forth a number of unhappy circumstances, to which was ascribed the distrust which now attended joint-stock adventures to India; and it intimated, but in very general terms, the necessity of encouragement, to save that branch of commerce from total destruction.

In the mean time a heavy calamity fell upon the Proprietors of the third joint-stock. The King having resolved to draw the sword for terminating the disputes between him and his people; and finding himself destitute of money; fixed his eyes, as the most convenient mass of property within his reach, on the magazines of the East India Company. A price being named, which was probably a high one, he bought upon credit the whole of their pepper, and sold it again at a lower price for ready money.1 Bonds, four in number, one of which was promised to be paid every six months, were given by the farmers of the customs and Lord Cottington for the amount; of which only a small portion seems ever to have been paid. On a pressing application, about the beginning of the year 1642, it was stated, that 13,000*l*. had
been allowed them out of the duties they owed; the remainder the farmers declared it to be out of their power to advance. A prayer

was presented that the customs, now due by them, amounting to 12,000*l*., might be applied in liquidation of the debt; but for this they were afterwards pressed by the parliament. The King exerted himself to protect the parties who stood responsible for him; and what the Company were obliged to pay to the parliament, or what they succeeded in getting from the King or his sureties, no where appears.1

About the period of this abortive attempt to form a new joint-stock, a settlement was first effected at Madras; the only station as yet chosen, which was destined to make a figure in the future history of the Company. The desire of a place of strength on the coast of Coromandel, as a security both to the property of the Company and the persons of their agents, had suggested, some years ago, the fortification of Armegum. On experience, Armegum was not found a convenient station for providing the piece goods,2 for which chiefly the trade to the coast of Coromandel was pursued. In 1740–41, the permission of the local native chief to erect a fort at Madraspatam was, therefore, eagerly embraced. The works were begun, and the place named Fort St. George; but the measure was not approved by the Directors.3

Meanwhile the trade was languishing, for want of funds. The agents abroad endeavoured to supply, by loans, the failure of receipts from home.4

An effort was made in 1642–43 to aid the weakness of the fourth joint-stock by a new subscription. The sum produced was 105,000*l*.; but whether including or not including the previous subscription does not appear. This was deemed no more than what was requisite for a single voyage: of which the Company thought the real circumstances might be concealed under a new name. They called it, the *First General Voyage*.1 Of the amount, however, of the ships, or the distribution of the funds, there is no information on record. For several years, from this date, no account whatever is preserved of the annual equipments of the Company. It would appear from instructions to the agents abroad, that, each year, funds had been supplied; but from what source is altogether unknown. The instructions sufficiently indicate that they were small; and for this the unsettled state of the country, and the distrust of Indian adventure, will sufficiently account.

book i.Chap. 3. 1648.

In 1644, the Dutch followed the example of the English in forming a convention with the Portuguese at Goa. Though it is not pretended that in this any partiality was shown to the Dutch, or any privilege granted to them which was withheld from the English, the Company found themselves, as usual, unable to sustain competition, and complained of this convention as an additional source of misfortune.2

In 1647–48, when the power of the parliament was supreme, and the King a prisoner in the Isle of Wight, a new subscription was undertaken, and a pretty obvious policy was pursued. Endeavours were used to get as many as possible of the members of parliament to subscribe. If the members of the ruling body had a personal interest in the gains of the Company, its privileges would not fail to be both protected and enlarged. An advertisement, which fixed the time beyond which ordinary subscribers would not be received, added, that, in deference to members of parliament, a further

book i.Chap. 3. 1650.

period would be allowed to them, to consider the subject, and make their subscriptions.[1]

It appears not that any success attended this effort; and in 1649–50, the project of completing the fourth joint-stock was renewed, partly as a foundation for an application to the Council of State, partly in hopes that the favours expected from the Council would induce the public to subscribe.[2]

In the memorial, presented on this occasion to the ruling powers, Courten's Association was the principal subject of complaint. The consent of the King, in 1639, to withdraw the license granted to those rivals, had not been carried into effect; nor had the condition on which it had been accorded, that of raising a respectable joint-stock, been fulfilled. The destruction, however, to which the Association of Courten saw themselves at that time condemned, deprived them of the spirit of enterprise: with the spirit of enterprise, the spirit of vigilance naturally disappeared: their proceedings from the time of this condemnation had been feeble and unprosperous: but their existence was a grievance in the eyes of the Company; and an application which they had recently made for permission to form a settlement on the island of Assada, near Madagascar, kindled anew the Company's jealousies and fears. What the Council proposed to both parties was, an agreement. But the Assada merchants, so Courten's Association were now denominated, regarded joint-stock management with so much aversion, that, low as the condition was to which they had fallen, they preferred a separate trade on their own funds to incorporation with the Company.[1] To prove, however, their desire
of accommodation, they proposed certain terms, on which they would submit to forego the separate management of their own affairs.



Objections were offered on the part of the Company; but, after some discussion, a union was effected, nearly on the terms which the Assada merchants proposed.[2] Application was then made for an act to confirm and regulate the trade. The parliament passed a resolution, directing it to be carried on by a joint-stock; but suspending for the present all further decision on the Company's affairs.[3] A stock was formed, which, from the union recently accomplished, was denominated *the united joint-stock;* but in what manner raised, or how great the sum, is not disclosed. All we know for certain is, that two ships were fitted out in this season, and that they carried bullion with them to the amount of 60,000*l*.[4]

The extreme inconvenience and embarrassment which arose from the management, by the same agents, in the same trade, of a number of separate capitals, belonging to separate associations, began now to make themselves seriously and formidably felt. From each of the presidencies complaints arrived of the difficulties, or rather the impossibilities, which they were required to surmount; and it was urgently recommended to obtain, if it were practicable, an act of parliament to combine the whole of these separate stocks.[5] Under this confusion, we have hardly any information respecting the internal transactions of the company at home. We know not so much as how the Courts of Directors were formed; whether there was a body of Directors for each separate fund, or only one body for the whole;

and if only one Court of Directors, whether they were chosen by the voices of the contributors to all the separate stocks, or the contributors to one only; whether, when a Court of Proprietors was held, the owners of all the separate funds met in one body, or the owners of each separate fund met by themselves, for the regulation of their own particular concern.[1]

book i.Chap. 3. 1652.

In 1651–52, the English obtained in Bengal the first of those peculiar privileges, which were the forerunners of their subsequent power. Among the persons belonging to the factories, whom there was occasion to send to the Imperial Court, it happened that some were surgeons; one of whom is particularly named, a gentleman of the name of Boughton. Obtaining great influence, by the cures which they effected, they employed their interest in promoting the views of the Company. Favourable circumstances were so well improved, that, on the payment of 3000 rupees, a government license for an unlimited trade, without payment of customs, in the richest province of India, was happily obtained.[2]

On the Coromandel coast, the wars, which then raged among the natives, rendered commerce difficult and uncertain; and the Directors were urged by the agent at Madras, to add to the fortifications. This they refused, on the ground of expense. As it was inconvenient, however, to keep the business of this coast dependant on the distant settlement of Bantam, Fort St. George was erected into a presidency in 1653–54.[3]

When the disputes began, which ended in hostilities between Cromwell and the Dutch, the Company deemed it a fit opportunity to bring forward those claims of theirs which, amid the distractions of the government, had lain dormant for several years. The war which succeeded, favourable to the British arms in Europe, was extremely dangerous, and not a little injurious, to the feeble Company in India. On the appearance of a Dutch fleet of eight large ships off Swally, in 1653–54, the English trade at Surat was suspended. In the Gulf of Persia, three of the Company's ships were taken, and one destroyed. The whole of the coasting trade of the English, consisting of the interchange of goods from one of their stations to another, became, under the naval superiority of the Dutch, so hazardous, as to be nearly suspended; and at Bantam, traffic seems to have been rendered wholly impracticable.[1]

book i.Chap. 3. 1654.

As Cromwell soon reduced the Dutch to the necessity of desiring peace; and of submitting to it on terms nearly such as he thought proper to dictate; a clause was inserted in the treaty concluded at Westminster in 1654, in which they engaged to conform to whatever justice might prescribe regarding the massacre at Amboyna. It was agreed to name commissioners, four on each side, who should meet at London, and make an adjustment of the claims of the two nations. One remarkable, and not an ill-contrived condition was, that if the appointed commissioners should, within a specified time, be unable to agree, the differences in question should be submitted to the judgment and arbitration of the Protestant Swiss Cantons.[2]

The Commissioners met on the 30th of August, 1654. The English Company, who have never

book i.Chap. 3. 1654.

found themselves at a loss to make out heavy claims for compensation, whether it was their own government, or a foreign, with which they had to deal, stated their damages, ascertained by a series of accounts, from the year 1611 to the year 1652, at the vast amount of 2,695,999*l*. 15*s*. The Dutch, however, seem to have been a match for them. They too had their claims for compensation, on account of joint expenses not paid, or injuries and losses sustained, amounting to 2,919,861*l*. 3*s*. 6*d*. It is impossible to pronounce with accuracy on the justice, comparative or absolute, of these several demands. There is no doubt that both were excessively exaggerated. But if we consider, that, under the domineering ascendancy which the Protector had acquired, it was natural for the English to overbear, and expedient for the Dutch to submit; while we observe, that the award pronounced by the Commissioners, allotted to the English no more than 85,000*l*., to be paid by two instalments, we shall not find any reason, distinct from national partiality, to persuade us, that the balance of extravagance was greatly on the side of the Dutch. All the satisfaction obtained for the massacre of Amboyna, even by the award of the same Commissioners, was 3,615*l*., to be paid to the heirs or executors of those who had suffered.1 Polaroon was given up to the English, but not worth receiving.

Various occurrences strongly mark the sense which appears to have been generally entertained, of the unprofitable nature of joint-stock. That particular body of proprietors, including the Assada merchants, to whom the united joint-stock belonged, presented to the Council of State, in 1654, two separate petitions; in which they prayed, that the East India Company should no longer proceed exclusively on the principle of a joint-stock trade, but that the owners of the separate funds should have authority to employ their own capital, servants, and shipping, in the way which they themselves should deem most to their own advantage.1 The power and consequence of the Directors were threatened; and they hastened to present those pleas, which are used as their best weapons of defence to the present day. Experience had proved the necessity of a joint-stock; since the trade had been carried on by a joint-stock during forty years: Such competitions as those with the Portuguese and the Dutch could only be supported by the strength of a joint-stock: The equipments for the India trade required a capital so large as a joint-stock alone could afford: The failure of Courten's experiment proved that voyages on any other principle could not succeed: The factories requisite for the Indian trade could be established only by a joint-stock, the East India Company having factories in the dominions of no less than fourteen different sovereigns: The native princes required engagements to make good the losses which they or their subjects might sustain at the hands of Englishmen: and to this a joint-stock company alone was competent.



On these grounds, they not only prayed that the trade by joint-stock should be exclusively continued; but that, as it had been impracticable for some time to obtain sufficient subscriptions, additional encouragement should be given by new privileges; and,
in particular, that assistance should be granted, sufficient to enable them to recover and retain the Spice Islands.1

In their reply, the body of petitioners, who were now distinguished by the name of Merchant Adventurers, chiefly dwelt upon the signal want of success which had attended the trade to India, during forty years of joint-stock management. They asserted, that private direction and separate voyages would have been far more profitable; as the prosperity of those open Companies, the Turkey, Muscovy, and Eastland Companies, sufficiently proved. They claimed a right, by agreement, to a share in the factories and privileges of the Company in India; and stated that they were fitting out fourteen ships for the trade.2 They might have still further represented, that every one of the arguments advanced by the Directors, without even a single exception, was a mere assumption of the thing to be proved. That the trade had, during forty years, or four hundred years, been carried on by a joint-stock, proved not that, by a different mode, it would not have yielded much greater advantage: if the trade had been in the highest degree unprosperous, it rather proved that the management had been proportionally defective. The Directors asserted, that in meeting competition, private adventure would altogether fail; though with their joint-stock they had so ill sustained competition, that Courten's Association had threatened to drive them out of every market in which they had appeared: and they themselves had repeatedly and solemnly declared to government, that unless the license to Courten were withdrawn, the ruin of the East India Company was sure. With regard to *mercantile* competition, at any rate,

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the skill and vigilance of individuals transacting for their own interest was sure to be a more powerful instrument than the imbecility and negligence of joint-stock management: and as to *warlike* competition, a few ships of war, with a few companies of marines, employed by the government, would have yielded far more security than all the efforts which a feeble joint-stock could make. The failure of Courten's Association was sufficiently accounted for by the operation of particular causes, altogether distinct from the general circumstances of the trade; the situation, in fact, in which the jealousy and influence of the Company had placed them. Factories were by no means so necessary as the Company ignorantly supposed, and interestedly strove to make others believe; as they shortly after found to their cost, when they were glad to reduce the greater number of those which they had established. Where factories were really useful, it would be for the interest of all the traders to support them. And all would join in an object of common utility in India, as they joined in every other quarter of the globe. As to the native princes, there was no such difficulty as the Company pretended: nor would individual merchants have been less successful than the directors of a joint-stock, in finding the means of prosecuting the trade.

These contending pretensions were referred to a committee of the Council of State; and they, without coming to a decision, remitted the subject to the Protector and Council, as too difficult and important for the judgment of any inferior tribunal.1

Nothing could exceed the confusion which, from the clashing interests of the owners of the separate

book i.Chap. 3. 1655.

stocks, now raged in the Company's affairs. There were no less than three parties who set up claims to the Island of Polaroon, and to the compensation money which had been obtained from the Dutch; the respective proprietors of the third, fourth, and united joint-stocks. The proprietors of

the third joint-stock claimed the whole, as the fourth joint-stock and the united stock were not in existence at the time when the debt obtained from the Dutch was incurred; and they prayed that the money might be lodged in safe and responsible hands, till government should determine the question. The owners of the two other stocks demanded that the money should be divided into three equal shares, for the three several stocks, and that they should all have equal rights to the Island of Polaroon.

Five arbitrators, to whom the dispute was referred, were chosen by the Council of State. In the mean time Cromwell proposed to borrow the 85,000*l*. which had been paid by the Dutch, and which could not be employed till adjudged to whom it belonged.

The Directors, however, had expected the fingering of the money, and they advanced reasons why it should be immediately placed in their hands. The pecuniary distresses of the Company were great: The different stocks were 50,000*l*. in debt; and many of the proprietors were in difficult circumstances: From gratitude to the Protector, however, they would make exertions to spare him 50,000*l*. to be repaid in eighteen months by instalments, provided the remaining 35,000*l*. were immediately assigned them, to pay their most pressing debts, and make a dividend to the Proprietors.1 It thus appears, that these Directors wanted to forestall the decision of the question; and to distribute the money
at their own pleasure, before it was known to whom it belonged. book i.Chap. 3. 1655.
At the same time, it is matter of curious uncertainty, who these Directors were, whom they represented, by what set or sets of Proprietors they were chosen, or to whom they were responsible.

While this dispute was yet undecided, the Merchant Adventurers, or Proprietors of the united stock, obtained a commission from the Protector to fit out four ships for the Indian trade, under the management of a committee.1 We are made acquainted upon this occasion with a very interesting fact. The news of this event being carried to Holland, it was interpreted, and understood, by the Dutch, as being an abolition of the exclusive charter, and the adoption of the new measure of a free and open trade. The interests of the Dutch Company made them see, in this supposed revolution, consequences very different from those which the interests of the English Directors made them behold or pretend that they beheld in it. Instead of rejoicing at the loss of a joint-stock in England, as they ought to have done, if by joint-stock alone the trade of their rivals could be successfully carried on; they were filled with dismay at the prospect of freedom, as likely to produce a trade with which competition on their part would be vain.2

Meanwhile the Company, as well as the Merchant Adventurers, were employed in the equipment of a
fleet. The petition of the Company to the Protector for leave to book i.Chap. 3. 1656.
export bullion, specified the sum of 15,000*l*.: and the fleet consisted of three ships. They continued to press the government for a decision in favour of their exclusive privileges; and in a petition which they presented in October, 1656, affirmed, that the great number of ships sent by individuals under licenses, had raised the price of India goods from 40 to 50 per cent. and reduced that of English

commodities in the same proportion. The Council resolved at last to come to a decision. After some inquiry, they gave it as their advice to the Protector to continue the exclusive trade and the joint-stock; and a committee of the Council was in consequence appointed, to consider the terms of a charter.1

While the want of funds almost annihilated the operations of the Company's agents in every part of India; and while they complained that the competition of the ships of the Merchant Adventurers rendered it, as usual, impracticable for them to trade with a profit in the markets of India, the Dutch pursued their advantages against the Portuguese. They had acquired possession of the island of Ceylon, and in the year 1656–57, blockaded the port of Goa, after which they meditated an attack upon the small island of Diu, which commanded the entrance into the harbour of Swally. From the success of these enterprises they expected a complete command of the navigation on that side of India, and the power of imposing on the English trade duties under which it would be unable to stand.2

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# CHAP. IV.

From the Coalition between the Company and the Merchant Adventurers, till the Project for a new and a rival East India Company.

After the decision of the Council of State in favour of the joint-stock scheme of trading to India, the Company and the Merchant Adventurers effected a coalition. On the strength of this union a new subscription, in 1657–58, was opened, and filled up to the amount of 786,000*l*.[1] Whether the expected charter had been actually received is not ascertained.

book i.Chap. 4. 1658.

The first operation of the new body of subscribers was the very necessary one of forming an adjustment with the owners of the preceding funds. A negotiation was opened for obtaining the transfer of the factories, establishments, and privileges in India. After the lofty terms in which the Directors had always spoken of these privileges and possessions, when placing them in the list of reasons for opposing an open trade, we are apt to be surprised at the smallness of the sum which, after all, and "though situated in the dominions of fourteen different sovereigns," they were found to be worth. They were made over in full right for 20,000*l*., to be paid in two instalments. The ships, merchandise in store, and other trading commodities of the preceding adventurers, were taken by the new subscribers at a price; and it was agreed that the sharers in the former trade, who on that account had property in the Indies, should not traffic on a separate fund, but, after a specified term, should carry the amount of such property to the account of the new stock.[1] There was, in this manner, only one stock now in the hands of the Directors, and they had one distinct interest to pursue: a prodigious improvement on the preceding confusion and embarrassment, when several stocks were managed, and as many contending interests pursued at once.

book i.Chap. 4. 1659.

Some new regulations were adopted for the conduct of affairs. The whole of the factories and presidencies were rendered subordinate to the President and Council at Surat. The presidencies, however, at Fort St. George and at Bantam were continued; the factories and agencies on the Coromandel coast and in Bengal being made dependent on the former, and those in the southern islands on the latter.[2]

As heavy complaints had been made of trade carried on, for their own account, by the agents and servants of the Company, who not only acted as the rivals, but neglected and betrayed the interests, of their masters, it was prohibited, and, in compensation, additional salaries allowed.[3]

After these preliminary proceedings, the first fleet was dispatched. It consisted of five ships; one for Madras carrying 15,500*l*. in bullion; one for Bengal; and three for Surat, Persia, and Bantam.[4] The following year, that is the season 1658–59, one ship was consigned to Surat, one to Fort St. George, and two to Bantam. The latter were directed to touch at Fort St. George to obtain coast clothes for the islands, and to

return to Bengal and Fort St. George to take in Bengal and Coromandel goods for Europe. Instructions were given to make great efforts for recovering a share of the spice trade.[1] Bantam, however, was at this time blockaded by the Dutch, and no accounts were this year received of the traffic in the southern islands.[2]

book i.Chap. 4. 1661.

The operations of the new joint-stock were not more prosperous than those of the old. Transactions at the several factories were feeble and unsuccessful. For two years, 1659–60, and 1660–61, there is no account of the Company's equipments; and their advances to India were no doubt small.[3] “The embarrassed state of the Company's funds at this particular period,” says Mr. Bruce, “may be inferred from the resolutions they had taken to relinquish many of their out-stations, and to limit their trade in the Peninsula of India to the presidencies of Surat and Fort St. George, and their subordinate factories.”[4]

Meanwhile Cromwell had died, and Charles II. ascended the throne. Amid the arrangements which took place between England and the continental powers, the Company were careful to press on the attention of government a list of grievances, which they represented themselves as still enduring at the hands of the Dutch; and an order was obtained, empowering them to take possession of the island of Polaroon. They afterwards complained that it was delivered to them in such a state of prepared desolation, as to be of no value.[1] The truth is, it was of little value at best.

book i.Chap. 4. 1661.

On every change in the government of the country, it had been an important object with the Company to obtain a confirmation of their exclusive privileges. The usual policy was not neglected, on the accession of Charles II.; and a petition was presented to him for a renewal of the East India charter. As there appears not to have been, at that time, any body of opponents to make interest or importunity for a contrary measure, it was far easier to grant without inquiry, than to inquire and refuse; and Charles and his ministers had a predilection for easy rules of government. A charter, bearing date the 3d of April, 1661, was accordingly granted, confirming the ancient privileges of the Company, and vesting in them authority to make peace and war with any prince or people, not being Christians; and to seize unlicensed persons within their limits, and send them to England.[2] The two last were important privileges; and with the right of administering justice, consigned almost all the powers of government to the discretion of the Directors and their servants.

It appears not that, on this occasion, the expedient of a new subscription for obtaining a capital was attempted. A new adjustment with regard to the privileges and dead stock in India would have been required. The joint-stock was not as yet a definite and invariable sum, placed beyond the power of resumption, at the disposal of the Company, the shares only transferable by purchase and sale in the market. The capital was variable and fluctuating; formed by the sums which, on the occasion of each voyage, the individuals, who were free of the Company, chose to pay into the hands of the Directors, receiving credit for the amount in the Company's books, and proportional dividends on the profits of the voyage. Of this stock 500*l*. entitled a proprietor

book i.Chap. 4. 1662–67.

to a vote in the general courts; and the shares were transferable, even to such as were not free of the Company, upon paying 5*l*. for admission.[1]

Of the amount either of the shipping or stock of the first voyage upon the renewed charter we have no account; but the instructions sent to India prescribed a reduction of the circle of trade. In the following year 1662–63, two ships sailed for Surat, with a cargo in goods and bullion, amounting to 65,000*l*., of which it would appear that 28,300*l*. was consigned to Fort St. George. Next season there is no account of equipments. In 1664–65, two ships were sent out with the very limited value of 16,000*l*. The following season the same number only of ships was equipped; and the value in money and goods consigned to Surat was 20,600*l*.; whether any thing in addition was afforded to Fort St. George does not appear; there was no consignment to Bantam. In 1666–67, the equipment seems to have consisted but of one vessel. consigned to Surat with a value of 16,000*l*.[2]

With these inadequate means, the operations of the Company in India were by necessity languid and humble. At Surat the out-factories and agencies were suppressed. Instructions were given to sell the English goods, at low rates, for the purpose of ruining the interlopers. The Dutch, however, revenged the private traders; and by the competition of their powerful capital, rendered the Company's business difficult and unprofitable.[1] On the Coromandel coast the wars among the native chiefs, and the overbearing influence of the Dutch, cramped and threatened to extinguish the trade of the English. And at Bantam, where the Dutch power was most sensibly felt, the feeble resources of their rivals hardly sufficed to keep their business alive.[2]

book i.Chap. 4. 1662–67.

During these years of weakness and obscurity, several events occurred which by their consequences proved to be of considerable importance. The island of Bombay was ceded to the king of England as part of the dowry of the Infanta Catharine; and a fleet of five men of war commanded by the Earl of Marlborough, with 500 troops commanded by Sir Abraham Shipman, were sent to receive the possession. The armament arrived at Bombay on the 18th September, 1662; but the governor evaded the cession. The English understood the treaty to include Salsette and the other dependencies of Bombay. As it was not precise in its terms, the Portuguese denied that it referred to any thing more than the island of Bombay. Even Bombay they refused to give up, till further instructions, on the pretext that the letters or patent of the King did not accord with the usages of Portugal. The commander of the armament applied in this emergency to the Company's President to make arrangements for receiving the troops and ships at Surat, as the men were dying by long confinement on board. But that magistrate represented the danger of incurring the suspicion of the Mogul government, which would produce the seizure of the Company's investment, and the expulsion of their servants from the country. In these circumstances the Earl of Marlborough took his resolution of returning with the king's ships to England; but Sir Abraham Shipman, it was agreed, should land the troops on the island of Angedivah, twelve leagues distant from Goa. On the arrival of the Earl of Marlborough in England in 1663, the King remonstrated with the government of

book i.Chap. 4. 1663–68.

Portugal, but obtained unsatisfactory explanations; and all intention of parting with the dependencies of Bombay was denied. The situation in the mean time of the troops at Angedivah proved extremely unhealthy; their numbers were greatly reduced by disease; and the commander made offer to the President and Council at Surat, to cede the King's rights to the Company. This offer, on consultation, the President and Council declined; as well because, without the authority of the King, the grant was not valid, as because, in their feeble condition, they were unable to take possession of the place. After Sir Abraham Shipman and the greater part of the troops had died by famine and disease, Mr. Cooke, on whom the command devolved, accepted of Bombay on the terms which the Portuguese were pleased to prescribe; renounced all claim to the contiguous islands; and allowed the Portuguese exemption from the payment of customs. This convention the King refused to ratify, as contrary to the terms of his treaty with Portugal; but sent out Sir Gervase Lucas to assume the government of the place. As a few years' experience showed that the government of Bombay cost more than it produced, it was once more offered to the Company: and now accepted. The grant bears date in 1668. Bombay was "to be held of the King in free and common soccage, as of the manor of East Greenwich, on the payment of the annual rent of 10*l*. in gold, on the 30th of September, in each year;" and with the place itself was conveyed
authority to exercise all political powers, necessary for its defence and government.[1]



Subterfuges of a similar kind were invented by the Dutch to evade the cession of the island of Polaroon. The Governor pretended that he could not deliver up the island without instructions from the Governor of Banda; and the Governor of Banda pretended that he could not give such instructions without receiving authority from the Governor-General of Batavia. After much delay and negotiation the cession was made in 1665; but not, if we believe the English accounts, till the Dutch had so far exterminated the inhabitants and the spice trees, that the acquisition was of little importance. On the recommencement, however, of hostilities between England and Holland, the Dutch made haste to expel the English, and to re-occupy the island. And by the treaty of Breda, both Polaroon and Damm, on which the English had attempted an establishment, were finally ceded to the Dutch.[2]

In the beginning of 1664, Sevagee, the founder of the Mahratta power, in the course of his predatory warfare against the territories of the Mogul Sovereign, attacked the city of Surat. The inhabitants fled, and the Governor shut himself up in the castle. The Company's servants, however, taking shelter in the factory, stood upon their defence, and having called in the ships' crews to their aid, made so brave a resistance that Sevagee retired after pillaging the town. The gallantry and success of this enterprise so pleased the Mogul government, as to obtain its thanks to the President, and new privileges of trade to the Company. The place was again approached by the same destructive enemy in 1670, when the principal part of
the Company's goods was transported to Swally, and lodged on board the ships. The English again defended themselves successfully, though some lives were lost, as well as some property in their detached warehouses.[1]

At this period occurred one of the first instances of refractory and disobedient conduct on the part of the Company's servants. This is a calamity to which they have been much less frequently exposed, than, from the distance and employment of those servants, it would have been reasonable to expect. The efforts of the Directors to suppress the trade, which their agents carried on for their own account, had not been very successful. Sir Edward Winter, the chief servant at Fort St. George, was suspected of this delinquency, and in consequence recalled. When Mr. Foxcroft, however, who was sent to supersede him, arrived at Fort St. George, in June, 1665, Sir Edward, instead of resigning, placed his intended successor in confinement, under a pretext which it was easy to make, that he had uttered disloyal expressions against the King's government. Notwithstanding remonstrances and commands, he maintained himself in the government of the place till two ships arrived, in August, 1668, with peremptory orders from the Company, strengthened by a command from the King, to resign; when his courage failed him, and he complied. He retired to Masulipatam, a station of the Dutch, till the resentment excited against him in England should cool: and his name appears no more in the annals of the Company.2

In Bengal the English factory at Hoogley had been involved in an unhappy dispute with the Mogul
government, on account of a junk which they imprudently seized on the river Ganges. For several years this incident had been used as a pretext for molesting them. In 1662–63, the chief at Madras sent an agent to endeavour to reconcile them with Meer Jumlah, the Nabob of Bengal; and to establish agencies at Balasore and Cossimbuzar.1 The Company's funds, however, were too confined to push to any extent the trade of the rich province of Bengal.

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The scale was very small on which, at this time, the Company's appointments were formed. In 1662, Sir George Oxenden was elected to be “President and chief Director of all their affairs at Surat, and all other their factories in the north parts of India, from Zeilon to the Red Sea,” at a salary of 300*l*. and with a gratuity of 200*l*. per annum as compensation for private trade. Private trade in the hands of their servants, and still more in those of others, the Company were now most earnestly labouring to suppress. Directions were given to seize all unlicensed traders and send them to England; and no exertion of the great powers entrusted to the Company was to be spared, to annihilate the race of merchants who trenched upon the monopoly, and to whom, under the disrespectful name of interlopers, they ascribed a great part of their imbecility and depression.2

Their determination to crush all those of their countrymen who dared to add themselves to the list of their competitors, failed not to give rise to instances of great hardship and calamity. One was rendered famous by the altercation which in 1666 it produced between the two houses of parliament. Thomas Skinner, a merchant, fitted out a vessel in 1657. The agents of the Company seized his ship and merchandize in India, his house, and the island of Barella,
which he had bought of the King of Jambee. They even denied him a passage home; and he was obliged to travel over land to Europe. The sufferer failed not to seek redress, by presenting his

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complaint to the government, and after some importunity it was referred first to a committee of the Council, and next to the House of Peers. When the Company were ordered to answer, they refused to acknowledge the jurisdiction of the Peers, on the ground that they were only a court of appeal, and not competent to decide in the first resort. The objection was over-ruled. The Company appealed to the House of Commons; the Lords were highly inflamed; and, proceeding to a decision, awarded to the petitioner 5,000*l*. The Commons were now enraged in their turn; and being unable to gratify their resentments upon the House of Peers, which was the cause of them, they were pleased to do so upon the unfortunate gentleman who had already paid so dearly for the crime (whatever its amount) of infringing the Company's monopoly. He was sent a prisoner to the Tower. The Lords, whom these proceedings filled with indignation, voted the petition of the Company to the Lower House to be false and scandalous. Upon this the Commons resolved that whoever should execute the sentence of the other house in favour of Skinner, was a betrayer of the rights and liberties of the Commons of England, and an infringer of the privileges of their house. To such a height did these contentions proceed, that the King adjourned the parliament seven times; and when the controversy after an intermission revived, he sent for both houses to Whitehall, and by his personal persuasion induced them to erase from their journals all their votes, resolutions, and other acts relating to the subject. A contest, of which both parties were tired,
being thus ended, the sacrifice and ruin of an individual
appeared, as usual, of little importance: Skinner had no redress.[1]



Another class of competitors excited the fears and jealousies of the Company. Colbert, the French minister of finance, among his projects for rendering his country commercial and opulent, conceived, in 1664, the design of an East India Company. The report which reached the Court of Directors in London represented the French as fitting out eight armed vessels for India, commanded by Hubert Hugo, whom, in their instructions to the settlements abroad, the Directors described as a Dutch pirate. The hostilities of the Company were timid. They directed their agents in India to afford these rivals no aid or protection, but to behave towards them with circumspection and delicacy. The subservience of the English government to that of France was already so apparent, as to make them afraid of disputes in which they were likely to have their own rulers against them.[2]

The war which took place with Holland in 1664, and which was followed in 1665 by a temporary quarrel with France, set loose the powers of both nations against the Company in India. The French Company, however, was too much in its infancy to be formidable; and the Dutch, whose mercantile competition pressed as heavily during peace as during war, added to the difficulties of the English, chiefly by rendering their navigation more hazardous and expensive.

A fact, an enlightened attention to which would probably have been productive of important consequences, was at this time forced upon the notice of the Company. One grand source of the expenses
which devoured the profits of their trade was their factories, with
all that mass of dead stock which they required, houses, lands,
fortifications, and equipments. The Dutch, who prosecuted their

interests with vigilance and economy, carried on their trade in a great many places without factories. Upon receiving instructions to make preparations and inquiry for opening a trade with Japan, Mr. Quarles Brown, the Company's agent at Bantam, who had been at Japan, reported to the Court, that it would be necessary, if a trade with Japan was to be undertaken, to follow the plan of the Dutch; who procured the commodities in demand at Japan, in the countries of Siam, Cambodia, and Tonquin, not by erecting expensive factories, but by forming contracts with the native merchants. These merchants, at fixed seasons, brought to the ports the commodities for which they had contracted, and though it was often necessary to advance to them the capital with which the purchases were effected, they had regularly fulfilled their engagements.1 Even the Company itself, and that in places where their factories cost them the most, had made experiments, and with great advantage, on the expediency of employing the native merchants in providing their investments. At Surat, in 1665–66, "the investments of the season were obtained by the employment of a native merchant, who had provided an assortment of pepper at his own risk, and though the Dutch had obstructed direct purchases of pepper, the agents continued the expedient of employing the native merchants, and embarked a moderate assortment."2 Factories to carry on the traffic of Asia, at any rate on the scale, or any thing approaching to the scale, of the East India Company, were the natural offspring of a joint-stock; the Managers or Directors of which had a much greater interest in the patronage they created, which was wholly their own; than in the profits of the Company, of which they had only an insignificant share. Had the trade to India been conducted from the beginning, on those principles of individual adventure and free competition, to which the nation owes its commercial grandeur, it is altogether improbable that many factories would have been established. The agency of the native merchants would have performed much; and where it was not sufficient, the Indian trade would have naturally divided itself into two branches. One set of adventurers would have established themselves in India, by whom investments would have been provided for the European ships, and to whom the cargoes of the European goods would have been consigned. Another class of adventurers, who remained at home, would have performed the business of export and import from England, as it is performed to any other region of the globe.

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The time, however, was now approaching when the weakness which had so long characterized the operations of the English in India was gradually to disappear. Notwithstanding the imperfections of the government, at no period, perhaps, either prior or posterior, did the people of this country advance so rapidly in wealth and prosperity, as during the time, including the years of civil war, from the accession of James I. to the expulsion of James II.1 We are not informed of the particular measures which were pursued by the Directors for obtaining an extension of funds; but the increase of capital in the nation was probably the principal cause which enabled them, in the year succeeding the acquisition of Bombay, to provide a grander fleet and cargo than they had ever yet sent forth. In the course of the year 1667–68, six ships sailed to Surat, with goods and bullion to the value of 130,000*l*.; five ships to Fort St. George, with a value of 75,000*l*.; and five to Bantam, with a stock of 40,000*l*. In the next season we are informed that the consignments to Surat consisted of 1,200 tons of shipping, with a stock of the value of

book i.Chap. 4. 1668–74.

75,000*l*.; to Fort St. George, of five ships, and a stock of 103,000*l*.; and to Bantam, of three ships and 35,000*l*. In the year 1669–70, 1,500 tons of shipping were sent to Surat, six ships to Fort St. George, and four to Bantam, and the whole amount of the stock was 281,000*l*. The vessels sent out in 1670–71 amounted to sixteen, and their cargoes and bullion to 303,500*l*. In the following year four ships were sent to Surat, and nearly 2,000 tons of shipping to Fort St. George; the cargo and bullion to the former, being 85,000*l*., to the latter, 160,000*l*.: shipping to the amount of 2,800 tons was consigned to Bantam, but of the value of the bullion and goods no account seems to be preserved. In 1672–73, stock and bullion to the amount of 157,700*l*. were sent to Surat and Fort St. George. On account of the war, and the more exposed situation of Bantam, the consignment to that settlement was postponed. In the following year, it appears that cargoes and bullion were consigned, of the value of 100,000*l*. to Surat; 87,000*l*. to Fort St. George; and 41,000*l*. to Bantam.[1]

book i.Chap. 4. 1668–74.

Other events of these years were of considerable importance. In 1667–68, appears the first order of the Company for the importation of tea.[2] Attempts were now recommended for resuming trade with Sumatra.[3] In 1671–72, considerable embarrassment was produced at Surat by the arrival of a French fleet of twelve ships, and a stock computed at 130,000*l*. The inconsiderate purchases and sales of the French reduced the price of European goods, and raised that of Indian; but these adventurers exhibited so little of the spirit and knowledge of commerce, as convinced the Company's agents that they would not prove formidable rivals.[4]

As England and France were now united in alliance against the Dutch, the Company might have exulted in the prospect of humbling their oppressors, but the danger of a new set of competitors seems effectually to have repressed these triumphant emotions. In 1673, the island of St. Helena, which had several times changed its masters, being recaptured from the Dutch, was granted anew and confirmed to the Company by a royal charter.[5]

The funds which, in such unusual quantity, the Directors had been able to supply for the support of the trade in India, did not suffice to remove, it would appear that they hardly served to lighten, the pecuniary difficulties under which it laboured. To an order to provide a large investment, the President and Council at Surat, in 1673–74, replied, that the funds at their disposal were only 88,228*l*. and their debts 100,000*l*. besides interest on the same at 9 per cent.; and in November, 1674, they represented that the debt arose to no less a sum than 135,000*l*.; and that all returns must in a great measure be suspended till, by the application of the funds received from Europe, the Company's credit should be revived.[1]

book i.Chap. 4. 1674.

Of the sort of views held out at this period to excite the favour of the nation towards the East India Company, a specimen has come down to us of considerable value. Sir Josiah Child, an eminent member of the body of Directors, in his celebrated Discourses on Trade, written in the year 1665, and published in 1667, represents the trade to India as the most beneficial branch of English commerce; and in proof of this opinion asserts, that it employs from twenty-five to thirty sail of the most warlike

mercantile ships of the kingdom, manned with mariners from 60 to 100 each; that it supplies the kingdom with saltpetre, which would otherwise cost the nation an immense sum to the Dutch; with pepper, indigo, calicoes, and drugs, to the value of 150,000*l*. or 180,000*l*. yearly, for which it would otherwise pay to the same people an exorbitant price; with materials for export to Turkey, France, Spain, Italy, and Guinea, to the amount of 200,000*l*. or 300,000*l*. yearly, countries with which, if the nation were deprived of these commodities, a profitable trade could not be carried on.

These statements were probably made with an intention to deceive. The imports, exclusive of saltpetre, are asserted to exceed 400,000*l*. a year; though the stock which was annually sent to effect the purchases, and to defray the whole expense of factories and fortifications abroad, hardly amounted in any number of years preceding 1665, to 100,000*l*., often to much less; while the Company were habitually contracting debts, and labouring under the severest pecuniary difficulties. Thus early, in the history of this Company, is it found necessary to place reliance on their accounts and statements, only when something very different from the authority of their advocates is found to constitute the basis of our belief.

book i.Chap. 4. 1674.

It will be highly instructive to confront one exaggerated statement with another. About the same time with the discourses of Sir Josiah Child, appeared the celebrated work of De Witt on the state of Holland. Proceeding on the statement of Sir Walter Raleigh, who in the investigation of the Dutch fishery, made for the information of James I. in 1603, affirmed, that "the Hollanders fished on the coasts of Great Britain with no fewer than 3,000 ships, and 50,000 men; that they employed and set to sea, to transport and sell the fish so taken, and to make returns thereof, 9,000 ships more, and 150,000 men; and that twenty busses do, one way or other, maintain 8,000 people;" he adds, that from the time of Sir Walter Raleigh to the time at which he wrote, the traffic of Holland in all its branches could not have increased less than one third. Allowing this account to be exaggerated in the same proportion as that of the East India Director, which the nature of the circumstances, so much better known, renders rather improbable; it is yet evident, to what a remarkable degree the fisheries of the British coasts, to which the Dutch confined themselves, constituted a more important commerce than the highly vaunted, but comparatively insignificant business of the East India Company.[1] The English fishery, at the single station of Newfoundland, exceeded in value the trade to the East Indies. In the year 1676, no fewer than 102 ships, carrying twenty guns each, and eighteen boats, with five men to each boat, 9,180 men in all, were employed in that traffic; and the total value of the fish and oil was computed at 386,400*l*.[2]

book i.Chap. 4. 1675–82.

The equipments, in 1674–75, were, five ships to Surat with 189,000*l*. in goods and bullion; five to Fort St. George with 202,000*l*.; and 2,500 tons of shipping to Bantam with 65,000*l*.: In 1675–76, to Surat, five ships and 96,500*l*.; to Fort St. George, five ships and 235,000*l*.; to Bantam, 2,450 tons of shipping and 58,000*l*.: In 1676–77, three ships to Surat and three to Fort St. George, with 97,000*l*. to the one, and 176,600*l*. to the other; and eight ships to Bantam, with no account of the stock. The whole adventure to India, in 1677–78, seems to have been seven ships and 352,000*l*.;

of which a part, to the value of 10,000*l*. or 12,000*l*., was to be forwarded from Fort St. George to Bantam: In 1678–79, eight ships and 393,950*l*.: In 1679–80, ten ships and 461,700*l*.: In 1680–81, eleven ships and 596,000*l*.: And, in 1681–82, seventeen ships, and 740,000*l*.[3]

book i.Chap. 4. 1675–82.

The events affecting the East India Company were still common and unimportant. In 1674–75, a mutiny, occasioned by retrenchment, but not of any serious magnitude, was suppressed at Bombay. In trying and executing the ringleaders, the Company exercised the formidable powers of martial law. The trade of Bengal had grown to such importance, that, instead of a branch of the agency at Fort St. George, an agency was now constituted in Bengal itself. Directions were forwarded to make attempts for opening a trade with China; and tea, to the value of 100 dollars, was, in 1676–77, ordered on the Company's account. Beside the ordinary causes of depression which affected the Company at Bantam, a particular misfortune occurred in 1667. The principal persons belonging to the factory having gone up the river in their prows, a number of Javanese assassins, who had concealed themselves in the water, suddenly sprung upon them, and put them to death.[1]

In 1677–78, “the Court,” says Mr. Bruce, “recommended temporising expedients to their servants, with the Mogul, with Sevagee, and with the petty Rajahs; but at the same time they gave to President Aungier and his council discretionary powers, to employ armed vessels, to enforce the observation of treaties and grants:—in this way, the Court shifted from themselves the responsibility of commencing hostilities, that they might be able, in any questions which might arise between the King and the Company, to refer such hostilities to the errors of their servants.”[2] This cool provision of a subterfuge, at the expense of their servants, is a policy ascribed to the Company, in this instance, by one of the most unabashed of their eulogists. We shall see, as we advance, in what degree the precedent has been followed.

book i.Chap. 4. 1682.

The difficulties which now occurred in directing the operations of the various individuals employed in the business of the East India Company began to be serious. The Directors, from ignorance of the circumstances in which their servants were placed, often transmitted to them instructions which it would have been highly imprudent to execute. The functionaries abroad often took upon themselves, and had good reasons for their caution, to disregard the orders which they received. A door being thus opened for discretionary conduct, the instructions of the Directors were naturally as often disobeyed for the convenience of the actors abroad, as for the benefit of the Company at home. The disregard of their authority, and the violation of their commands, had been a frequent subject of uneasiness and indignation to the Directors. Nor was this all. From discordant pretensions to rank and advancement in the service, animosities arose among the agents abroad. Efforts were made by the Directors for the cure of these troublesome, and even dangerous, diseases. Seniority was adopted as the principle of promotion; but nomination to the important office of a Member of Council at the Agencies, as well as Presidencies, was reserved to the Court of Directors.[1]

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# CHAP. V.

*From the Project of forming a new and rival Company, till the Union of the two Companies by the Award of Godolphin, in the year* 1711.

book i.Chap. 5. 1683.

The Company were now again threatened by that competition with their fellow-citizens which they have always regarded as their greatest misfortune. From the renewal of their charter, shortly after the accession of Charles II., their monopoly had not been disturbed, except by a few feeble interlopers, whom they had not found it difficult to crush. In the year 1682–83, the design was disclosed of opening a subscription for a new joint-stock, and establishing a rival East India Company. The scheme was so much in unison with the sentiments of the nation, and assumed an aspect of so much importance, that it was taken into consideration by the King and Council. 1

It had so much effect upon the views of the Company, though for the present the Council withheld their sanction, that, in Mr. Bruce's opinion, it introduced into their policy of 1682–83 a refinement, calculated, and intended, to impose upon the King and the public. It induced them to speak of the amount of their equipments, not, as usual, in terms of exact detail, but in those of vague and hyperbolical estimate. What we know of their adventure of that year is only the information they forwarded to their Indian stations, that the stock to be sent out would exceed one million sterling. In the course of

book i.Chap. 5. 1683–85.

the next season they equipped four ships to Surat. Of that year we only further know that 100,000*l*. in bullion was intended for Bengal. In 1684–85, information was forwarded to Surat, in general terms, that the tonnage and stock would be considerable: Five ships sailed for Fort St. George and Bengal, with 140,000*l*. in bullion: Of other circumstances nothing is adduced: and for several succeeding years no statement of the tonnage and stock of the annual voyages appears.1

Under the skill which the Court of Directors have all along displayed in suppressing such information as they wished not to appear, it is often impossible to collect more than gleanings of intelligence respecting the Company's debts. At the present period, however, they appear to have been heavy and distressing. In 1676, it was asserted by their opponents in England that their debts amounted to 600,000*l*.;2 and we have already seen that, in 1674, the debt of Surat alone amounted to 135,000*l*.3 In 1682–83, the Directors authorised the Agency in Bengal to borrow 200,000*l*. and, in 1683–84, it is stated that the debt upon the dead stock at Bombay alone amounted to 300,000*l*.4 It seems highly probable that at this time their debts exceeded their capital.

In a war between the King of Bantam and his son, in which the English sided with the one, and the Dutch with the other, the son prevailed; and expelled the English from the place. The agents and servants of the factory took shelter at Batavia, and the Dutch Governor made offer of his assistance to

bring the property of the Company from Bantam. As the English, however, accused the Dutch of being the real authors of the calamity, they declined the proposal, as precluding those claims of redress which the Company might prosecute in Europe. Various efforts were made to regain possession of Bantam, but the Dutch from this time remained sole masters of Java.[1]



Upon the loss of Bantam, the Presidency for the government of the Eastern Coast, which had hitherto, with a fond desire for the traffic of the islands, been stationed at that place, was removed to Fort St. George.[2]

The nation becoming gradually more impatient under the monopoly, the numbers multiplied of those who ventured to break through the restraint which it imposed upon the commercial ardour of the times. The Company, not satisfied with the power which they had already obtained of common and martial law, and of seizing, with their property, and sending to England, as many of their countrymen, as their interests or caprice might direct, still called for a wider range of authority: and, under the favour of government which they now enjoyed, obtained the powers of Admiralty jurisdiction, for the purpose of seizing and condemning, safe from the review of the courts of municipal law in England, the ships of the interlopers.[3] The servants of the Company were now invested with unlimited power over the British people in India.

Insurrection again appeared at Bombay, and assumed a very formidable aspect. The causes were such as have commonly, in the Company's affairs, been attended with similar effects. Efforts had been made to retrench expenses; unpleasant to the Company's servants. The earliest experiment of the Company in territorial sovereignty agreed with the enlarged experience of succeeding times: the expense of the government exceeded the revenue which the population and territory could be made to yield. The Directors, new to the business of government, were disappointed; and having first laboured to correct the deficit by screwing up the revenue, they next attempted the same arduous task by lessening the expense. By the two operations together, all classes of their subjects were alienated: First, the people, by the weight of taxation; next, the instruments of government, by the diminution of their profits. Accordingly Captain Keigwin, commander of the garrison at Bombay, was joined by the troops and the great body of the people, in renouncing the authority of the Company, and declaring by proclamation, dated December 27, 1683, that the island belonged to the King. Keigwin was by general consent appointed Governor; and immediately addressed letters to the King and to the Duke of York, stating such reasons as were most likely to avert from his conduct the condemnation to which it was exposed.[1]



The President and Council at Surat, conscious of their inability to reduce the island by force, had recourse to negociation. A general pardon, and redress of grievances, were promised. First three commissioners were sent; afterwards the President repaired to Bombay in person. But neither entreaties nor threats were of any avail.[2]

As soon as intelligence arrived in England, the King's command was procured, directing Captain Keigwin to deliver up the island: and instructions were forwarded to proceed against the insurgents by force. When Sir Thomas Grantham, the commander of the Company's fleet, presented himself at Bombay, invested with the King's commission, Keigwin offered, if assured of a free pardon to himself and adherents, to surrender the place. On these terms the island was restored to obedience. For the more effectual coercion of any turbulent propensities, the expedient was adopted of removing the seat of government from Surat to Bombay. Nor could the humble title and pretensions of a President and Council any longer satisfy the rising ambition of the Company. The Dutch had established a regency at Batavia and Columbo. It was not consistent wiih the grandeur of the English Company to remain contented with inferior distinction. In 1687, Bombay was elevated to the dignity of a Regency, with unlimited power over the rest of the Company's settlements. Madras was formed into a corporation, governed by a mayor and aldermen.1

The English had met with less favour, and more oppression, from the native powers in Bengal, than in any other part of India.2 In 1685–86, the resolution was adopted of seeking redress and protection by force of arms. The greatest military equipment the Company had ever provided was sent to India. Ten armed vessels, from twelve to seventy guns, under the command of Captain Nicholson, and six companies of infantry, without captains, whose places were to be supplied by the Members of Council in Bengal, were dispatched, with instructions to seize and fortify Chittagong as a place of future security, and to retaliate in such a manner upon the Nabob and Mogul as to obtain reparation for the injuries and losses which had been already sustained. In addition to this force, the Directors, in the following year, made application to the King for an entire company of regular infantry with their officers; and power was granted to the Governor in India to select from the privates such men as should appear qualified to be commissioned officers in the Company's service. By some of those innumerable casualties, inseparable from distant expeditions, the whole of the force arrived not at one time in the Ganges; and an insignificant quarrel, between some of the English soldiers and the natives, was imprudently allowed to bring on hostilities, before the English were in a condition to maintain them with success. They were obliged to retire from Hoogley, after they had cannonaded it with the fleet, and took shelter at Chutanuttee, afterwards Calcutta, till an agreement with the Nabob, or additional forces, should enable them to resume their stations. The disappointment of their ambitious schemes was bitterly felt by the Court of Directors. They blamed their servants in Bengal in the severest terms, not only for timidity, but breach of trust, as having turned the resources of the Company, which ought to have been effectually employed in obtaining profitable and honourable terms from the Nabob and Mogul, to their own schemes of private avarice and emolument. A hollow truce was agreed to by the Nabob, which he only employed for preparing the means of an effectual attack. The English, under the direction of Charnock, the Company's agent, made a gallant defence. They not only repulsed the Nabob's forces in repeated assaults, but stormed the fort of Tanna, seized the island of Injellee, in which they fortified themselves, and burnt the town of Balasore, with forty

book i.Chap. 5.
1685–87.

sail of the Mogul fleet; the factories, however, at Patna and Cossimbuzar were taken and plundered. In September, 1687, an accommodation was effected, and the English were allowed to return to Hoogley, with their ancient privileges. But this was a termination of the contest ill-relished by the Court of Directors. Repeating their accusations of Charnock and their other functionaries, they sent Sir John Child, the governor of Bombay, to Madras and Bengal, for the purpose of reforming abuses, and of re-establishing, if possible, the factories at Cossimbuzar and other places, from which they had been driven by the war. A large ship, the Defence, accompanied by a frigate, arrived from England under the command of a captain of the name of Heath, with instructions for war. The Company's servants had made considerable progress by negociation in regaining their ancient ground; when Heath precipitately commenced hostilities, plundered the town of Balasore, and proceeded to Chittagong, which he found himself unable to subdue. Having taken the Company's servants and effects on board, agreeably to his orders, he sailed to Madras;
and Bengal was abandoned.[1]

book i.Chap. 5. 1687.

These proceedings, with the rash and presumptuous behaviour of Sir John Child on the western side of India, exasperated Aurengzebe, the most powerful of all the Mogul sovereigns, and exposed the Company's establishments to ruin in every part of India. The factory at Surat was seized; the island of Bombay was attacked by the fleet of the Siddees; the greater part of it was taken, and the governor besieged in the town and castle. Aurengzebe issued orders to expel the English from his dominions. The factory at Masulipatam was seized; as was also that at Visigapatam, where the Company's agent and several of their servants were slain. The English stooped to the most abject submissions. With much difficulty they obtained an order for the restoration of the factory at Surat, and the removal of the enemy from Bombay. Negotiation was continued, with earnest endeavours, to effect a reconciliation. The trade of the strangers was felt in the Mogul treasuries; and rendered the Emperor, as well as his deputies, not averse to an accommodation. But the interruption and delay sustained by the Company made them pay dearly for their premature ambition, and for the unseasonable insolence, or the imprudence of their servants.[2]

During these contests the French found an interval, in which they improved their footing in India. They had formed an establishment at Pondicherry, where they were at this time employed in erecting fortifications.[1]

book i.Chap. 5. 1689–98.

The equipments for 1689–90 were on a reduced scale; consisting of three ships only, two for Bombay, and one for Fort St. George. They were equally small the succeeding year. We are not informed to what the number of ships or value of cargo amounted in 1691–2. In the following year, however, the number of ships was eleven; and was increased in 1693–4, to thirteen. In the following year there was a diminution, but to what extent does not appear. In each of the years 1695–6 and 1696–7, the number of ships was eight. And in 1697–8 it was only four.[2]

It was now laid down as a determinate object of policy, that independence was to be established in India; and dominion acquired. In the instructions forwarded in 1689, the Directors expounded themselves in the following words: “The increase of our revenue

is the subject of our care, as much as our trade:—'tis that must maintain our force, when twenty accidents may interrupt our trade; 'tis that must make us a nation in India;—without that we are but as a great number of interlopers, united by his Majesty's royal charter, fit only to trade where nobody of power thinks it their interest to prevent us;—and upon this account it is that the wise Dutch, in all their general advices which we have seen, write ten paragraphs concerning their government, their civil and military policy, warfare, and the increase of their revenue, for one paragraph they write concerning
trade."[1] It thus appears at how early a period, when trade and sovereignty were blended, the trade, as was abundantly natural, became an object of contempt, and by necessary consequence, a subject of neglect. A trade, the subject of neglect, is of course a trade without profit.

book i.Chap. 5. 1689–98.

This policy was so far gratified, about the same period, that Tegnapatam, a town and harbour on the Coromandel coast, a little to the south of Pondicherry, was obtained by purchase, and secured by grant from the country powers. It was strengthened by a wall and bulwarks, and named Fort St. David.[2]

A fact of much intrinsic importance occurs at this part of the history. Among the Christians of the East, the Armenians, during the power of the successors of Constantine, had formed a particular sect. When the countries which they inhabited were overrun by the Mahomedan arms, they were transplanted by force, in great numbers, into Persia, and dispersed in the surrounding countries. Under oppression, the Armenians adhered to their faith; and, addicting themselves to commerce, became, like the Jews in Europe, the merchants and brokers in the different countries to which they resorted.[3] A proportion of them made their way into India, and, by their usual industry and acuteness, acquired that share in the business of the country which was the customary reward of the qualities they displayed. The pecuniary pressure under which the Company at this
time laboured, and under which, without ruinous consequences, the increase of patronage could not be pursued, constrained the Directors to look out for economical modes of conducting their trade. They accordingly gave instructions, that, instead of multiplying European agents in India, natives, and especially Armenians, should be employed: "because," to use the words of Mr. Bruce, copying or abridging the letters of the Court, "that people could vend English woollens, by carrying small quantities into the interior provinces, and could collect fine muslins, and other new and valuable articles, suited to the European demands, *better* than any agents of the Company could effect, under any phirmaund or grant which might be eventually purchased."[1]

book i.Chap. 5. 1689–98.

The prosperity which the nation had enjoyed, since the death of Charles I., having rendered capital more abundant, the eagerness of the mercantile population to enter into the channel of Indian enterprise and gain had proportionably increased; and the principles of liberty being now better understood, and actuating more strongly the breasts of Englishmen, not only had private adventure, in more numerous instances, surmounted the barriers of the Company's monopoly, but the public in general at last disputed the power of a royal charter, unsupported by Parliamentary sanction, to limit the rights of one part of the people in favour of another, and to debar all but the East

India Company from the commerce of India. Applications were made to Parliament for a new system of management in this branch of national affairs; and certain instances of severity, which were made to carry the appearance of atrocity, in the exercise of the powers of martial law assumed by the Company, in St. Helena and other places, served to
augment the unfavourable opinion which was now rising against them.[1]



The views of the House of Commons were hostile to the Company. A committee, appointed to investigate the subject, delivered it as their opinion on the 16th January, 1690, that a new Company should be established, and established by Act of Parliament; but that the present Company should carry on the trade exclusively, till the new Company were established.[2] The House itself in 1691, addressed the King to dissolve the Company, and incorporate a new one; when the King referred the question to a committee of the Privy Council.[3]

In the mean time the Company proceeded, in a spirit of virulence, to extinguish the hated competition of the general traders. “The Court,” says Mr. Bruce, transcribing the instructions of 1691, “continued to act towards their opponents, interlopers, in the same manner as they had done in the latter years of the two preceding reigns; and granted commissions to all their captains, proceeding this season to India, to seize the interlopers of every description, and to bring them to trial before the Admiralty Court at Bombay;—explaining, that, as they attributed all the differences between the Company and the Indian powers to the interlopers, if they continued their depredations on the subjects of the Mogul or King of Persia, they were to be tried for their lives as pirates, and sentence of death passed; but execution stayed till the King's pleasure should be known.”[4]



The cruelty which marks these proceedings is obvious; and would hardly be credible if it were less strongly attested. The Company seized their opponents, and carried them before their own Admiralty Courts, that is, before themselves, to judge and pass sentence in their own cause, and inflict almost any measure of injury which it suited minds, inflamed with all the passions of disappointed avarice and ambition, to perpetrate. They accused their competitors of piracy, or of any other crime they chose; tried them, as they pleased, and sentenced them even to death: accounting it an act of mercy that they did not consign them to the executioner before the royal pleasure was known;—as if that pleasure could be as quickly known, in India, as it could in England;—as if the unfortunate victim might not remain for months and years in the dungeons of the Company, in a climate, where a sentence of imprisonment, for any length of time, to a European constitution, is a sentence of almost certain death; and where he could hardly fail to suffer the pains of many executions, beside the ruin of his affairs, in a land of strangers and enemies, even if his wretched life were protracted till his doom, pronounced at the opposite side of the globe, could be known. Mr. Bruce, with his usual alacrity of advocation, says, “This proceeding of the Court rested upon the opinion of the twelve Judges, which was, that the Company had a right to the trade to the East Indies, according to their charter.”[1] Because the Judges said they had a right to the trade to the East Indies,

they assumed a right to be judges and executioners of their fellow subjects, in their own cause. This was a bold conclusion. It was impossible that, under any colour of justice, the powers of judicature entrusted to the Company, by kingly without parliamentary authority, even if allowed, could be extended beyond their own servants, who voluntarily submitted to their jurisdiction. Over the rest of their fellow-subjects, it was surely sufficient power, if they were permitted to send them to England, to answer for their conduct, if challenged, before a tribunal, which had not an overbearing interest in destroying them.

book i.Chap. 5. 1693.

The King of 1693, like the King of any other period, preferred power in his own hands to power in the hands of the parliament, and would have been pleased to retain without participation the right of making or annulling exclusive privileges of trade. Notwithstanding the resolution of the committee of the House of Commons, that parliament should determine whatever regulations might be deemed expedient for the Indian trade, a new charter was granted by letters patent from the crown, as the proper mode of terminating the present controversies. The principal conditions were, that the capital of the Company, which was 756,000*l*. should be augmented by 744,000*l*., so as to raise it to 1,500,000*l*.; that their exclusive privileges should be confirmed for twenty-one years; that they should export 100,000*l*. of British produce annually; that the title to a vote in the court of Proprietors should be 1000*l*.; and that no more than then votes should be allowed to any individual.[1]

book i.Chap. 5. 1693.

The pretensions, however, of the House of Commons brought this important question to a different issue. Towards the close of the very same season, that assembly came to a vote, “that it was the right of all Englishmen to trade to the East Indies, or any part of the world, unless prohibited by act of parliament:[2] and William knew his situation too well to dispute their authority.

The Company laboured under the most pressing embarrassments. Though their pecuniary difficulties, through the whole course of their history, have been allowed as little as possible to meet the public eye, what we happen to be told of the situation at this time of the Presidency at Surat affords a lively idea of the financial distresses in which they were in volved. Instead of eight lacks of rupees, which it was expected would be sent from Bombay to Surat, to purchase goods for the homeward voyage, only three lacks and a half were received. The debt at Surat already amounted to twenty lacks; yet it was absolutely necessary to borrow money to purchase a cargo for even three ships. A loan of one lack and 80,000 rupees was necessary to complete this small investment. To raise this sum, it was necessary to allow to individuals the privileges of the contract which subsisted with the Armenian merchants.[3] And after all these exertions the money could only be obtained by taking it up on loans from the Company's servants.[1]

book i.Chap. 5. 1693–98.

The Company meanwhile did not neglect the usual corrupt methods of obtaining favours at home. It appeared that they had distributed large sums of money to men in power, before obtaining their charter. The House of Commons were, at the present period, disposed to inquire into such transactions. They ordered the books of the Company to be examined; where it appeared that it had been

the practice, and even habit of the Company, to give bribes to great men; that, previous to the revolution, their annual expense under that head had scarcely ever exceeded 1,200*l*; that since the revolution it had gradually increased; and that in the year 1693, it had amounted to nearly 90,000*l*. The Duke of Leeds, who was charged with having received a bribe of 5,000*l*. was impeached by the Commons. But the principal witness against him was sent out of the way, and it was not till nine days after it was demanded by the Lords that a proclamation was issued to stop his flight. Great men were concerned in smothering the inquiry; parliament was prorogued; and the scene was here permitted to close.2

As the science and art of government were still so imperfect as to be very unequal to the suppression of crimes; and robberies and murders were prevalent even in the best regulated countries in Europe; so depredation was committed on the ocean under still less restraint, and pirates abounded wherever the amount of property at sea afforded an adequate temptation. The fame of Indian riches attracted to the Eastern seas adventurers of all nations; some of whom were professed pirates; others, men preferring honest trade; though, when they found themselves debarred from this source of profit, by the pretensions and power of monopoly, they had no such aversion to piracy as to reject the only other source in which they were allowed to partake. The moderation which, during some few years, the Company had found it prudent to observe in their operations for restraining the resort of private traders to India, had permitted an increase of the predatory adventurers. As vessels belonging to Mogul subjects fell occasionally into the hands of plunderers of the English nation, the Mogul government, too ignorant and headlong to be guided by any but the rudest appearances, held the Company responsible for the misdeeds of their countrymen; and sometimes proceeded to such extremities as to confiscate their goods and confine their servants. The Company, who would have been justified in requiring aid at the hands of government for the remedy of so real a grievance, made use of the occasion as a favourable one for accumulating odium upon the independent traders. They endeavoured to confound them with the pirates. They imputed the piracies in general to the interlopers as they called them. In their complaints to government they represented the interlopers and the depredations of which they said they were the authors, as the cause of all the calamities to which, under the Mogul government, the Company had been exposed. The charge, in truth, of piracy became a general calumny, with which all the different parties in India endeavoured to blacken their competitors; and the Company itself, when the new association of merchants trading to India began to rival them, were as strongly accused of acting the pirates in India, as the individual traders had been by themselves.1

book i.Chap. 5. 1693–98.

Such was the situation of the Company in England, and in India, when the influence of the rival association threatened them with destruction. In the year 1698 both parties were urging their pretensions with the greatest possible zeal, when the necessities of the government pointed out to both the project of bribing it by the accommodation of money. The Company offered to lend to government 700,000*l*. at 4 per cent. interest, provided their charter should be confirmed, and the monopoly of India secured to them by act of parliament. Their rivals, knowing on how effectual an expedient they had fallen, resolved to augment the temptation. They offered to advance 2,000,000*l*. at

8 per cent. provided they should be invested with the monopoly, free from obligation of trading on a jointstock, except as they themselves should afterwards desire.2

A bill was introduced into parliament for carrying the project of the new association into execution. And the arguments of the two parties were brought forward in full strength and detail.3

On the part of the existing Company, it was represented; That they possessed charters; that the infringement of charters was contrary to good faith, contrary to justice, and in fact no less imprudent than it was immoral, by destroying that security of engagements
on which the industry of individuals and the prosperity of nations essentially depend: That the East India Company, moreover, had property, of which to deprive them would be to violate the very foundation on which the structure of society rests; that they were the Lords-Proprietors, by royal grant, of Bombay and St. Helena; that they had in India at their own expense, and by their own exertions, acquired immoveable property, in lands, in houses, in taxes and duties, the annual produce of which might be estimated at 44,000*l*.: That at great expense they had erected fortifications in various parts of India, by which they had preserved to their country the Indian trade; and had built factories and purchased privileges of great importance to the nation; enterprises to which they could have been induced by nothing but the hope and prospect of national support: That the resources and abilities of the Company were proved, by the estimate of their quick and dead stock; and that a capital of two millions would be raised immediately by subscription: That the project, on the contrary, of the new association made no provision for a determinate stock; and the trade, which experience proved to require an advance of 600,000*l*. annually, might thus be lost to the nation, for want of sufficient capital to carry it on: That justice to individuals, as well as to the public, required the continuance of the charter, as the property and even subsistence of many families, widows, and orphans, was involved in the fate of the Company: In short, that humanity, law, and policy, would all be equally violated by infringing the chartered rights of this admirable institution.1



The new association replied; That it was no infringement of good faith or justice, to annul, by a
legislative act, a charter which was hostile to the interests of the nation; because that would be to say, if a government has once committed an error, that it is not lawful to correct itself; it would be to say that, if a nation has once been rendered miserable, by erroneous institutions of government, it must never try to rescue itself from its misery: That the practical rule of the British government, as many precedents abundantly testified, had been, to set at nought the pretended inviolability of charters, as often as they were proved to be unprofitable or injurious: That not only had charters been destroyed by act of parliament, but even the judges at law (so little in reality was the respect which had been paid to charters) had often set them aside, by their sole authority, on the vague and general ground that the King had been deceived in his grant: That, if any chartered body was entitled to complain of being dissolved, in obedience to the dictates of utility, if was certainly not the East India Company, whose charter had been originally granted, and subsequently renewed, on the invariable condition of being terminated, after three years' notice, if

book i.Chap. 5. 1698.

not productive of national advantage: To display the property which the Company had acquired in India, and to pretend that it gave them a right to perpetuity of charter, was nothing less than to insult the supreme authority of the state; by telling it, that, be the limitations what they might, under which the legislature should grant a charter, it was at all times in the power of the chartered body to annul those limitations, and mock the legislative wisdom of the nation, simply by acquiring property: That, if the Company had erected forts and factories, the question still remained, whether they carried on the trade more profitably by their charter than the nation could carry it on if the charter were destroyed: That the nation and its constituted authorities were the sole judge in this controversy; of which the question whether the nation or the Company were most likely to fail in point of capital, no doubt formed a part: That if inconvenience, and in some instances distress, should be felt by individuals, this deserved consideration, and, in the balance of goods and evils, ought to be counted to its full amount; but to bring forward the inconvenience of individuals, as constituting in itself a conclusive argument against a political arrangement, is as much as to say that no abuse should be ever remedied; because no abuse is without its profit to somebody, and no considerable number of persons can be deprived of customary profits without inconvenience to most, hardship to many, and distress to some.[1]

book i.Chap. 5. 1698.

The new associators, though thus strong against the particular pleas of their opponents, were debarred the use of those important arguments which bore upon the principle of exclusion; and which, even in that age, were urged with great force against the Company. They who were themselves endeavouring to obtain a monopoly could not proclaim the evils which it was the nature of monopoly to produce. The pretended rights of the Company to a perpetuity of their exclusive privileges, for to that extent did their arguments reach, were disregarded by every body, and an act was passed, empowering the King to convert the new association into a corporate body, and to bestow upon them the monopoly of the Indian trade. The charters, the property, the privileges, the forts and factories of the Company in India, and their claims of merit with the nation, if not treated with contempt, were at least held inadequate to debar the legislative wisdom of the community from establishing for the Indian trade whatever rules and regulations the interest of the public appeared to require.[1]

book i.Chap. 5. 1798.

The following were the principal provisions of the act: That the sum of two millions should be raised by subscription, for the service of government: that this subscription should be open to natives or foreigners, bodies politic or corporate: that the money so advanced should bear an interest of 8 per cent. per annum: that it should be lawful for his Majesty, by his letters patent, to make the subscribers a body politic and corporate, by the name of the “General Society:” that the subscribers severally might trade to the East Indies, each to the amount of his subscription: that if any or all of the subscribers should be willing and desirous, they might be incorporated into a joint-stock Company: that the subscribers to this fund should have the sole and exclusive right of trading to the East Indies: that on three years’ notice, after the 29th of September, 1711, and the repayment of the capital of 2,000,000*l*. this act should cease and determine: that the old or London Company, to whom three years’ notice were due, should have leave to trade to India till 1701: that their estates should be chargeable

with their debts: and that if any further dividends were made before the payment of their debts, the members who received them should be responsible for the debts with their private estates to the amount of the sums thus unduly received.

This measure, of prohibiting dividends while debt is unpaid, or of rendering the Proprietors responsible
with their fortunes to the amount of the dividends received, befitted the legislative justice of a nation.



A clause, on the same principle, was enacted with regard to the New Company, that they should not allow their debts at any time to exceed the amount of their capital stock; or, if they did, that every proprietor should be responsible for the debts with his private fortune, to the whole amount of whatever he should have received in the way of dividend or share after the debts exceeded the capital.1

This good policy was little regarded in the sequel.

In conformity with this act a charter passed the great seal, bearing date the 3d of September, constituting the subscribers to the stock of 2,000,000*l*. a body corporate under the name of the "General Society." This charter empowered the subscribers to trade, on the terms of a regulated Company, each subscriber for his own account. The greater part, however, of the subscribers desired to trade upon a joint-stock: and another charter, dated the 5th of the same month, formed this portion of the subscribers, exclusive of the small remainder, into a joint-stock Company, by the name of "the English Company trading to the East Indies."2

"In all this very material affair," says Anderson, "there certainly was a strange jumble of inconsistencies, contradictions, and difficulties, not easily to be accounted for in the conduct of men of judgment."3 The London Company, who had a right by their charter to the exclusive trade to India till three years after notice, had reason to complain of this injustice, that the English Company were empowered to trade to India immediately, while they had the poor compensation of trading for three years along with them. There was palpable absurdity in abolishing one exclusive company, only to erect another; when the former had acted no otherwise than the latter would act. Even the departure from joint-stock management, if trade on the principle of Individual inspection and personal interest had been looked to as the source of improvement, might have been accomplished, without the erection of two exclusive companies, by only abolishing the joint-stock regulation of the old one. But the chief mark of the ignorance of parliament, at that time, in the art and science of government, was, their abstracting from a trading body, under the name of loan to government, the whole of their trading capital: and expecting them to traffic largely and profitably when destitute of funds. The vast advance to government, which they feebly repaired by credit, beggared the English Company, and ensured their ruin, from the beginning.



The old, or London Company, lost not their hopes. They were allowed to trade for three years on their own charter; and availing themselves of the clause in the act, which permitted corporations to hold stock of the New Company, they resolved to

subscribe into this fund as largely as possible; and, under the privilege of private adventure, allowed by the charter of the English Company, to trade, separately, and in their own name, after the three years of their charter should be expired. The sum which they were enabled to appropriate to this purpose was 315,000*l*.[1]

book i.Chap. 5. 1698–99.

In the instructions to their servants abroad they represented the late measures of parliament as rather the result of the power of a particular party than the fruit of legislative wisdom: "The Interlopers," so they called the New Company, "had prevailed by their offer of having the trade free, and not on a joint-stock;" but they were resolved by large equipments (if their servants would only second their endeavours) to frustrate the speculations of those opponents: "Two East India Companies in England," these are their own words, "could no more subsist without destroying one the other, than two Kings, at the same time regnant in the same kingdom: that now a civil battle was to be fought between the Old and the New Company; and that two or three years must end this war, as the Old or the New must give way: that, being veterans, if their servants abroad would do their duty they did not doubt of the victory: that if the world laughed at the pains the two Companies took to ruin each other they could not help it, as they were on good ground and had a charter."[1]

When the time arrived for paying the instalments of the subscriptions to the stock of the New Company, many of the subscribers, not finding it easy to fulfil their engagements, were under the necessity of selling their shares. Shares fell to a discount; and the despondency, hence arising, operated to produce still greater depression.[2]

The first voyage which the New Company fitted out, consisted of three ships with a stock of 178,000*l*.[3] To this state of imbecility did the absorption of their capital reduce their operations. The sum to which they were thus limited for commencing their trade but little exceeded the interest which they were annually to receive from government.

book i.Chap. 5. 1698–99.

With such means the New Company proved a very unequal competitor with the Old. The Equipments of the Old Company, for the same season, 1698–99, amounted to thirteen sail of shipping, 5,000 tons burthen, and stock estimated at 525,000*l*. Under the difficulties with which they had to contend at home, they resolved by the most submissive and respectful behaviour, as well as by offer of services, to cultivate the favour of the Moguls. Their endeavours were not unsuccessful. They obtained a grant of the towns of Chuttanuttee, Govindpore, and Calcutta, and began, but cautiously, so as not to alarm the native government, to construct a fort. It was denominated Fort William; and the station was constituted a Presidency.[1]

To secure advantages to which they looked from their subscription of 315,000*l*. into the stock of the English Company, they had sufficient influence to obtain an act of parliament, by which they were continued a corporation, entitled after the period of

their own charter, to trade, on their own account, under the charter of the New Company, to the amount of the stock they had subscribed.2

The rivalship of the two Companies produced, in India, all those acts of mutual opposition and hostility, which naturally flowed from the circumstances in which they were placed. They laboured to supplant one another in the good opinion of the native inhabitants and the native governments. They defamed one another. They obstructed the operations of one another. And at last their animosities and contentions broke out into undissembled violence and oppression. Sir William Norris, whom the New Company, with the King's permission, had sent as their Ambassador to the Mogul court, arrived at Surat in the month of December, 1700. After several acts, insulting and injurious to the London Company, whom he accused of obstructing him in all his measures and designs, he seized three of the Council, and delivered them to the Mogul Governor, who detained them till they found security for their appearance. The President and the Council were afterwards, by an order of the Mogul government, put in confinement; and Sir Nicholas Waite, the English Company's Consul at Surat, declared, in his correspondence with the Directors of that Company, that he had solicited this act of severity, because the London Company's servants had used treasonable expressions towards the King; and had made use of their interest with the Governor of Surat to oppose the privileges which the Ambassador of the English Company was soliciting at the court of the Mogul.1



As the injury which these destructive contentions produced to the nation soon affected the public mind, and was deplored in proportion to the imaginary benefits of the trade, an union of the two Companies was generally desired, and strongly recommended. Upon the first depression, in the market, of the stock of the New Company, an inclination on the part of that Company had been manifested towards a coalition. But what disposed the one party to such a measure, suggested the hope of greater advantage, and more complete revenge, to the other, by holding back from it. The King himself, when he received in March, 1700, the Directors of the London Company, on the subject of the act which continued them a corporate body, recommended to their serious consideration an union of the two Companies, as the measure which would most promote, what they both held out as a great national object, the Indian trade. So far the Company paid respect to the royal authority, as to call a General Court of Proprietors for taking the subject into consideration; but after this step they appeared disposed to let the subject rest. Toward the close, however, of the year, the King, by a special message, required to know what proceedings they had adopted in consequence of his advice. Upon this the Directors summoned a General Court, and the following evasive resolution was voted: “That this Company, as they have always been, so are they still ready to embrace every opportunity by which they may manifest their duty to his Majesty, and zeal for the public good, and that they are desirous to contribute their utmost endeavours for the preservation of the East India trade to this kingdom, and are willing to agree with the New Company upon reasonable terms.” The English Company were more explicit; they readily specified the conditions on which they were willing to form a coalition; upon which the London Company

book i.Chap. 5. 1700.

proposed that seven individuals on each side should be appointed, to whom the negotiation should be entrusted, and by whom the terms should be discussed.1

As the expiration approached of the three years which were granted to the London Company to continue trade on their whole stock, they became more inclined to an accommodation. In their first proposal they aimed at the extinction of the rival Company. As a committee of the House of Commons had been formed, "to receive proposals for paying off the national debts, and advancing the credit of the nation," they made a proposition to pay off the 2,000,000*l*. which government had borrowed at usurious interest from the English Company, and to hold the debt at five per cent. The proposal, though entertained by the committee, was not relished by the House; and this project was defeated.1 The distress, however, in which the Company were now involved, their stock having within the last ten years fluctuated from 300 to 37 per cent.,2 rendered some speedy remedy indispensable. The committee of seven, which had been proposed in the Answer to the King, was now resorted to in earnest, and was empowered by a General Court, on the 17th of April, 1701, to make and receive proposals for the union of the two companies.

book i.Chap. 5. 1701.

It was the beginning of January, in the succeeding year, before the following general terms were adjusted and approved: That the Court of twenty-four Managers or Directors should be composed of twelve individuals chosen by each Company; that of the annual exports, the amount of which should be fixed by the Court of Managers, a half should be furnished by each Company; that the Court of Managers should have the entire direction of all matters relating to trade and settlements subsequently to this union; but that the factors of each Company should manage separately the stocks which each had sent out previously to the date of that transaction; that seven years should be allowed to wind up the separate concerns of each Company; and that, after that period, one great joint-stock should be formed by the final union of the funds of both. This agreement was confirmed by the General Courts of both Companies on the 27th April, 1702.1

book i.Chap. 5. 1702.

An indenture tripartite, including the Queen and the two East India Companies, was the instrument adopted for giving legal efficacy to the transaction. For equalizing the shares of the two Companies, the following scheme was devised. The London Company, it was agreed, should purchase at par as much of the capital of the English Company, lent to government, as, added to the 315,000*l*. which they had already subscribed, should render equal the portion of each. The dead stock of the London Company was estimated at 330,000*l*.; that of the English Company at 70,000*l*.; whereupon, the latter paid 130,000*l*. for equalizing the shares of this part of the common estate. On the 22d July, 1702, the indenture passed under the great seal; and the two parties took the common name of *The United Company of Merchants trading to the East Indies*.2

On the foundation on which the affairs of the two Companies were in this manner placed, they continued with considerable jarrings and contention, especially between the functionaries in India, till the

book i.Chap. 5. 1708.

season 1707–8, when an event occurred, which necessitated the accommodation of differences, and accelerated the completion of the union. A loan of 1,200,000*l*., without interest, was exacted of the two Companies for the use of government. The recollection of what had happened, when the body of private adventurers were formed into the English East India Company, made them dread the offers of a new body of adventurers, should any difficulty be found on their part. It was necessary, therefore, that the two Companies should lay aside all separate views, and cordially join their endeavours to avert the common danger.

It was at last agreed, that all differences subsisting between them should be submitted to the arbitration of the Earl of Godolphin, then Lord High Treasurer of England; and that the union should be rendered complete and final upon the award which he should pronounce. On this foundation, the act, 6th Anne, ch. 17, was passed; enacting that a sum of 1,200,000*l*. without interest should be advanced by the United Company to government, which, being added to the former advance of 2,000,000*l*. at 8 per cent. interest, constituted a loan of 3,200,000*l*. yielding interest at the rate of 5 per cent. upon the whole; that to raise this sum of 1,200,000*l*. the Company should be empowered to borrow to the extent of 1,500,000*l*. on their common seal, or to call in moneys to that extent from the Proprietors; that this sum of 1,200,000*l*. should be added to their capital stock; that instead of terminating on three years' notice after the 29th of September, 1711, their privileges should be continued till three years' notice after the 25th of March, 1726, and till repayment of their capital; that the stock of the separate adventures of the General Society, amounting to 7,200*l*., which had never been incorporated into the joint-stock of the English Company, might be paid off, on three years' notice after the 29th of September, 1711, and merged in the joint-stock of the United Company; and that the award of the Earl of Godolphin, settling the terms of the Union, should be binding and conclusive on both parties.[1]



The award of Godolphin was dated and published on the 29th of September, 1708. It referred solely to the winding up of the concerns of the two Companies; and the blending of their separate properties into one stock, on terms equitable to both. As the assets or effects of the London Company in India fell short of the debts of that concern, they were required to pay by instalments to the United Company the sum of 96,615*l*. 4*s*. 9*d*.: and as the effects of the English Company in India exceeded their debts, they were directed to receive from the United Company the sum of 66,005*l*. 4*s*. 2*d*.; a debt due by Sir Edward Littleton in Bengal, of 80,437 rupees and 8 anas, remaining to be discharged by the English Company on their own account. On these terms the whole of the property and debts of both Companies abroad became the property and debts of the United Company. With regard to the debts of both Companies in Britain, it was in general ordained that they should all be discharged before the 1st of March, 1709; and as those of the London Company amounted to the sum of 399,795*l*. 9*s*. 1*d*. they were empowered to call upon their Proprietors, by three several instalments, for the means of liquidation.[2]

As the intercourse of the English nation with the people of India was now destined to become, by a rapid progress, both very intimate, and very extensive,

a full account of the character and circumstances of that people is required for the understanding of the subsequent proceedings and events. book i.Chap. 5. 1708.

The population of those great countries consisted chiefly of two Races: one, who may here be called the Hindu; another, the Mahomedan Race. The first were the aboriginal inhabitants of the country. The latter were subsequent invaders; and insignificant, in point of number, compared with the first.

The next two Books will be devoted to the purpose of laying before the reader all that appears to be useful in what is known concerning both these classes of the Indian people. To those who delight in tracing the phenomena of human nature; and to those who desire to know completely the foundation upon which the actions of the British people in India have been laid, this will not appear the least interesting department of the work.

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# BOOK II.

# OF THE HINDUS.

## CHAP. I.

Chronology and Ancient History of the Hindus.

Rude nations seem to derive a peculiar gratification from pretensions to a remote antiquity.1 As a boastful and turgid vanity distinguishes remarkably the oriental nations they have in most instances carried their claims extravagantly high. We are informed in a fragment of Chaldaic history, that there were written accounts, preserved at Babylon with the greatest care, comprehending a term of fifteen myriads of years.1 The pretended duration of the Chinese monarchy is still more extraordinary. A single king of Egypt was believed to have reigned three myriads of years.2

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book ii.Chap. 1.

The present age of the world according to the system of the Hindus, is distinguished into four grand periods, denominated yugs. The first is the Satya yug, comprehending 1,728-000 years; the second the Treta yug, comprehending, 1,296,000 years; the third the Dwapar yug, including 864,000 years; and the fourth the Cali yug, which will extend to 432,000 years. Of these periods the first three are expired, and, in the year 1817, of the Christian era, 4911 years of the last. From the commencement, therefore, of the Satya yug, to the year 1817, is comprehended a space of 3,892,911 years, the antiquity to which this people lay claim.3

The contempt with which judicious historians now treat the historical fables of early society, must be indulged with caution when we explore the ancient condition of Hindustan; because the legendary tales of the Hindus have hitherto, among European inquirers, been regarded with particular respect; and because, without a knowledge of them, much of what has been written in Europe concerning the people of India cannot be understood.1 It is necessary, therefore, to relate, that at the commencement of the Satya yug, or 3,892,911 years ago, lived Satyavrata, otherwise denominated Vaivaswata, and also the seventh Menu. He had escaped with his family from an universal deluge, which had destroyed the rest of the human species.1 Of his descendants were two royal branches: the one denominated the children of the sun; the other the children of the moon. The first reigned at Ayodhya or Owde; the second at Pratisht'hana or Vitora. These families or dynasties subsisted till the thousandth year of the present or Cali yug, at which time they both became extinct; and a list of the names of the successive princes is presented in the Sanscrit books.1

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book ii.Chap. 1.

Satyavrata, the primitive sire, prolonged his existence and his reign through the whole period of the Satya yug, or 1,728,000 years.2 From this patriarchal monarch are enumerated, in the solar line of his descendants, fifty-five princes, who inherited the sovereignty till the time of Rama. Now it is agreed among all the Brahmens that Rama filled the throne of Ayodhya at the end of the Treta yug. The reigns, therefore, of these 55 princes, extending from the beginning to the end of that epoch, filled 1,296,000 years, which, at a medium, is more than 23,000 years to each reign. During the next, or Dwapar yug, of 864,000 years, twenty-nine princes are enumerated, who must, at an average, have reigned each 29,793 years. From the beginning of the present, or Cali yug, to the time when the race of solar princes became extinct, are reckoned 1000 years, and thirty princes. There is a wonderful change, therefore, in the last age, in which only thirty-three years, at a medium, are assigned to a reign.3

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Beside the two lines of solar and lunar kings, a different race, who reigned in Magadha, or Bahar, commence with the fourth age. Of these, twenty in regular descent from their ancestor Jarasandha extended to the conclusion of the first thousand years of the present yug, and were cotemporary with the last thirty princes of the solar and lunar race.1 At the memorable epoch of the extinction of those branches, the house of Jarasandha also failed; for the reigning prince was slain by his prime minister, who placed his son Pradyota on the throne. Fifteen of the descendants of this usurper enjoyed the sovereignty, and reigned from the date of his accession 498 years, to the time of Nanda, the last prince of the house of Pradyota. He, after a reign of 100 years, was murdered by a Brahmen, who raised to the throne a man of the Maurya race, named Chandragupta. This prince is reckoned, by our Oriental antiquarians, the same with Sandracottos or Sandracuptos, the cotemporary of Alexander the Great. Only nine princes of his line succeeded him, and held the sceptre for 137 years. On the death of the last, his commander in chief ascended the throne, and, together with nine descendants, to whom he transmitted the sovereignty, reigned 112 years. After that period the reigning prince was killed, and succeeded by his minister Vasudeva. Of his family only four princes are enumerated; but they are said to have reigned 345 years. The throne was next usurped by a race of Sudras, the first of whom slew

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his master, and seized the government. Twenty-one of this race, of whom Chandrabija was the last, reigned during a space of 456 years.1 The conclusion of the reign of this prince corresponds therefore with the year 2648 of the Cali yug, and with the year 446 before the birth of Christ.2 And with him, according to Sir William Jones, closes the authentic system of Hindu chronology.3

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It is a most suspicious circumstance, in the pretended records of a nation, when we find positive statements for a regular and immense series of years, in the remote abyss of time, but are entirely deserted

by them when we descend to the ages more nearly approaching our own. Where annals are real, they become circumstantial in proportion as they are recent; where fable stands in the place of fact, the times over which the memory has any influence are rejected, and the imagination riots in those in which it is unrestrained. While we receive accounts, the most precise and confident, regarding the times of remote antiquity, not a name of a prince in after ages is presented in Hindu records. A great prince, named Vicramaditya, is said to have

extended widely his conquests and dominion, and to have reigned at Magadha 396 years after Chandrabija. From that time even fiction is silent.1 We hear no more of the Hindus and their transactions, till the era of Mahomedan conquest; when the Persians alone become our instructors.

After the contempt with which the extravagant claims to antiquity of the Chaldeans and Egyptians had always been treated in Europe, the love of the marvellous is curiously illustrated by the respect which has been paid to the chronology of the Hindus.2 We received indeed the accounts of the Hindu chronology, not from the incredulous historians of Greece and Rome, but from men who had seen the people; whose imagination had been powerfully affected by the spectacle of a new system of manners, arts, institutions, and ideas; who naturally expected to augment the opinion of their own consequence, by the greatness of the wonders which they had been favoured to behold; and whose astonishment, admiration, and enthusiasm, for a time, successfully propagated themselves. The Hindu statements, if they have not perhaps in any instance gained a literal belief, have almost universally been regarded as very different from the fictions of an unimproved and credulous people, and entitled to a very serious and profound investigation. Yet they are not only carried to the wildest pitch of extravagance, but are utterly inconsistent both with themselves and with other established opinions of the Brahmens.



Of this a single specimen will suffice. The character which the Brahmens assign to the several yugs is a remarkable part of their system. The Satya yug is distinguished by the epithet of golden; the Treta yug by that of silver; The Dwapar yug by that of copper; and the Cali yug is denominated earthen.1 In these several ages the virtue, the life, and the stature of man, exhibited a remarkable diversity. In the Satya yug, the whole race were virtuous and pure; the life of man was 100,000 years, and his stature 21 cubits. In the Treta yug, one third of mankind were corrupt; and human life was reduced to 10,000 years. One half of the human race were depraved in the Dwapar yug, and 1000 years bounded the period of life. In the Cali yug, all men are corrupt, and human life is restricted to 100 years.2 But though in the Satya yug men lived only 100,000 years, Satyavrata, according to the chronological fiction, reigned 1,728,000 years; in the Treta yug, human life extended only to 10,000 years, yet fifty-five princes reigned, each at a medium, more than 23,000 years; in the Dwapar yug, though the life of man was reduced to 1000 years, the duration of the reigns was even extended, for twenty-nine princes held each the sceptre in this period for 29,793 years.1



The wildness and inconsistency of the Hindu statements evidently place them beyond the sober limits of truth and history; yet it has been imagined, if their literal acceptation must of necessity be renounced, that they at least contain a poetical or figurative delineation of real events, which ought to be studied for the truths which it may disclose. The labour and ingenuity which have been bestowed upon this inquiry, unfortunately have not been attended with an adequate reward. No suppositions, however gratuitous, have sufficed to establish a consistent theory. Every explanation

has failed. The Hindu legends still present a maze of unnatural fictions, in which a series of real events can by no artifice be traced.2

The internal evidence which these legends display, afforded indeed, from the beginning, the strongest reason to anticipate this result. The offspring of a wild and ungoverned imagination, they mark the state of a rude and credulous people, whom the marvellous delights; who cannot estimate the use of a record of past events; and whose imagination the real occurrences of life are too familiar to engage.1

book ii.Chap. 1.

To the monstrous period of years which the legends of the Hindus involve, they ascribe events the most extravagant and unnatural: events not even connected in chronological series; a number of independent and incredible fictions. This people, indeed, are perfectly destitute of historical records.1 Their ancient literature affords not a single production to which the historical character belongs. The works in which the miraculous transactions of former times are described, are poems. Most of them are books of a religious character, in which the exploits of the gods, and their commands to mortals, are repeated or revealed. In all, the actions of men and those of deities are mixed together, in a set of legends, more absurd and extravagant, more transcending the bounds of nature and of reason, less grateful to the imagination and taste of a cultivated and rational people, than those which the fabulous history of any other nation presents to us. The Brahmens are the most audacious, and perhaps the most unskilful fabricators, with whom the annals of fable have yet made us acquainted.2

book ii.Chap. 1.

The people of Hindustan and the ancient nations of Europe came in contact at a single point. The expedition of Alexander the Great began, and in some sort ended, their connexion. Even of this event, so recent and remarkable, the Hindus have no record: they have not a tradition that can with any certainty be traced to it. Some particulars in their mythological stories have by certain European inquirers been *supposed* to refer to the transactions of Alexander, but almost any part as well as another of these unnatural legends may, with equal propriety, receive the same distinction.1 The information which we have received of the Greek invasion from the Greeks themselves, is extremely scanty and defective. The best of their writings on the subject have been lost, but we have no reason to suppose that their knowledge of the Hindus was valuable. That of the modern Europeans continued very imperfect, after they had enjoyed a much longer and closer intercourse with them, than the Greeks. In fact, it was not till they had studied the Indian languages, that they acquired the means of full and accurate information. But the Greeks, who despised every foreign language, made no exception in favour of the sacred dialect of the Hindus, and we may rest satisfied that the writings of Megasthenes and others contained few particulars by which our knowledge of the Brahmenical history could be improved.1

book ii.Chap. 1.

From the scattered hints contained in the writings of the Greeks, the conclusion has been drawn, that the Hindus, at the time of Alexander's invasion, were in a state of manners, society, and knowledge, exactly the same with that in which they were

discovered by the nations of modern Europe; nor is there any reason for differing widely from this opinion. It is certain that the few features of which we have any description from the Greeks, bear no inaccurate resemblance to those which are found to distinguish this people at the present day. From this resemblance, from the state of improvement in which the Indians remain, and from the stationary condition in which their institutions first, and then their manners and character, have a tendency to fix them, it is no unreasonable supposition, that they have presented a very uniform appearance during the long interval from the visit of the Greeks to that of the English. Their annals, however, from that era till the period of the Mahomedan conquests, are a blank.



With regard to the ancient history of India, we are still not without resources. The meritorious researches of the modern Europeans, who have explored the institutions, the laws, the manners, the arts, occupations and maxims of this ancient people, have enabled philosophy to draw the picture of society, which they have presented, through a long revolution of years. We cannot describe the lives of their kings, or the circumstances and results of a train of battles. But we can show how they lived together as members of the community, and of families; how they were arranged in society; what arts they practised, what tenets they believed, what manners they displayed; under what species of government they existed; and what character, as human beings, they possessed. This is by far the most useful and important part of history; and if it be true, as an acute and eloquent historian has remarked, "that the sudden, violent, and unprepared revolutions incident to barbarians, are so much guided by caprice, and terminate so often in cruelty, that they disgust us by the uniformity of their appearance, and it is rather fortunate for letters that they are buried in silence and oblivion,"[1] we have perhaps but little to regret in the total absence of Hindu records.[2]



Whatever theory we adopt with regard to the origin of mankind, and the first peopling of the world, it is natural to suppose, that countries were at first inhabited by a very small number of people. When a very small number of men inhabit a boundless country, and have intercourse only among themselves, they are by necessary consequence barbarians. If one family, or a small number of families, are under the necessity of providing for themselves all the commodities which they consume, they can have but few accommodations, and these imperfect and rude. In those circumstances the exigencies of life are too incessant, and too pressing, to allow time or inclination for the prosecution of knowledge. The very ideas of law and government, which suppose a large society, have no existence: men are unavoidably ignorant and unrefined; and, if much pressed with difficulties, they become savage and brutal.[1]





If we suppose that India began to be inhabited at a very early stage in the peopling of the world, its first inhabitants must have been few, ignorant, and rude. Uncivilized and ignorant men, transported in small numbers, into an uninhabited country of boundless extent, must wander for many ages before any great improvement can take place. Till they have multiplied so far as to be assembled in numbers large enough to permit the benefits of social

intercourse, and of some division of labour, their circumstances seem not susceptible of amelioration. We find, accordingly, that all those ancient nations, whose history can be most depended upon, trace themselves up to a period of rudeness. The families who first wandered into Greece, Italy, and the eastern regions of Europe, were confessedly ignorant and barbarous. The influence of dispersion was no doubt most baneful, where the natural disadvantages were the greatest. In a country overgrown with forest, which denies pasture to cattle, and precludes husbandry, by surpassing the power of single families to clear the land for their support, the wretched inhabitants are reduced to all the hardships of the hunter's life, and become savages. The difficulties with which those families had to struggle who first came into Europe, seem to have thrown them into a situation but few degrees removed from the lowest stage of society. The advantages of India in soil and climate are so great, that those by whom it was originally peopled might sustain no farther depression than what seems inherent to a state of dispersion. They wandered probably for ages in the immense plains and valleys of that productive region, living on fruits, and the produce of their flocks and herds, and not associated beyond the limits of a particular family. Until the country became considerably peopled, it is not even likely that they would be formed into small tribes. As soon as a young man became, in his turn, the head of a family, and the master of cattle, he would find a more plentiful subsistence beyond the range of his father's flocks. It could only happen, after all the most valuable ground was occupied, that disputes would arise, and that the policy of defence would render it an object for the different branches of a family to remain united together, and to acknowledge a common head.



When this arrangement takes place, we have arrived at a new stage in the progress of civil society. The condition of mankind, when divided into tribes, exhibits considerable variety, from that patriarchal association which is exemplified in the history of Abraham, to such combinations as are found among the Tartars, or that distribution into clans, which, at no distant period, distinguished the people of Europe. The rapidity with which nations advance through these several states of society chiefly depends on the circumstances which promote population. Where a small number of people range over extensive districts, a very numerous association is neither natural nor convenient. Some visible boundary, as a mountain or a river, marks out the limits of a common interest; and jealousy or enmity is the sentiment with which every tribe is regarded by every other. When any people has multiplied so far as to compose a body, too large and unwieldy to be managed by the simple expedients which connected the tribe, the first rude form of a monarchy or political system is devised. Though we have no materials from the Hindus, which yield us the smallest assistance in discovering the time which elapsed in their progress to this point of maturity, we may so far accede to their claims of antiquity, as to allow that they passed through this first stage in the way to civilization very quickly; and perhaps they acquired the first rude form of a national polity at fully as early a period as any portion of the race.[1] It was probably at no great distance from the time of this important change that those institutions were devised, which have been distinguished by a durability so extraordinary; and which present a spectacle so instructive to those, who would

understand the human mind, and the laws which, amid all the different forms of civil society, invariably preside over its progress.

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# CHAP. II.

lassification and Distribution of the People.

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The transition from the state of tribes to the more regulated and artificial system of a monarchy and laws is not sudden; it is the result of a gradual preparation and improvement. That loose independence, which suits a small number of men, bound together by an obvious utility, scattered over an extensive district, and subject to few interferences of inclination or interest, is found productive of many inconveniences, as they advance in numbers, as their intercourse becomes more close and complicated, and as their interests and passions more frequently clash. When quarrels arise, no authority exists to which the parties are under the necessity of referring their disputes. The punishment of delinquents is provided for by no preconcerted regulation. When subsistence, by the multiplication of consumers, can no longer be obtained without considerable labour, the desire to encroach upon one another adds extremely to the occasions of discord: and the evils and miseries, which prevail, excite at last a desire for a better regulation of their common affairs. But slow is the progress, made by the human understanding, in its rude and ignorant state. No little time is spent; first, in maturing the conviction that a great reformation is necessary; and next, in conceiving the plan which the exigency requires. Many partial remedies are thought of and applied; many failures experienced; evils meanwhile increase, and press more severely; at last men become weary and disgusted with the condition of things, and prepared for any plausible change which may be suggested to them. In every society there are superior spirits, capable of seizing the best ideas of their times, and, if they are not opposed by circumstances, of accelerating the progress of the community to which they belong. The records of ancient nations give us reason to believe that some individual of this description, exalted to authority by his wisdom and virtue, has generally accomplished the important task of first establishing among a rude people a system of government and laws.

It may be regarded as a characteristic of this primary institution of government, that it is founded upon divine authority. The superstition of a rude people is peculiarly suited to such a pretension. While ignorant and solitary, men are perpetually haunted with the apprehension of invisible powers; and, as in this state only they can be imposed upon by the assumption of a divine character and commission, so it is evidently the most effectual means which a great man, full of the spirit of improvement, can employ, to induce a people, jealous and impatient of all restraint, to forego their boundless liberty, and submit to the curb of authority.1

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No where among mankind have the laws and ordinances been more exclusively referred to the Divinity, than by those who instituted the theocracy of Hindustan. The plan of society and government, the rights of persons and things, even the customs, arrangements, and manners, of private and domestic life; every thing, in short, is established by divine prescription. The first legislator of the Hindus, whose name it is

impossible to trace, appears to have represented himself as the republisher of the will of God. He informed his countrymen that, at the beginning of the world, the Creator revealed his duties to man, in four sacred books, entitled Vedas; that during the first age, of immense duration, mankind obeyed them, and were happy; that during the second and third they only partially obeyed, and their happiness was proportionally diminished; that since the commencement of the fourth age disobedience and misery had totally prevailed, till the Vedas were forgotten and lost;1 that now, however, he was commissioned to reveal them anew to his countrymen, and to claim their obedience.

The leading institutions of the Hindus bear evidence that they were devised at a very remote period, when society yet retained its rudest and simplest form. So long as men roam in the pastoral state, no division of classes or of labour is known. Every individual is a shepherd, and every family provides for itself the commodities with which it is supplied. As soon as the cultivation of land, which yields a more secure and plentiful subsistence, occupies a great share of the common attention, the inconvenience of this universal mixture of employments is speedily felt. The labours of the field are neglected, while the cultivator is engaged at the loom, or repelling the incursions of an enemy. His clothing and lodging are inadequately provided for, while the attention of himself and his family are engrossed by the plough. Men quit not easily, however, the practices to which they have been accustomed; and a great change in their manners and affairs does not readily suggest itself as a remedy for the evils which they endure. When the Hindus were lingering in this uneasy situation, it would appear that there arose among them one of those superior men, who are capable of accelerating the improvement of society. Perceiving the advantage which would accrue to his countrymen from a division of employments, he conceived the design of overcoming at once the obstacles by which this regulation was retarded; and clothing himself with a Divine character, established as a positive law, under the sanction of Heaven, the classification of the people, and the distribution of occupations. Nor was it enough to introduce this vast improvement; it was right to secure that the original members of the different classes should be supplied with successors, and that the community should not revert to its former confusion. The human race are not destined to make many steps in improvement at once. Ignorant that professions, when once separated, were in no danger of being confounded, he established a law, which the circumstances of the time very naturally suggested, but which erected a barrier against further progress; that the children of those who were assigned to each of the classes, into which he distributed the people, should invariably follow the occupation of their father through all generations.

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The classification instituted by the author of the Hindu laws is the first and simplest form of the division of labour and employments. The priest is a character found among the rudest tribes; by whom he is always regarded as of the highest importance. As soon as men begin to have property, and to cultivate the ground, the necessity of defenders is powerfully felt; a class, therefore, of soldiers, as well as a class of husbandmen, becomes an obvious arrangement. There are other services, auxiliary to these, and necessary to the well-being of man, for which it still remains necessary to provide. In a state of great simplicity, however, these other services are few, and

easily performed. We find accordingly that the Hindu legislator assigned but one class of the community to this department. The Hindus were thus divided into four orders or castes. The first were the Brahmens or priests; the second, the Cshatriyas or soldiers; the third, the husbandmen or Vaisyas; and the fourth, the Sudras, the servants and labourers.[1]



On this division of the people, and the privileges or disadvantages annexed to the several castes, the whole frame of Hindu society so much depends, that it is an object of primary importance, and merits a full elucidation.

I. The priesthood is generally found to usurp the greatest authority, in the lowest state of society. Knowledge, and refined conceptions of the Divine nature, are altogether incompatible with the supposition, that the Deity makes favourites of a particular class of mankind, or is more pleased with those who perform a ceremonial service to himself, than with those who discharge with fidelity the various and difficult duties of life. It is only in rude and ignorant times that men are so overwhelmed with the power of superstition as to pay unbounded veneration and obedience to those who artfully clothe themselves with the terrors of religion.[1] The Brahmens among the Hindus have acquired and maintained an authority, more exalted, more commanding, and extensive, than the priests have been able to engross among any other portion of mankind. As great a distance as there is between the Brahmen and the Divinity, so great a distance is there between the Brahmen and the rest of his species. According to the sacred books of the Hindus, the Brahmen proceeded from the mouth of the Creator, which is the seat of wisdom; the Cshatriya proceeded from his arm; the Vaisya from his thigh, and the Sudra from his foot; therefore is the Brahmen infinitely superior in worth and dignity to all other human beings.[1] The Brahmen is declared to be the Lord of all the classes.[2] He alone, to a great degree, engrosses the regard and favour of the Deity; and it is through him, and at his intercession, that blessings are bestowed upon the rest of mankind. The sacred books are exclusively his; the highest of the other classes are barely tolerated to read the word of God; he alone is worthy to expound it. The first among the duties of the civil magistrate, supreme or subordinate, is to honour the Brahmens.[3] The slightest disrespect to one of this sacred order is the most atrocious of crimes. “For contumelious language to a Brahmen,” says the law of Menu,[4] “a Sudra must have an iron style, ten fingers long, thrust red hot into his mouth; and for offering to give instruction to priests, hot oil must be poured into his mouth and ears.” “If.” says Halhed's code of Gentoo laws,[5] “a Sooder sits upon the carpet of a Brahmen, in that case the magistrate, having thrust a hot iron into his buttock, and branded him, shall banish him the kingdom; or else he shall cut off his buttock.” The following precept refers even to the most exalted classes: “For striking a Brahmen even with a blade of grass, or overpowering him in argument, the offender must soothe him by falling prostrate.”[6] Mysterious and awful powers are ascribed to this wonderful being. “A priest, who well knows the law, needs not complain to the king of any grievous injury; since, even by his own power, he may chastise those who injure him: His own power is mightier than the royal power; by his own might therefore may a Brahmen coerce his foes. He may use without hesitation the powerful charms revealed to Atharvan and Angiras; for speech

is the weapon of a Brahmen: with that he may destroy his oppressors."1 "Let not the king, although in the greatest distress, provoke Brahmens to anger; for they, once enraged, could immediately destroy him with his troops, elephants, horses, and cars. Who without perishing could provoke those holy men, by whom the all-devouring flame was created, the sea with waters not drinkable, and the moon with its wane and increase? What prince could gain wealth by oppressing those, who, if angry, could frame other worlds and regents of worlds, could give being to other gods and mortals? What man, desirous of life, would injure those, by the aid of whom worlds and gods perpetually subsist; those who are rich in the knowledge of the Veda? A Brahmen, whether learned or ignorant, is a powerful Divinity; even as fire is a powerful Divinity, whether consecrated or popular. Thus, though Brahmens employ themselves in all sorts of mean occupations, they must invariably be honoured; for they are something transcendently divine."2 Not only is this extraordinary respect and pre-eminence awarded to the Brahmens; they are allowed the most striking advantages over all other members of the social body, in almost every thing which regards the social state. In the scale of punishments for crimes, the penalty of the Brahmen, in almost all cases, is infinitely milder than that of



the inferior castes. Although punishment is remarkably cruel and sanguinary for the other classes of the Hindus, neither the life nor even the property of a Brahmen can be brought into danger by the most atrocious offences. "Neither shall the king," says one of the ordinances of Menu,1 "slay a Brahmen, though convicted of all possible crimes: Let him banish the offender from his realm, but with all his property secure, and his body unhurt." In regulating the interest of money, the rate which may be taken from the Brahmens is less than what may be exacted from the other classes.2 This privileged order enjoy the advantage of being entirely exempt from taxes: "A king, even though dying with want, must not receive any tax from a Brahmen learned in the Vedas."3 Their influence over the government is only bounded by their desires, since they have impressed the belief that all laws which a Hindu is bound to respect are contained in the sacred books; that it is lawful for them alone to interpret those books; that it is incumbent on the king to employ them as his chief counsellors and ministers, and to be governed by their advice. "Whatever order," says the code of Hindu laws,4 "the Brahmens shall issue conformably to the Shaster, the magistrate shall take his measures accordingly."5 These prerogatives and privileges, important and extraordinary as they may seem, afford, however, but an imperfect idea of the influence of the Brahmens in the intercourse



of Hindu Society. As the greater part of life among the Hindus is engrossed by the performance of an infinite and burdensome ritual, which extends to almost every hour of the day, and every function of nature and society, the Brahmens, who are the sole judges and directors in these complicated and endless duties, are rendered the uncontrolable masters of human life. Thus elevated in power and privileges, the ceremonial of society is no less remarkably in their favour. They are so much superior to the king, that the meanest Brahmen would account himself polluted by eating with him, and death itself would appear to him less dreadful than the degradation of permitting his daughter to unite herself in marriage with his sovereign. With these advantages it would be extraordinary had the Brahmens neglected themselves in so important a circumstance as the command of property. It is an essential part of the religion of the Hindus, to confer gifts upon the

Brahmens. This is a precept more frequently repeated than any other in the sacred books. Gifts to the Brahmens form always an important and essential part of expiation and sacrifice.1 When treasure is found, which, from the general practice of concealment, and the state of society, must have been a frequent event, the Brahmen may retain whatever his good fortune places in his hands; another man must surrender it to the king, who is bound to deliver one-half to the Brahmens.1 Another source of revenue at first view appears but ill assorted with the dignity and high rank of the Brahmens; by their influence it was converted into a fund, not only respectable but venerable, not merely useful but opulent. The noviciates to the sacerdotal office are commanded to find their subsistence by begging, and even to carry part of their earnings to their spiritual master. Begging is no inconsiderable source of priestly power.2





The duties of the Brahmens may be summed up in a few words. They are, to read the Vedas; to teach them to the young Brahmens; and to perform sacrifices and other religious acts.3

II. Among the castes of the Hindus, the next in dignity and rank to the priestly tribe, is that of the Cshatriyas, or the military class. In the rude and early state of society, as man has provided few securities against the evils with which he is assailed, and his wisdom has enabled him to draw few general rules respecting the order of their recurrence, he lives in a perpetual expectation of unhappy events, as well from nature, as from his fellow men; and fear is the passion which chiefly usurps the government of his mind. The priest soothes his imagination, in regard to the first and most awful source of his apprehensions, by undertaking to procure for him the favour of the mysterious powers of nature. The soldier, from whom he expects protection against the ravages of hostile men, is the second object of his veneration and gratitude; and in the history of society, it will be generally found, that the rank and influence of the military order are high, in proportion as the civilization of the people is low.1 To all but the Brahmens, the caste of Cshatriyas are an object of unbounded respect. They are as much elevated above the classes below them, as the Brahmens stand exalted above the rest of human kind. Nor is superiority of rank among the Hindus an unavailing ceremony. The most important advantages are attached to it. The distance between the different orders of men is immense and degrading. If a man of a superior class accuses a man of an inferior class, and his accusation proves to be unjust, he escapes not with impunity; but if a man of an inferior class accuses a man of a superior class, and fails in proving his accusation, a double punishment is allotted him.2 For all assaults, the penalty rises in proportion as the party offending is low, the party complaining high, in the order of the castes. It is, indeed, a general and a remarkable part of the jurisprudence of this singular people, that all crimes are more severely punished in the subordinate classes; the penalty ascending, by gradation, from the gentle correction of the venerable Brahmen to the harsh and sanguinary chastisement of the degraded Sudra.1 Even in such an affair as the interest of money on loan, where the Brahmen pays two per cent., three per cent. is exacted from the Cshatriya, four per cent. from the Vaisya, and five per cent. from

the Sudra. The sovereign dignity, which usually follows the power of the sword, was originally appropriated to the military class, though in this particular it would appear that irregularity was pretty early introduced. To bear arms is the peculiar duty of the Cshatriya caste, and their maintenance is derived from the provision made by the sovereign for his soldiers.

III. The Vaisyas are the third caste of the Hindus. Their duties are to tend cattle, to carry on merchandize, and to cultivate the ground. They are superior only to the Sudras, who owe to them, however, the same awful respect and submission, which it is incumbent on them to pay to the military class.

IV. As much as the Brahmen is an object of intense veneration, so much is the Sudra an object of contempt, and even of abhorrence, to the other classes of his countrymen. The business of the Sudras is servile labour, and their degradation inhuman. Not only is the most abject and grovelling
submission imposed upon them as a religious duty, but they are driven from their just and equal share in all the advantages of the social institution. The crimes which they commit against others are more severely punished, than those of any other delinquents, while the crimes which others commit against them are more gently punished than those against any other sufferers.[1] Even their persons and labour are not free. “A man of the servile caste, whether bought or unbought, a Brahmen may compel to perform servile duty; because such a man was created by the Self-existent for the purpose of serving Brahmens.”[2] The law scarcely permits them to own property; for it is declared that “no collection of wealth must be made by a Sudra, even though he has power, since a servile man, who has amassed riches, gives pain even to Brahmens.”[3] “A Brahmen may seize without hesitation the goods of his Sudra slave; for as that slave can have no property, his master may take his goods.”[4] Any failure in the respect exacted of the Sudra towards the superior classes is avenged by the most dreadful punishments. Adultery with a woman of a higher caste is expiated by burning to death on a bed of iron. The degradation of the wretched Sudra extends not only to every thing in this life, but even to sacred instruction and his chance of favour with the superior powers. A Brahmen must never read the Veda in the presence of Sudras.[5] “Let not a Brahmen,” says the law of Menu, “give advice to a Sudra; nor what remains from his table; nor clarified butter, of which part has been offered; nor let him give spiritual counsel to such a man, nor inform him of the legal expiation
for his sin: surely he who declares the law to a servile man, and he who instructs him in the mode of expiating sin, sinks with that very man into the hell named Asamvrita.”[1]

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Although the adherence of each class to the particular employment assigned to it was secured by the most rigid laws, and the severest penalties, there were extraordinary cases in which a limited departure was permitted. When a Brahmen cannot obtain subsistence
by the proper business of his order, he may apply himself to that of the Cshatriya or the Vaisya, but must never become so far degraded as to engage in that of the Sudra. The Cshatriya and Vaisya, in like necessitous circumstances, may have recourse respectively to the business of the class

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or classes below them, even that of the Sudra, but are strictly interdicted from profaning the employment of any class above them. The Sudra having, originally, no inferior class, was probably abandoned to his necessities, though afterwards, in the employments of the mixed classes, a resource was opened also for him.1 In this arrangement, as usually happens in the laws of the Hindus, the advantages are all on the side of the superior orders. The Brahmen has open to him, if need be, the occupations of all the respectable classes; he can overload them with additional numbers in the season of distress, a season at which it is natural for them to be overloaded without him, while his own occupation is exempt from the encroachment or competition of any other description of men. The Cshatriya, while he has the occupations open to him of two of the castes, is liable to the interference of one of them only. The Vaisya, on the other hand, can have recourse to none but the lowest of employments, that of the Sudra, while he is liable to be straitened in his own occupation by the interference and competition of both the orders above him. The unfortunate Sudra, who has no resource, may be driven from his employment, and his means of subsistence, mediately or immediately, by all the other classes of the community.

This distribution of the whole people into four classes only, and the appropriation of them to four species of employment; an arrangement which, in the very simple state of society in which it must have been introduced, was a great step in improvement, must have become productive of innumerable inconveniences, as the wants of society multiplied. The bare necessaries of life, with a small number of its rudest accommodations, are all it prepares, to meet the desires of man. As those desires, speedily extend beyond such narrow limits, a struggle must have early ensued between the first principles of human nature and those of the political establishment. The different castes were strictly commanded to marry with those only of their own class and profession; and the mixture of the classes from the union of the sexes was guarded against by the severest laws. This was an occurrence, however, which laws could not prevent. Irregularities took place; children were born, who belonged to no caste, and for whom there was no occupation. No event could befal society more calamitous than this. Unholy and infamous, on account of that violation of the sacred law to which they owed their unwelcome birth, those wretched outcasts had no resource for subsistence, excepting either the bounty of the established classes, to whom they were objects of execration and abhorrence; or the plunder of those same classes, a course to which they would betake themselves with all the ingenuity of necessitous, and all the atrocity of much injured, men. When a class of this description became numerous, they must have filled society with the greatest disorders. In the preface of that compilation of the Hindu Laws, which was translated by Mr. Halhed,1 it is stated that, after a succession of good kings, who secured obedience to the laws,

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and under whom the people enjoyed felicity, came a monarch evil and corrupt, under whom the laws were violated, the mixture of the classes was perpetrated, and a new and impious race were produced. The Brahmens put this wicked king to death, and by an effort of miraculous power created a successor endowed with the most excellent qualities. But the kingdom did not prosper, by reason of the Burren Sunker, so were this impure brood denominated; and it required the wisdom of this virtuous king to devise a remedy. He resolved upon a

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classification of the mixed race, and to assign them occupations. This, accordingly, was the commencement of arts and manufactures. The Burren Sunker became all manner of artisans and handicrafts; one tribe of them weavers of cloth, another artificers in iron, and so in other cases, till the subdivisions of the class were exhausted, or the exigencies of the community supplied. Thus were remedied two evils at once: The increasing wants of an improving society were provided for; and a class of men, the pest of the community, were converted to its service. This is another important era in the history of Hindu society; and having reached this stage, it does not appear that it has made, or that it is capable of making, much further progress.
Thirty-six branches of the impure class are specified in the sacred books,1 of whom and of their employments it would be tedious and useless to present the description. The highest is that sprung from the conjunction of a Brahmen with a woman of the Cshatriya class, whose duty is the teaching of military exercises.
The lowest of all is the offspring of a Sudra with a woman of the sacred class. This tribe are denominated Chandalas, and are regarded with great abhorrence. Their profession is to carry out corpses, to execute criminals, and perform other offices, reckoned to the last degree unclean and degrading. If, by the laws of Hindustan, the Sudras are placed in a low and vile situation, the impure and mixed classes are placed in one still more odious and degrading. Nothing can equal the contempt and insolence to which it is the lot of the lowest among them to see themselves exposed. They are condemned to live in a sequestered spot by themselves, that they may not pollute the very town in which they reside. If they meet a man of the higher castes, they must turn out of the way, lest he should be contaminated by their presence.1

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# CHAP. III.

The Form of Government.

After the division of the people into ranks and occupations, the great circumstance by which their condition, character, and operations are determined, is the political establishment; the system of actions by which the social order is preserved. Among the Hindus, according to the Asiatic model, the government was monarchical, and, with the usual exception of religion and its ministers, absolute. No idea of any system of rule, different from the will of a single person, appears to have entered the minds of them, or their legislators. “If the world had no king,” says the Hindu law,[1] “it would quake on all sides through fear; the ruler of this universe, therefore, created a king, for the maintenance of this system.” Of the high and uncontrolable authority of the monarch a judgment may be formed, from the lofty terms in which the sacred books describe his dignity and attributes. “A king,” says the law of Menu,[2] “is formed of particles from the chief guardian deities, and consequently surpasses all mortals in glory. Like the sun, he burns eyes and hearts; nor can any human creature on earth even gaze on him. He, fire and air; He, the god of criminal justice; He, the genius of wealth; He, the regent of waters; He, the lord of the firmament. A king, even though a child, must not be treated lightly, from an idea that he is a mere mortal: No; he is a powerful divinity, who appears in human shape. In his anger, death. He who shows hatred of the king, through delusion of mind, will certainly perish; for speedily will the king apply his heart to that man's destruction.” The pride of imperial greatness could not devise, hardly could it even desire, more extraordinary distinctions, or the sanction of a more unlimited authority.

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The plan, according to which the power of the sovereign was exercised in the government of the country, resembled that which has almost universally prevailed in the monarchies of Asia, and was a contrivance extremely simple and rude. In the more skilful governments of Europe, officers are appointed for the discharge of particular duties in the different provinces of the empire; some for the decision of causes, some for the control of violence, some for collecting the contingents of the subjects, for the expense of the state; while the powers of all center immediately in the head of the government, and all together act as connected and subordinate wheels in one complicated and artful machine. Among the less instructed and less civilized inhabitants of Asia, no other plan has ever occurred to the monarch, for the administration of his dominions, than simply to divide his own authority and power into pieces or fragments, as numerous as the provinces into which it was deemed convenient to distribute the empire. To each of the provinces a vicegerent was dispatched, who carried with him the undivided authority and jurisdiction of his master. Whatever powers the sovereign exercised over the whole kingdom, the vicegerent exercised in the province allotted to him; and the same plan which the

sovereign adopted for the government of the whole, was exactly followed by the vicegerent in the government of a part.[1] If the province committed to his sway was too extensive for his personal inspection and control, he subdivided it into parts, and assigned a governor to each, whom he intrusted with the same absolute powers in his district, as he himself possessed in the administration of the greater department. Even this inferior deputy often divided his authority, in the same manner, among the governors, whom he appointed, of the townships or villages under his control. Every one of those rulers, whether the sphere of his command was narrow or extensive, was absolute within it, and possessed the whole power of the sovereign, to levy taxes, to raise and command troops, and to decide upon the lives and property of the subjects. The gradations of command among the Hindus were thus regulated: The lowest of all was the lord of one town and its district; The next was the lord of ten towns; The third was the lord of twenty towns; The fourth was the lord of 100 towns; And the highest vicegerent was lord of 1000 towns. Every lord was amenable to the one immediately above him, and exercised unlimited authority over those below.[2] The following law appears to provide for their personal expenses: "Such food, drink, wood, and other articles, as by law should be given each day to the king, by the inhabitants of the township, let the lord of one town receive; let the lord of ten towns enjoy the produce of two plough-lands; the lord of twenty, that of five plough-lands; the lord of 100, that of a village or small town; the lord of 1000, that of a large town."[1] The expense of the government of each vicegerent was defrayed out of the taxes which he levied, and the surplus was transmitted to the superior lord, to whom he was immediately responsible. From him it was again conveyed to the governor above him, till it reached, at last, the royal treasury.





If this plan of government was unskilful and rude, so was the contrivance employed for checking the abuses to which it was liable. "The affairs of these townships," says the law, "either jointly or separately transacted, let another minister of the king inspect, who should be well affected, and by no means remiss. In every larger town or city, let him appoint one superintendant of all affairs, elevated in rank, formidable in power, distinguished as a planet among stars: Let that governor, from time to time, survey all the rest in person, and, by the means of his emissaries, let him perfectly know their conduct in their several districts."[1] Of the practical state of the government abundant proof is afforded. In the passage which immediately follows, "Since the servants of the king," it is said, "whom he has appointed guardians of districts, are generally knaves, who seize what belongs to other men, from such knaves let him defend his people; of such evil-minded servants, as wring wealth from subjects attending them on business, let the King confiscate all the possessions, and banish them from his realm."[2]



At the head of this government stands the king, on whom the great lords of the empire immediately depend. He is directed by the law to choose a Council, consisting "of seven or eight ministers, men whose ancestors were servants of kings, who are versed in the holy books, who are personally brave; who are skilled in the use of weapons, and whose lineage is noble."[3] With them he is commanded perpetually to consult on

the affairs of his government; but a singular mode of deliberation is prescribed to him; not to assemble his Council, and, laying before them, as in the cabinets of European princes, the subject on which the suggestions of their wisdom are required, to receive the benefit arising from the mutual communication of their knowledge and views; a plan, apparently more artful and cunning, more nearly allied to the suspicious temper and narrow views, of a rude period, is recommended; to consult them apart, and hear the opinion of each
separately; after which, having consulted them in common, when each man is swayed by the opinion he had formerly given in
private, and has a motive of interest and vanity to resist the light which might be thrown upon the subject by others, the king himself is to decide.[1] A Brahmen ought always to be his prime minister. "To one learned Brahmen, distinguished among the rest, let the king impart his momentous counsel."[2]



To provide for the defence of the country was one great branch of the duties of the sovereign, and to preside over the military force was his great prerogative and distinction. As, in the original division of the people, a fourth part of them were appropriated to the profession of arms, and destined from that alone to obtain their subsistence, the great difficulty of government must have consisted, not in obtaining troops, but in finding for them maintenance and employment. When so great a proportion of the population were set apart for the business of war, with nothing to do, from year to year, and from generation to generation, but to improve its principles, and acquire the utmost dexterity in its exercises, it appears extraordinary that the nation was not of a formidable and warlike character. Yet has India given way to every invader; "and the rudeness," says Mr. Orme,[3] "of the military art in Indostan can scarce be imagined but by those who have seen
it." The precepts in the ancient and sacred books of the Hindus, which lay the foundation of their military system, are few in
number, simple, and rude. For the security of the royal residence, the king is directed to take up his abode[1] "in a capital, having, by way of fortress, a desert rather more than twenty miles round it, or a fortress of earth, a fortress of water or of trees, a fortress of armed men, or a fortress of mountains." Their great unskilfulness in the science of attack and defence led them to place great dependence on fortification, as appears by a variety of their precepts. "One bowman," says Menu,[2] "placed on a wall is a match in war for 100 enemies, and 100 for 10,000; therefore is a fort recommended." Yet their knowledge of fortification was elementary, and mostly consisted in surrounding the place with a mud wall and a ditch, or availing themselves of the natural advantages which insulated rocks, which water, or impervious thickets, could afford. The duty and advantage of maintaining at all times a powerful army are enforced in the most cogent terms. "By a king," says Menu, "whose forces are always ready for action, the whole world may be kept in awe; let him then, by a force always ready, make all creatures living his own."[3] In recommending a perpetual standing army, the preceptive part of the military doctrine of the Hindus seems in a great measure to have been summed up; for the marshalling, the discipline, the conduct of an army, in any of its branches, no instruction is conveyed. General exhortations to firmness and valour are all the additional advice of which the utility appears to have been recognized. The Hindu prince is, by

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divine authority, informed, that those rulers of the earth, who, "desirous of defeating each other, exert their utmost strength in battle, without ever averting their faces, ascend after death directly to heaven."[1] "Never to recede from combat," says Menu, "to protect the people, and to honour the priests, is the highest duty of kings, and ensures their felicity."[2] Of a great part of the duty which devolved upon the king, as head of the armed force, he appears to have been relieved by a deputy.[3] In times of peace, the military people seem to have been distributed over the country, under the command of the governors of provinces and of districts, for local defence, for the preservation of local tranquillity, and for the convenience of subsistence. When a general war demanded the whole force of the nation, the king commanded the governors of provinces to assemble the soldiers under their command, and repair to his standard.[4] From this circumstance it has been rashly concluded, that feudal conditions of military service, in fact a feudal government, nearly resembling that which existed in Europe, had place in Hindustan.



After the care of protecting the nation from foreign aggression or from internal tumult, the next duty of the king was the distribution of justice. In the first stage of society, the leader in war is also the judge in peace; and the regal and judicial functions are united in the same person. Various circumstances tend to produce this arrangement. In the first place, there are hardly any laws: and he alone is entitled to judge, who is entitled to legislate, since he must make a law for every occasion. In the next place, a rude people, unused to obedience, would hardly respect inferior authority. In the third place, the business of judicature is so badly performed as to interrupt but little the business or pleasures of the king; and a decision is rather an exercise of arbitrary will and power, than the result of an accurate investigation. In the fourth place, the people are so much accustomed to terminate their own disputes, by their own cunning, or force, that the number of applications for judicature is comparatively small. As society advances, a set of circumstances, opposite to these, are gradually introduced: laws are made which the judge has nothing to do but apply: the people learn the advantage of submitting to inferior authority: a more accurate administration of justice is demanded, and cannot be performed without a great application both of attention and of time: the people learn that it is for the good of the community, that they should not terminate, and that they should not be allowed to terminate, either by force or fraud, their own disputes: the administration of justice is then too laborious to be either agreeable to the king, or consistent with the other services which he is expected to render: and the exercise of judicature becomes a separate employment, the exclusive function of a particular order of men.



The administration of justice by the king in person, and in the provinces of course by his deputies, as in the subordinate districts by theirs, stands in the sacred books as a leading principle of the jurisprudence of the Hindus; and the revolution of ages has introduced a change in favour rather of the prince who abandons the duty, than of the people, for whom hardly any other instrument of judicature is provided.

In the infancy of improvement, the business of the judge is much more to award punishment, than to settle disputes. The Hindu law, accordingly, represents the king, as "created for the guardianship of all, a divinity

in human form, to inflict punishment according to the Shaster."[1] In conformity with those rude ideas, the most extravagant praises are bestowed upon this engine of royalty. "For the use of the king, Bramah formed, in the beginning of time, the genius of punishment with a body of pure light, his own son, the Protector of all created things. Punishment governs all mankind; punishment alone preserves them; punishment wakes while their guards are asleep; the wise consider punishment as the perfection of justice. If the king were not, without indolence, to punish the guilty, the stronger would roast the weaker, like fish, on a spit. The whole race of man is kept in order by punishment; for a guiltless man is hard to be found."[2]

For the more perfect discharge of this important duty the king is directed to associate with himself Brahmens, and counsellors capable of giving him advice.[3] Any Brahmen, or even a person of the two middle classes, may interpret the law to him; but a Sudra in no case whatever.[4] On those occasions on which it was impossible for the king to give judgment in person, he was empowered to appoint a Brahmen, who, with three assessors, might try causes in his stead.[1]



So much with regard to the constitution of the tribunals. The solemnities of jurisdiction were thus ordered to proceed: "Let the king, or his judge, having seated himself on the bench, his body properly clothed, and his mind attentively fixed, begin with doing reverence to the deities who govern the world, and then let him enter on the trial of causes."[2] The form of process was simple, and good; as it always is among a rude people. The parties were heard, generally in person; though lawyers by profession, unless in the case of certain high crimes, might appear in lieu of the principals. The application of the plaintiff might be either oral or written; but the answer was required to be in the same form; oral, if the application was oral; and in writing, if it was otherwise.[3] The judge examines the witnesses; inspects, if any, the writings; and without any intricate or expensive forms proceeds directly to a decision. Punishment immediately follows conviction.[4]

One of the highest of our authorities affords a picture of the practical state of judicature in India, which, there is every reason to believe, may, with immaterial variations, be applied to Hindu society from the period at which it first attained its existing form. "No man is refused access to the Durbar, or seat of judgment; which is exposed to a large area, capable of containing the multitude.[1] The plaintiff discovers himself by crying aloud, Justice! Justice! until attention is given to his importunate clamours. He is then ordered to be silent, and to advance before his judge; to whom, after having prostrated himself, and made his offering of a piece of money, he tells his story in the plainest manner, with great humility of voice and gesture, and without any of those oratorial embellishments which compose an art in freer nations.—The wealth, the consequence, the interest, or the address of the party, become now the only considerations. He visits his judge in private, and gives the jar of oil: his adversary bestows the hog which breaks it. The friends who can influence intercede; and, excepting where the case is so manifestly proved as to brand the failure of redress with glaring infamy (a restraint which human nature is born to reverence) the value of the bribe ascertains the justice of the cause.—This is so

avowed a practice, that if a stranger should inquire how much it would cost him to recover a just debt from a creditor who evaded payment, he would every where receive the same answer; the government will keep onefourth, and give you the rest.—Still the forms of justice subsist; witnesses are heard, but brow-beaten and removed: proofs of writing produced, but deemed forgeries and rejected, until the way is cleared for a decision, which becomes totally or partially favourable, in proportion to the methods which have been used to render it such; but still with some attention to the consequences of a judgment, which would be
of too flagrant iniquity not to produce universal detestation and resentment.—Providence has, at particular seasons, blessed the miseries of these people with the presence of a righteous judge. The vast reverence and reputation which such have acquired are but too melancholy a proof of the infrequency of such a character. The history of their judgments and decisions is transmitted down to posterity, and is quoted with a visible complacency on every occasion. Stories of this nature supply the place of proverbs in the conversations of all the people of Indostan, and are applied by them with great propriety."[1]



Such are the principal branches of the duty of the sovereign, and in these various institutions may be contemplated an image of the Hindu government. It is worthy of a short analysis. The powers of government consist of three great branches, the legislative, the judicial, and the administrative; and we have to inquire, in what hands these several powers are deposited, and by what circumstances their exercise is controlled. As the Hindu believes, that a complete and perfect system of instruction, which admits of no addition or change, was conveyed to him from the beginning by the Divine Being, for the regulation of his public as well as his private affairs, he acknowledges no laws but those which are contained in the sacred books. From this it is evident,
that the only scope which remains for legislation is confined within the limits of the interpretations which may be given to the holy text. The Brahmens enjoy the undisputed prerogative of interpreting the divine oracles; for though it is allowed to the two classes next in degree to give advice to the king in the administration of justice, they must in no case presume to depart from the sense of the law which it has pleased the Brahmens to impose. The power of legislation, therefore, exclusively belongs to the priesthood. The exclusive right of interpreting the laws necessarily confers upon them, in the same unlimited manner, the judicial powers of government. The king, though ostensibly supreme judge, is commanded always to employ Brahmens as counsellors and assistants in the administration of justice; and whatever construction they put upon the law, to that his sentence must conform. Whenever the king in person discharges not the office of judge, it is a Brahmen, if possible, who must occupy his place. The king, therefore, is so far from possessing the judicial power, that he is rather he executive officer by whom the decisions of the Brahmens are carried into effect.



They who possess the power of making and interpreting the laws by which another person is bound to act, are by necessary consequence the masters of his actions. Possessing the legislative and judicative powers, the Brahmens were, also, masters of the executive power, to any extent, whatsoever, to which they wished to enjoy it. With influence over it they were not contented. They secured to themselves a direct, and no

contemptible share of its immediate functions. On all occasions, the king was bound to employ Brahmens, as his counsellors and ministers; and, of course, to be governed by their judgment. “Let the king, having risen early,” says the law, “respectfully attend to Brahmens learned in the three Vedas, and by their decision let him abide.”[1] It thus appears that, according to the original laws of the Hindus, the king was little more than an instrument in the hands of the Brahmens. He performed the laborious part of government, and sustained the responsibility, while they chiefly possessed the power.[2]



The uncontrolable sway of superstition, in rude and ignorant times, confers upon its ministers such extraordinary privileges, that the king and the priest are generally the same person; and it appears somewhat remarkable that the Brahmens, who usurped among their countrymen so much distinction and authority, did not invest themselves with the splendour of royalty. It very often happens that some accidental circumstances, of which little account was taken at the time, and which after a lapse of ages it is impossible to trace, gave occasion to certain peculiarities which we remark in the affairs and characters of nations. It is by no means unnatural to suppose, that to a people, over whom the love of repose exerts the greatest sway, and in whose character aversion to danger forms a principal ingredient, the toils and perils of the sword appeared to surpass the advantages with which it was attended; and that the Brahmens transferred to the hands of others, what was thus a source of too much labour, as well as danger, to be retained in their own.



So many, however, and important were the powers which this class reserved to themselves, that the kingly dignity would appear to have been reduced to that of a dependant and secondary office. But with this inference the fact does not correspond. The monuments of the Hindus, imperfect as they are, convince us, that their monarchs enjoyed no small share both of authority, and of that kind of splendour which corresponded with their own state of society. They had two engines entrusted to them, the power of which their history serves remarkably to display; They were masters of the army; And they were masters of the public revenue. These two circumstances, it appears, were sufficient to counterbalance the legislative, and the judicative, and even a great part of the executive power, reinforced by all the authority of an overbearing superstition, lodged in the hands of the Brahmens. These threw around the sovereign an external lustre, with which the eyes of uncultivated men are easily dazzled. In dangerous and disorderly times, when every thing which the nation values depends upon the sword, the military commander exercises unlimited authority by universal consent; and so frequently is this the situation of a rude and uncivilized people, surrounded on all sides by rapacious and turbulent neighbours, that it becomes, in a great measure, the habitual order of things. The Hindu king, by commanding both the force, and the revenue of the state, had in his hands the distribution of gifts and favours; the potent instrument, in short, of patronage; and the jealousy and rivalship of the different sets of competitors would of their own accord give him a great influence over the Brahmens themselves. The distribution of gifts and favours is an engine of so much

power, that the man who enjoys it to a certain extent is absolute, with whatever checks he may appear to be surrounded.[1]

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# CHAP. IV.

The Laws.

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Next to the form of government, in determining the political condition of the people, is the body of law, or the mode in which the rights of individuals are expressed and secured. For elucidating this important point, in the history of the Hindus, materials are abundant. The detail, however, or even the analysis, of the Hindu code, would far exceed the bounds, to which, in a work like the present, this topic must be confined. An accurate conception of the character and spirit of the Hindu laws, and of their place in the scale of excellence or defect, is all I can attempt to convey.

Amid the imperfections adhering to the state of law among a rude and ignorant people, one is, that they preserve not their maxims of justice, and their rules of judicial procedure, distinct from other subjects. In the law books of the Hindus, the details of jurisprudence and judicature occupy comparatively a very moderate space.[1] The doctrines and ceremonies of religion; the rules and practice of education; the institutions, duties, and customs of domestic life; the maxims of private morality, and even of domestic economy; the rules of government, of war, and of negotiation; all form essential parts

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of the Hindu codes of law, and are treated in the same style, and laid down with the same authority, as the rules for the distribution of justice. The tendency of this rude conjunction of dissimilar subjects is, amid other inconveniences, to confound the important distinction between those obligations which it is the duty of the magistrate to enforce, and those which ought to be left to the suggestions of self-interest, and the sanctions of morality; it is to extend coercion, and the authority of the magistrate, over the greater part of human life, and to leave men no liberty even in their private and ordinary transactions; while it lessens greatly the force of the legal sanction in those cases in which its greatest efficiency is required.

Another topic, which it will be convenient to detach and premise, is, the division and arrangement which the Hindus have given to the matter of law. In marking a stage of civilization, this is a very characteristic circumstance. As the human mind, in a rude state, has not the power to make a good distribution of a complicated subject, so it is little aware of its importance; little aware that this is the groundwork of all accurate thought. In the Institutes of Menu, the most celebrated perhaps of all the original compends of Hindu law, the titles, as they are there denominated, or divisions, of law, are eighteen, laid down in the following order:—1. Debt, on loans for consumption; 2. Deposits and loans for use; 3. Sale without ownership; 4. Concerns among partners; 5. Subtraction of what has been given; 6. Nonpayment of wages or hire; 7. Nonperformance of agreements; 8. Rescission of sale and purchase; 9. Disputes between master and servant; 10. Contests on boundaries;

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11 and 12. Assault, and slander; 13. Larceny; 14. Robbery and other violence; 15. Adultery; 16. Altercation between man and

wife and their several duties; 17. The law of inheritance; 18. Gaming with dice and with living creatures.[1] It is not easy to conceive a more rude and defective attempt at the classification of laws, than what is here presented. The most essential and obvious distinctions are neglected and confounded. Though no arrangement would appear more natural, and more likely to strike even an uncultivated mind, than the division of laws into civil and penal, we find them mixed and blended together in the code of the Hindus. The first nine of the heads or titles, as above, refer to civil law; the eleventh, twelfth, thirteenth, fourteenth, and fifteenth, to criminal law; the sixteenth and seventeenth return to civil, and the eighteenth to criminal; while the tenth relates partly to the one and partly to the other.

Another ground of division, well calculated, as being exceedingly obvious, to strike an uncultivated mind, is the distinction of persons, and things. This was the ground-work of the arrangement bestowed upon the Roman laws. It is that of the arrangement which continues to prevail in the English; rude as it is, at once the effect, and the cause, of confusion.[1] It will be seen, however, that even this imperfect attempt at a rational division was far above the Hindus.



In the order in which the titles follow one another, no principle of arrangement can be traced. The first eight of the heads may be regarded as allotted to the subject of contracts; but a more rude and imperfect division of contracts cannot easily be conceived. Not to dwell upon the circumstance of beginning with loans, one of the most remote and refined contracts, instead of the more obvious and simple, we may observe that the subject of purchase and sale is divided into two parts; but, instead of being treated in conjunction with one another, one occupies the third place in the list of titles, the other the eighth; and a number of heterogeneous subjects intervene. "Concerns among Partners" is a title which occupies the middle place between that of "Sale without Ownership," and "Subtraction of what has been given;" with neither of which it has any relation. "Nonpayment of wages or hire" stands immediately before "Nonperformance of Agreements," though the latter is a general title in which the former is included. The latter indeed is remarkable; for it is so general that it includes the whole subject of contracts, though it is here placed as only one, and the last, save one, among nine different titles or divisions of that subject. Several of the titles are nothing but particular articles, belonging to some of the other divisions; and are with great impropriety made to stand as separate and primary heads. The contracts, for example, between master and servant, are part of the great subject Location, or letting and taking to hire, including services as well as things; yet are these contracts here treated of under two distinct titles; the one, "Nonpayment of wages or hire," the other, "Disputes between master and servant," and even these are separated from one another by two intervening subjects. "Concerns among partners," is an article, little, surely, entitled to stand as a separate head among the primary divisions of law, since the rights of individuals in a joint property fall under the same distinctions and rules which determine their rights in other property.[1] Where one branch of one great topic, as transfer of ownership, is taken up, and concluded, it would appear a very necessary arrangement to pass on to another: when transfer by contract, for example, is finished, to

begin with transfer by descent. Such obvious rules appear to have had no influence in the framing of the Hindu systems of law: when the subject of contracts is ended, the principal branches of criminal law are introduced; and, after these and some other topics are finished, then follows the great subject of inheritance.[1]

In order to convey, in as narrow a compass as possible, an idea of the maxims and spirit of Hindu jurisprudence, it will be convenient not to follow the mangled division of the Hindus themselves. Omitting the laws, which regulate the political order, which determine who are to govern, who are to obey, and define the terms of command and obedience; laws are conveniently distributed under the three usual heads; I. Civil laws, though *Civil* is a very objectionable term; II. Penal laws; and III. The laws of judicature, or those which fix the mode in which the judicial services are rendered. Under each of these heads, such particulars have been carefully selected from the multitude of Hindu laws, as appeared the best calculated to convey an idea of the leading qualities of the Hindu code, and of the stage of civilization at which it may appear to have been formed.



I. Under the first of these heads, Property is the great subject of law. To this we may confine our illustrations.

It is needless to remark, that the sources of acquisition, by occupancy, by labour, by contract, by donation, by descent; which are recognized in almost all states of society, are recognized in Hindustan. It is in the accuracy with which the intended effects of these incidents are defined, and in the efficiency of the means taken to secure the benefits they convey, that the excellence of one system above another is more particularly observed.

Though property, in the first stage of its existence, was probably measured by occupancy, and the one ceased with the other,[1] the privilege was early conferred of alienating for a valuable consideration, or of transferring by purchase and sale. As this is a very simple compact, it appears to admit of little variety in the various stages of human improvement. In an age, however, in which the means of detecting fraudulent acquisitions, and of proving the good faith of contracts and bargains, are imperfectly known, purchases and sales, made in public, are alone considered valid. The laws of our Saxon ancestors prohibited the sale of every thing above the value of twenty-pence, except in open market;[1] and it is with a pleasing kind of surprise we find, that similar circumstances have suggested a similar expedient to the people of Hindustan. “He,” says the law of Menu, “who has received a chattel by purchase in open market, before a number of men, justly acquires the absolute property, by having paid the price of it.” The right, however, conveyed by a bonâ fide purchase, is not, among the Hindus, carried to that extent, which is found requisite in a commercial and highly civilized society. If the goods were not the property of the person by whom they were sold, the right of the purchaser becomes absolute only if he can produce the vendor. “If,” says the law of Menu,[3] “the vendor be not producible, and the vendee prove the public sale, the latter must be dismissed by the king without punishment; and the former owner, who lost the chattel, may take it back, on paying the vendee

half its value." This is quite sufficient to throw so much uncertainty into the great class of transactions by purchase and sale, as would prove, in a civilized state of society, a ruinous obstruction of business. A manufacturer purchases a quantity of the raw material, and works it up; he would lose, in a mischievous proportion, if the owner of that material could demand the identical substance, on tendering the half of its price. In many cases, the identical substance is exported; in many it is consumed; and cannot possibly
be restored.[1] Among children, and among rude people, little accustomed to take their decisions upon full and mature consideration, nothing is more common than to repent of their bargains, and wish to revoke them: Among the Hindus this has been found an affair of sufficient importance to constitute an entire head in the classification of their laws. A variety of cases are enumerated, in which, if dissatisfied with his bargain, a man may insist upon having it annulled; and in general any sale and purchase of things, not perishable, may be rescinded within ten days, at the will of either of the parties:[2] another law, altogether incompatible with an age in which the divisions and refinements of industry have multiplied the number of exchanges. The regulation, which fixes the price of things, instead of leaving it to the natural and beneficent laws of competition, conveys not a high idea of the knowledge of the Hindus. "Let the king," says the ordinance of Menu, "establish rules for the sale and purchase of all marketable things. Once in every five nights, or at the close of every half month, let him make a regulation for market prices."[3] It is a circumstance full of meaning, that, under this
head of bargain and sale, is arranged the obligation of the marriage contract.[1]





There are many occasions, on which it is useful to the owner of property, to place it in the keeping of another person, without transfer of the ownership. It may be placed, for safe-custody merely; for the sake of an operation, as with the dyer, for the benefit of his art; with the carrier, either by sea or land, for the sake of transportation; or it may be placed, as in the case of a valuable animal, for the sake of maintenance. These, and a variety of other transactions of a similar sort, are included in English law under the title of bailments. In a well-regulated society, where the house of one man is nearly as secure from violence as that of another, mere deposits, unless in the case of warehousing, the object of which is convenience or economy, rather than security, form a class of transactions of little comparative magnitude. In a rude society, in which there is little or no security, and in which the means of concealing valuables is one of the great studies of life, deposits become an object of the greatest importance. In the Hindu code, other cases of bailment occupy a narrow space: the article of deposits swells, alone, to a great size, and forms a subject of considerable intricacy and detail.[2] The modes of proof constitute the chief peculiarities in the provisions, and will be considered, when we speak of the third branch of jurisprudence.
One rule, however, expressive of great simplicity, not to say rudeness, belongs exclusively to this article: "On failure of witnesses, to prove a deposit, let the judge actually deposit gold or precious things with the defendant, by the artful contrivance of spies. Should he restore that deposit, he is to be held innocent; if he deny it, he is to be apprehended and compelled to pay the value of both."[1]

Hiring; that is, transferring to another, for a valuable consideration, and to a definite extent, the use of any thing valuable; is a right which holds a sort of middle place between sale and bailment: and may extend to personal services as well as to commodities.2 As this contract falls very naturally under the laws of purchase and sale,3 it occupies a narrow space in the volumes of Hindu law, and as far as commodities are concerned, offers nothing particular for observation.4 In the hire of personal services, three principal classes are distinguished; first, the students of the Veda, who discharge every menial office to their masters, and receive instruction in return:
secondly, handicrafts, who receive either stipulated wages, or, if no agreement has been made, one tenth of the profits on their labour; thirdly, agricultural servants, who are always paid in kind; for tending cows, one tenth of the milk; for the culture of corn, one tenth of the crop.1



The peculiar species of transfer which is known by the name of loan is an object of great importance in the jurisprudence of all nations. Among the Hindus it stands as the first article in the classification of legal subjects, and in the Digest of Mr. Colebrooke occupies entirely one of the four books into which the compilers of that work have divided the laws of contract. From the peculiarities in the ideas and in the circumstances of the Hindus, it forms among them a subject of more than usual complexity. In an improved state of society, where the efficiency of laws, the diffusion of wealth, and the accommodations of business, have created a mutual confidence, loans are generally contracted on the security of law, without the actual custody or deposit of the property on which they may be secured. It is only in that extremely confined and degraded species of lending, abandoned to pawnbrokers, that pledges form a regular
and component part. In the more early and imperfect states of the social union, circumstances are very different. Law is both feeble and inaccurate, poverty reigns, violence prevails; and the man who is able to discharge his debts to-day may be stript of all his possessions to-morrow. In these circumstances, the security of law upon the person or property of the debtor is seldom sufficient; and the deposit of some equivalent property, as a pledge, is the obvious, and, in point of fact, the common resource. The doctrine of pledges forms one of the most considerable branches of this part of the Hindu code. The laws relating to them are laid down with great minuteness and solemnity; a variety of cases are distinguished; and the receipt of pledges appears to have formed a component part of a comparatively numerous and important class of transactions.1 The responsibility of a second person, who becomes surety for the borrower, is another foundation on which Hindu loans are contracted, and the different species of it are not inaccurately distinguished.2 Interest, or a consideration for property lent, appears to have been known at a very early stage of civilization.3 As it is only interest on debts of money which is familiar to the members of a highly-civilized society, European visitors appear to have been forcibly struck with the Hindu law, which imposes an interest to be paid in kind on loans in goods, as grain, fruit, wool or hair, beasts of burden and the like.4 Mr. Halhed says, “The different rate of interest to be paid for different articles is perhaps an institute peculiar to
Hindustan; but it reflects a strong light upon the simplicity of ancient manners, before money was universally current as the

medium of barter for all commodities, and is at the same time a weighty proof of the great antiquity of these laws, which seem calculated for the crude conceptions of an almost illiterate people upon their first civilization."[1] When Mr. Halhed, however, informs us that this law "reflects a strong light upon the simplicity of *ancient* manners," it is necessary to add that whatever light it reflects upon *ancient*, it reflects the same upon *present* manners, as this is not a law anciently in force, but long ago repealed; it is a law now in operation, and as suitable as ever to the purely Hindu state of society. Mr. Halhed too is mistaken when he supposes that this is an institution peculiar to the Hindus. It was familiarly known to the Jews in the time of Moses, and was probably a common practice in the nations around Judea, as well as in Egypt, from which the Jews had recently departed.[2]

To vary the rates of interest upon the different castes is a peculiarity more naturally arising from the unfair and odious distinctions among men, created by the Hindus. The rule established in the Institutes of Menu is, to take, when there is a pledge, one and a quarter per cent. per month; when there is no pledge, two per cent. per month; that is, from a Brahmen: but from a man of the military caste, three per cent.; four per cent. from one of the mercantile caste; and from a man of the servile caste no less than five per cent. per month.[1] This exorbitant rate of interest affords a satisfactory criterion to judge of the opinions, which are not unfrequently advanced, of the great riches which, at some imaginary period, formerly distinguished Hindustan. The excessive accumulation, however, of interest was forbidden. Upon a loan in money, interest, beyond the amount of the principal, was not a debt;[2] upon loans in goods, for some reason which it is not easy to divine, it was permitted to five times the amount of the principal. Compound interest too was prohibited. These were rules which would give effectual motives to the Hindu creditor to exact the regular payment of his interest, with rigid severity.[3] In the laws relating to loans, however, the most remarkable particular is the mode of enforcing payment. The creditor is commanded, first, to speak to the friends and relations of the debtor; next, to go in person and importune him, staying some time in his house, but without eating or drinking. If these methods fail, he may then carry the debtor home with him, and having seated him, as the law expresses it, before men of character and reputation, may there detain him. Should he still hold out, the creditor is next directed, to endeavour by feigned pretences to get possession of some of his goods; or, if any pledge was deposited with him, to carry it before the magistrate, who will cause it to be sold to make payment. If neither of these expedients can be used, he shall seize and confine the debtor's wife, children, cattle, buffaloes, horses, &c.; also his pots, clothes, mats, and furniture, and, seating himself at his door, there receive his money. Should even this proceeding fail, he is commanded to seize and bind the debtor's person, and procure by forcible means a discharge of the debt.[1] What is meant by forcible means is sufficiently explained in the following extra-ordinary definition. "When, having tied the debtor, the creditor carries him to his own house, and by beating or other means compels him to pay, this is called violent compulsion. By beating," adds the law, "or by coercion, a creditor may enforce payment from his debtor."[2] When the debtor is of a caste not superior to the creditor, the latter may seize and compel him to labour for the discharge of the debt. If a man owes debts to several creditors, he is commanded to discharge first one



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debt and then another, in the order in which they were contracted; a regulation by which one or two of his creditors may receive in full their demands, while the rest, whether few or numerous, are entirely defrauded. The equitable arrangement of an equal dividend, which we find established among nations of very limited progress in the knowledge of law, obvious and useful as it is, had not suggested itself to the rude legislators of Hindustan. When a creditor procures payment of a debt by application to the magistrate, he pays him for his interposition a twentieth part of the sum recovered.[1] By a very extraordinary regulation a punishment seems to be inflicted on the defendant in all actions for debt wherein he is cast. "A debt being admitted by the defendant, he must pay five in the hundred as a fine to the king; but if it be denied and proved, twice as much."[2] The sacred character of the Brahmen, whose life it is the most dreadful of crimes either directly or indirectly to shorten, suggested to him a process for the recovery of debts, the most singular and extravagant that ever was found among men. He proceeds to the door of the person whom he means to coerce, or wherever else he can most conveniently intercept him, with poison or a poignard in his hand. If the person should attempt to pass, or make his escape, the Brahmen is prepared instantly to destroy himself. The prisoner is therefore bound in the strongest chains; for the blood of the self-murdered Brahmen would be charged upon his head, and no punishment could expiate his crime. The Brahmen setting himself down, (the action is called sitting in dherna) fasts; and the victim of his arrest, for whom it would be impious to eat, while a member of the sacred class is fasting at his door, must follow his example. It is now, however, not a mere contest between the resolution or strength of the parties; for if the obstinacy of the prisoner should exhaust the Brahmen, and occasion his death, he is answerable for that most atrocious of crimes—the murder of a priest; he becomes execrable to his countrymen; the horrors of remorse never fail to pursue him; he is shut out from the benefits of society, and life itself is a calamity. As the Brahmen who avails himself of this expedient is bound for his honour to persevere, he seldom fails to succeed, because the danger of pushing the experiment too far is, to his antagonist, tremendous. Nor is it in his own concerns alone that the Brahmen may turn to account the sacredness of his person: he may hire himself to enforce in the same manner the claims of any other man; and not claims of debt merely; he may employ this barbarous expedient in any suit. What is still more extraordinary, even after legal process, even when the magistrate has pronounced a decision against him, and in favour of the person upon whom his claim is made, he may still sit in dherna, and by this dreadful mode of appeal make good his demand.[1]





We have now reviewed the great peculiarities of the Hindu law, in regard to those transfers of property which partake of the nature of exchange, and in which some sort of an equivalent is given and received; it remains for us to consider those, in which the property passes from one owner to another without any return.



The most extensive class of this species of transactions are those occasioned by the death of the owner. Men had considerably strengthened the chain by which they were connected with property, before they ceased to consider death as the cause of a perfect separation, and as leaving their possessions free to the earliest occupier. A right of succession in the children suggests

itself, however, at a very early period in the progress of civilization. It is recommended by so many motives, it so happily accords with some of the strongest impulses of human nature, and is so easily engrafted upon the previous order of things, that it could not fail to be an early institution. The children, being naturally the nearest to their parent at the moment of his death, were generally able to avail themselves of the right of occupancy, and to exclude other successors by prior possession. It was the usual arrangement in early stages of society, that the different members of a family should live together; and possess the property in common.1 The father was rather the head of a number of partners, than the sole proprietor. When he died, it was not so much a transfer of property, as a continued possession; and the copartnership was only deprived of one of its members. The laws of inheritance among the Hindus are almost entirely founded upon this patriarchal arrangement.2

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When the father dies, if the sons shall choose to live together, the eldest, says the law, shall take the station of the head of the family, and the property is held jointly in his name.1 "For brothers a common abode is ordained so long as both their parents live. On failure of both their parents, partition among brothers is ordained."2 Even during the life-time of the father, a separation of the family might take place, when a division of the property, according to the strict notion of a joint interest, was made, in the proportion of two shares to the father, and one share equally to each of the sons.3 When the division, however, of the common estate is delayed till the death of the father, the elder brother, as the new head of the family, is distinguished in the partition. He first receives one twentieth of the inheritance, after which it is divided equally among all the brothers.4 With a few immaterial exceptions, the principle of equal division guided succession among the Hindus. "Let the sons, after the death of the parents, equally share the assets. If all sons be equal in good qualities, they must share alike; but he who is distinguished by science and good conduct shall take a greater share than the rest."1 The last of these clauses affords an example of that vagueness and ambiguity, the source of endless dispute, which distinguishes the laws of all ignorant people, and which forms a most remarkable feature in those of Hindustan. What is the criterion to ascertain that superiority in science and virtue, which determines the share of brothers in the division of the paternal estate? Or who is to be the judge? Equally unskilful, and pregnant with evil, is the vague and indeterminate law which declares "that all those brothers who are addicted to any vice shall lose their title to the inheritance."2 As the interpretation of the phrase, "addicted to any vice," may receive any latitude, according to the inclinations and views of the expounder, a gate is here thrown open to unlimited injustice. Inconsistency, and even direct contradiction, is a characteristic of the Hindu laws, which it does not appear to have been thought even requisite to avoid; as it is expressly enacted, that when two laws command opposite things, both are to be held valid.3 This attribute is fully exemplified in the laws of inheritance. It is declared that, "on the failure of natural heirs, the lawful heirs are such Brahmens as have read the three Vedas, as are pure in body and mind, as have subdued their passions; and they must constantly offer the cake; thus the rites of obsequies cannot fail."1 Yet it is added, in the very next clause or sentence, "The property of a Brahmen shall never be taken as an escheat by the king; this is a fixed law; but the wealth of the other classes, on failure of all heirs, the king may take."2 Not

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unfrequently in rude nations, as if one misfortune ought to be aggravated by another, those who labour under certain maladies, or bodily defects, are excluded from inheritance. This principle is fully adopted by the Hindus, and carried to an unusual, and monstrous extent. All those persons who are lame, all those persons who are blind, all those who are deaf, all those who are dumb, impotent, or affected with an incurable disease, as leprosy, marasmus, gonorrhœa, dysentery, are denied a share in the partition of their father's effects, and are only entitled to a maintenance from the family.3 When a man has sons by wives of different castes, they inherit in the proportion of the mother's rank, and the son by a concubine is entitled only to one half of the share of him who is born of a wife.4 The laws which define proximity of kin, and fix the order of collateral succession, are numerous, minute, and in nothing remarkable.5 It is particularly to be noted



that daughters are debarred from a share in the inheritance of their fathers.1 The woman, indeed, among the Hindus, is so restricted in the means of acquiring property, that she is almost excluded from its rights.2 The exceptions consist, in certain presents; what was given in the bridal procession; what was given in token of love; what was received from a brother, a mother, or a father: and this property is inherited by her daughters in equal portions with her sons. If she die without issue, her property falls to her husband or to her parents, and is subject to nearly the same rules of collateral succession as are established in regard to the property of males.3

The idea of a joint interest in the property of the family, while it early established the right of succession in the children, served to exclude the right of devising by will. As the property belonged to the parent in common only with his offspring, it could not be regarded as just, that he should have the power of giving it away from them after his death. It is only in stages of society, considerably advanced, that the



rights of property are so far enlarged as to include the power of nominating, at the discretion of the owner, the person who is to enjoy it after his death. It was first introduced among the Athenians by a law of Solon, and among the Romans, probably, by the twelve tables.1 The Hindus have, through all ages, remained in a state of society too near the simplicity and rudeness of the most ancient times, to have stretched their ideas of property so far. The power of disposing of a man's possessions, by testament, is altogether unknown to their laws.2

The same notion of a joint-title, in all the members of a family, to the property of the whole, had originally an effect even upon the power of donation. Individuals were not at liberty to alienate by gift any part of the common stock. This, however, is a right which is recommended by motives more powerful and frequent than that of disposal after death, and was therefore much sooner introduced. The first instances were probably sanctioned by religious pretexts. By the laws of the Visigoths it was permitted to make donations to the church; and by those of the Burgundians a free man was allowed, after dividing his means with his sons, to make an ecclesiastical donation out of his own portion.3 Among the Hindus



the conferring of gifts upon the Brahmens, which is taught as one of the most important of religious duties, must have early familiarized the mind to gratuitous alienations; yet, notwithstanding this important circumstance, a man's power of transferring his property by gift appears subject still

to extraordinary restrictions. Except in certain minor cases, the consent of his heirs is required. It is only over that part of his property which is more than sufficient to feed and clothe all his dependants, that he has an unlimited power of disposal.1

II. The second class of laws, those which relate to offences and their punishment, form a subject less complicated, and of less subtle and difficult disquisition, than those which relate to the distribution of rights; it is, however, a portion of law, which, from the violent interference of human passions, is not less slow in gaining improvement.

An offence is an act by which a right is violated. The object of punishment is to prevent such acts. It is employed, under the empire of reason, only as a last resource. If offences could be prevented without punishment, punishment ought never to exist. It follows, as a necessary consequence, that as little of it as possible ought to exist.

It is equally manifest, that it would be vain to establish rights, if the necessary means were not to be used for securing them. It is therefore good to make use of punishment, as far as necessary for the securing of rights; with this precaution only, that the suffering or evil, produced by the punishment, is less, upon the whole, than that which would arise from the violation of the right.

By these maxims, as criterions, we shall endeavour to ascertain the attributes of the criminal code of the
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The misery and disorder which overspread human life, wherever self-defence rests wholly upon the individual, are the cause to which government owes its origin. To escape from those evils, men transfer to the magistrate powers sufficient for the defence of all; and agree to expect from him alone that protection, which they obtained so imperfectly from their own exertions. In the rude and violent times when this revolution takes place, it is not from a just and cool discernment of the limits of defence, prevention, and reparation, that penalties are exacted. It is from the impulse of a keen resentment, that the sufferer pursues, and from a strong sympathy with that resentment, that the magistrate commonly judges and condemns. It is not so much security that is coveted, as revenge. A great injury committed can only be expiated by a great injury received. Two principles therefore universally characterize the penal code of a barbarous people; severity; and retaliation. The early laws of the Greeks and the Romans were cruel; the laws of the twelve tables, says Mr. Gibbon, like the statutes of Draco, were written in characters of blood.1 By the laws of Moses, blasphemy, idolatry, profaning the sabbath, homicide, adultery, incest, rapes, crimes against nature, witchcraft, smiting or cursing father or mother, were punished with death, and with burning and stoning, the most cruel kinds of death.2 Of the sanguinary character imprinted on the laws of the Egyptians, the following instance may be adduced: They thrust little pieces of reeds, about a finger's length, into all parts of the bodies of parricides;
and then, surrounding them with thorns, set them on fire.1 The barbarous punishments which prevail among the Chinese are too familiarly known to require illustration. Perhaps of all the rude nations of whom we

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have any account, our own Saxon and German ancestors were the most distinguished for the mildness of their punishments; a singularity, however, to be accounted for, by the use of a very barbarous expedient, a compensation in money for almost every species of crime. Yet in various instances, particularly that of theft, their laws were not only severe, but inhuman.2

Notwithstanding the mildness which has generally been attributed to the Hindu character, hardly any nation is distinguished for more sanguinary laws. "The cruel mutilations," says Sir William Jones,3 "practised by the native powers, are shocking to humanity."

Retaliation is another peculiarity which remarkably distinguishes the laws of that barbarous period, when the punishment of crimes is chiefly measured by the resentment of the sufferer.1 Whatever the injury which the innocent man has sustained, a similar injury, by way of punishment, is imposed upon the guilty. Whatever the member, or part of his body, with which the offender committed the crime, upon that part is the chastisement inflicted. The Hebrew law of an eye for an eye, and a tooth for a tooth, is a familiar example of what occurred among other nations. The forfeit of limb for limb, and member for member, was, among the Romans, exacted by the law of the twelve tables, unless where the offender could expiate his crime by a fine of 300 pounds of copper. The earliest legislators of Greece were so rude as to leave the punishment of crimes, undefined, to the discretion of the judge; but Zaleucus, legislator of the Locrians, who first prescribed rules on this subject, enforced so literally the maxim of an eye for an eye, that it was deemed an important reform on his laws, when it was decreed that he who struck out the eye of a person with one eye should lose both his own.1 The Egyptians extended the principle of punishing criminals in that part of the body which was chiefly instrumental in the guilt, to an extraordinary number of instances. He who discovered the secrets of the state had his tongue cut out; he who violated a free woman was made an eunuch; of those who counterfeited coin and seals either public or private, of those who made use of false weights and measures, and of public notaries who forged or mutilated deeds, the two hands were cut off; and calumniators were subjected to the same punishment which would have been due to those whom they falsely accused.2 To how extraordinary a degree the spirit of retaliation moulds the penal legislation of the Hindus, a few specimens will evince. The law concerning assault and battery, in the Institutes of Menu, thus commences: "With whatever member a low-born man shall assault or hurt a superior, even that member of his must be slit or cut, more or less in proportion to the injury: this is an ordinance of Menu."1 "If a man strikes a Bramin with his hand, the magistrate shall cut off that man's hand; if he strikes him with his foot, the magistrate shall cut off the foot; in the same manner, with whatever limb he strikes a Bramin, that limb shall be cut off; but if a Sooder strikes either of the three casts, Bramin, Chehteree, or Bice, with his hand or foot, the magistrate shall cut off such hand or foot."2 "If a man has put out both the eyes of any person, the magistrate shall deprive that man of both his eyes, and condemn him to perpetual imprisonment, and fine him."3 The punishment of murder is founded entirely upon the same principle. "If a

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man," says the Gentoo code, "deprives another of life, the magistrate shall deprive that person of life."[4] "A once-born man, who insults the twice-born with gross invectives, ought to have his tongue slit. If he mention their names and classes with contumely, as if he say, 'Oh thou refuse of Brahmens,' an iron style, ten fingers long, shall be thrust red-hot into his mouth. Should he through pride give instruction to priests concerning their duty, let the king order some hot oil to be dropped into his mouth and his ear."[5] "If a blow, attended with much pain, be given either to human creatures or cattle, the king shall inflict on the striker a punishment as heavy as the presumed
suffering."[1] "With whatever limb a thief commits the offence, by any means in this world, as if he break a wall with his hand or his foot, even that limb shall the king amputate, for the prevention of a similar crime."[2] "A mechanic or servile man, having an adulterous connexion with a woman of a twice-born class, if she was unguarded, shall lose the part offending, and his whole substance."[3] "The breaker of a dam to secure a pool, let the king punish by a long immersion under water."[4] The portion of suffering, sufficient to constitute a motive for abstaining from the crime, is all the punishment which reason authorizes; but we see nations far advanced in civilization so tardy in recognizing this principle, that the excess of suffering, produced by the law of retaliation, would not, it is probable, suggest to nations, at a very early stage of civilization, the utility of repealing it. Yet no maxim more naturally recommends itself to the human mind, even before it is strong, than that all who commit the same crime should meet with equal punishment; and it requires a very slight degree of reflection to see, that when the hand or the foot is cut off from one man, the punishment may be a very moderate one; when the same limb is cut off from another man, to whose subsistence it is essential, the penalty may far exceed a sentence of death.



In another class of punishments, where the principle of equality may be still more easily applied, the grossness of the violation excites considerable surprise. As among our Saxon ancestors, so among the Hindus, fines bear a very large proportion to other punishments. When reparation to the party injured should be made by the author of the wrong, the pecuniary ability of the party on whom the obligation falls can no more be regarded, than where he owes a debt.
But in so far as it is the object of the law to create a motive against the occurrence of a like offence; or even to take
vengeance, to inflict pain purely because pain has been occasioned; in so far it is one of the plainest dictates of reason, that where the offence is equal, the suffering or hardship imposed should be equal. Though a pecuniary mulct imposes all degrees of hardship, according to the pecuniary abilities of the man who pays, the Hindu law makes no distinction between the rich and the poor.[1] It makes, indeed, a serious distinction between the man of one class, and another: and they of the lowest are, with a very few exceptions, always the most severely fined. But if the class is the same, the same forfeit is exacted for the same offence; though one man should be too opulent to feel from it any sensible inconvenience; another should suffer all the pains and horrors of want.



From the classification of the people, and the privileges of the castes, we are prepared to expect, among the Hindus, inequalities created by distinctions of rank. They relate

either to the crimes committed *against* persons of the different ranks, or the crimes committed *by* them. Inequalities of the first sort, it is found difficult to avoid even in high stages of civilization. At present, in the best governed countries of Europe, an injury done to a nobleman is treated as a crime of a deeper die, than a similar injury to a person of the lowest rank.2 If the laws
should make no distinction in principle, the power of the nobleman to bring the offender to trial, and to command the partiality of the judge, would long make a very essential difference in practice. When the Hindu law, therefore, makes a gradation in the criminality of the same action, according as it is committed against the Brahmen, the Cshatriya, the Vaisya, and the Sudra, it is only the excess in the difference of punishment, which is calculated to excite our surprise. With regard to offences committed *by* individuals of the different ranks, it is rare, even among the rudest people, to find the principle of unequal punishments, expressly avowed; and comparative impunity granted by law to the crimes of the great. Perjury, fraud, defamation, forgery, incest, murder, are not among us reckoned crimes more venial in the lord than in his servant. Among the Hindus, whatever be the crime committed, if it is by a Brahmen, the punishment is in general comparatively slight; if by a man of the military class, it is more severe; if by a man of the mercantile and agricultural class, it is still increased; if by a Sudra, it is violent and cruel. For defamation of a Brahmen, a man of the same class must be fined 12 panas; a man of the military class, 100; a merchant, 150 or 200; but a mechanic or servile man is whipped.1 The general principle on which the penalties for this crime seem to be regulated is, that whatever fine is exacted from a man of the same class by whom you have been accused, one only half as large should be imposed
upon the man of a superior class, but one double in magnitude, should the cast of the slanderer be inferior to your own. For all the more serious accusations against any of the superior orders the punishment of the Sudra is far more dreadful.1 That the scale of punishment for crimes of assault is graduated by the same rule, the following instance, out of many, will evince. “If a man of superior cast and of superior abilities to another should strike him with a weapon, the magistrate shall fine him 500 puns of cowries. If a man of an equal cast and of equal abilities with another should strike him with a weapon, the magistrate shall fine him 1000 puns of cowries. If a man of an inferior cast and of inferior abilities to another should strike him with a weapon, the magistrate shall fine him 3000 puns of cowries.”2 For perjury, it is only in favor of the Brahmen, that any distinction seems to be admitted. “Let a just prince,” says the ordinance of Menu, “banish men of the three lower classes, if they give false evidence, having first levied the fine; but a Brahmen let him only banish.”3 The punishment of adultery, which on the Brahmens is light, descends with intolerable weight on the lowest classes. In regard to the inferior cases of theft, for which a fine only is the punishment, we meet with a curious exception, the degree of punishment ascending with the class. “The fine of a Sudra for theft, shall be eight fold; that of a Vaisya, sixteen fold; that of a Cshatriya, two and thirty fold; that of a Brahmen, four and sixty fold, or a hundred fold complete, or even twice four and sixty fold.”4 No corporal punishment, much less
death, can be inflicted on the Brahmen for any crime. “Menu, son of the Self-existent, has named ten places of punishment, which are appropriated to the three lower classes; the part of generation, the belly, the

tongue, the two hands; and fifthly, the two feet, the eye, the nose, both ears, the property; and in a capital case, the whole body; but a Brahmen must depart from the realm unhurt in any one of them."[1]

Punishment should be proportioned, not to the greatness of the crime, that is, the quantity of suffering it produces, but solely to the difficulty of creating an adequate motive to abstain from it: if a fine of one shilling created a sufficient motive to abstain from the crime of murder, the fine of a shilling would be all the punishment which ought to exist. It must be owned, however, that the principle of punishing crimes, according to their magnitude, very naturally suggests itself; and bears a strong appearance of according with the principles of reason. Even to this early and imperfect principle, the Hindus have never ascended. While perjury, one of the most mischievous of crimes, and one against which an adequate motive is very difficult to create, is punished only with fine, and in its most aggravated cases, with banishment, the crime of obtaining goods on false pretences is punished with mutilation, and even with death. "If a person steals a man of an inferior cast, the magistrate shall fine him 1000 puns of cowries: If he steals an elephant or a horse excellent in all respects, the magistrate shall cut off his hand, and foot, and buttock, and deprive him of life."[2] The following places of the body are enumerated; the ear, the nose, the hand, the foot, the lip, the eye, the
tongue, and some others; upon any one of which a stroke, such as to separate or cut them off from the body, is punished equally;[1] yet surely there is no comparison between the injury of depriving a man of his ear, for example, and of his tongue, or his hand. An amour with a woman of the Brahmenical caste is more dreadfully punished than parricide. Various cases of theft and robbery are accounted worthy of more shocking penalties than murder. Even Sir William Jones is constrained to say that the punishments of the Hindus "are partial and fanciful, for some crimes dreadfully cruel, for others reprehensibly slight."[2]



The principal acts erected into punishable offences by the Hindu law are, false witness, defamation, assault, theft, outrage, adultery. The species and degrees of perjury are thus distinguished: "If a witness speak falsely through covetousness, he shall be fined 1000 panas; if through distraction of mind, 250; if through terror, 1000; if through friendship, the same; if through lust, 2,500; if through wrath, 1,500; if through ignorance, 200 complete; if through inattention, 100 only."[3] The laws against reproachful expressions are numerous, and the penalties remarkably severe; a pretty satisfactory proof that the Hindus have always been abusive; as we find they continue to the present day.[4] By the term Assault, are indicated the smaller instances of personal
offence and injury; on which the laws of the Hindus descend to the most minute distinctions and details. In this they present a remarkable agreement with the laws of our Gothic ancestors. Lord Kaimes, observing upon the ancient European mode of satisfying for injuries by money, remarks that "the laws of the Burgundians, of the Salians, of the Almanni, of the Bavarians, of the Ripuarii, of the Saxons, of the Angli and Thuringi, of the Frisians, of the Langobards, and of the Anglo-saxons, are full of these compositions, extending from the most trifling injury to the most atrocious crimes. In perusing the tables of these compositions, which enter into a minute detail of the most trivial offences, a question

naturally occurs, why all this scrupulous nicety of adjusting sums to delinquencies? Such a thing is not heard of in later times. But the following answer will give satisfaction:—That resentment, allowed scope among Barbarians, was apt to take flame by the slightest spark; therefore to provide for its gratification, it became necessary to enact compositions for every trifling wrong, such as at present would be the subject of mirth rather than of serious punishment: for example, where the clothes of a woman, bathing in a river, are taken away to expose her nakedness, and where dirty water is thrown upon a woman in the way of contumely."1 The following orders of crime, in the Hindu code, present a similar, and a very remarkable picture; 1. Throwing upon the body of another, dust, or sand, or clay, or cow-dung, or any thing else of the same kind, or striking with the hand or foot; 2. Throwing upon the body tears, or phlegm, or the paring of one's nails, or the gum of the eyes, or the wax of the ears, or the refuse of victuals, or spittle; 3. Throwing upon another from the navel downwards



to his foot, spue, or urine, or ordure, or semen; 4. Throwing upon another, from the navel upwards to beneath the neck, any of the substances mentioned in the last article; 5. Throwing upon another any of the same substances from the neck upwards; 6. Assaulting with a stone, or with a piece of iron or wood; 7. Hauling by the foot, or by the hair, or by the hand, or by the clothes; 8. Seizing and binding another in a cloth, and setting one's foot upon him; 9. Raising up an offensive weapon to assault; 10. Striking with a weapon. In all these cases a further distinction is made, as the offence is committed by a superior, an inferior, or an equal, and committed against a man or a woman. The gradations too of wounds are curiously specified; 1. When no blood is shed; 2. When a little blood is shed; 3. When much blood is shed; 4. When a very great quantity; 5. When a bone is broke as well as blood is shed; 6. When a member or organ is struck off or separated.1 Under the title theft, the Hindus include the various species of frauds. In all nations which have made but the first step in civilization; when the means of protecting property are very imperfectly known, and covetousness is a furious passion; the depredations of thieves are always punished with extreme severity. In the Gothic nations of Europe, when the murder even of the King inferred but a pecuniary composition, theft was punished by mutilation and death.2 In the same manner among the Hindus, while murder is punished by the mere loss of life, some of the most atrocious instances of the cruelty of the Hindu laws



were drawn as above from the punishments awarded to theft.1 The minor cases of theft are punished by fines, and by various degrees of mutilation; but the higher species, by impaling, by burning alive, and by crucifixion. By Outrage; which is sometimes denominated violence, sometimes robbery; are designated, all attacks, accompanied with violence, upon either property or person, including even murder. While the inferior species are punished by fine and by mutilation, the higher are punished by death; and some of the more heinous kinds of spoliation are avenged with all the sanguinary fury which, among the Hindus, has dictated the higher penalties of theft.2 Adultery is a very complicated subject. In the Hindu language it includes every unlawful species of sexual indulgence, from the least, to the most injurious, or offensive. If the laws are any proof of the manners of a people, this article affords indication of one of the most depraved states of the sexual appetite. Almost all the abuses, and all the crimes which it is possible to conceive, are there depicted with curious exactness; and penalties are devised and assigned for

every minute diversity and refinement, as for acts the most frequent and familiar. There are even titles of sections in the code which cannot be transcribed with decency, and which depict crimes unknown to European laws.[3] In accordance with the general spirit of Eastern nations, among whom an extraordinary value is set on the chastity of the women, its more aggravated violations are punished by the most shocking death which human cruelty has probably devised, that of burning on a heated plate of iron. The ramifications of criminality are also pursued to the most minute and trivial acts, and such as, even in the most jealous nations of Europe, would be held perfectly innocent: "He, who talks with the wife of another man at a place of pilgrimage, in a forest or a grove, or at the confluence of rivers, incurs the guilt of an adulterous inclination: to send her flowers or perfumes, to sport and jest with her, to touch her apparel and ornaments, to sit with her on the same couch, are all held adulterous acts on his part."[1] Of all crimes, indeed, adultery appears, in the eyes of Hindu lawgivers, to be the greatest; and worthy of the most severe and terrible chastisement. The offences committed with the women of the higher classes by men of the lower are the acts which are looked upon as of greatest atrocity, and which rise in criminality, as the classes recede from one another, till they arrive at last at the adultery of a man of the servile with a woman of the priestly caste; a point beyond which, it is supposed, that human guilt and depravity cannot proceed.[2]





III. Conformity to the laws of the two preceding orders; denominated, for want of better terms, the Civil and the Penal; is the End: The laws of Judicature are to be regarded in the light of Means to that End. The subject, in its full extent, includes an account of 1. the instruments made use of for producing the fulfilment of the laws of the two former kinds, and 2. the modes of using them.

The instruments made use of among the Hindus, have been already described, in giving an account of the functions of the king; who, with his Brahmen assessors, is the principal instrument. The mode of using the instruments of judicature, or the steps according to which judicature is performed, were there also briefly described. Of the matters which remain, the laws or rules respecting evidence form the only part which it is still useful to describe.

Prior to the general use of writing, the chief species of evidence, applicable to judicial cases, is the speech of witnesses. It is this species which makes the principal figure in the laws of Hindustan to the present age. It is even more than doubtful whether written evidence is at all referred to by the author of the ordinances of Menu, though from himself we learn that writing had been applied to laws.[1] "On the denial," says the law, "of a debt which the defendant has in court been required to pay, the plaintiff must call a witness who was present at the place of the loan, or produce other evidence;"[2] the gloss of Culluca adds, "a note and the like:"[3] but for the use of evidence by writing not a single rule is afterwards adduced, though numerous rules are prescribed for the use of that which is delivered orally; not even a word of allusion to this novel species of evidence appears; and where the various circumstances are enumerated on which the attention of the judge ought to be fixed, while the evidence of speaking witnesses occupies a conspicuous place, the evidence of writings is entirely omitted.[4] In the compilations,

however, of recent times, as in that made by order of Mr. Hastings and translated by Halhed, the use of written evidence appears; but even there it is treated with a negligence and slightness due to a matter of subordinate importance.

Among the rules for evidence at the lips of witnesses, some are reasonable and good; others are not only the reverse, but indicate a state of ignorance and barbarism. The evidence of three witnesses is required for the decision of any question: "When a man has been brought into court by a suitor for property, the cause shall be decided by the Brahmen who represents the king, having heard three witnesses at least."[1] Yet it is declared in another place that "one man, untainted with covetousness, may (*in some cases*, says the gloss of Culluca) be the sole witness."[2] This apparent contradiction may perhaps be explained by a passage in the Code of Gentoo Laws, where the decision of a cause by the testimony of a single witness is made to depend upon the consent of the litigants.[3] Even from this rule the following cases are excepted: "Supposing," says the law, "a person to lend another money secretly, or secretly to entrust his money to the care of another, in such affairs one single person is a sufficient witness."[4] The different degrees of trustworthiness in different witnesses leads to mischievous rules. "Married housekeepers, men with male issue, inhabitants of the same district, either of the military, the commercial, or the servile class, are competent, when called by the party, to give their evidence."[5] The most fanciful distinction surely that ever was made by an uncultivated mind, is that between the father of male and the father of female offspring, as a source of evidence. The persons held incompetent to bear witness are a very numerous class. "Those must not be admitted who have a pecuniary interest; nor familiar friends; nor menial servants; nor enemies; nor men formerly perjured; nor persons grievously diseased; nor those, who have committed heinous offences. The king cannot be made a witness, nor cooks and the like mean artificers; nor public dancers and singers; nor a priest of deep learning in Scripture; nor a student of the Vedas; nor an anchoret secluded from all worldly connexions; nor one wholly dependant; nor one of bad fame; nor one who follows a cruel occupation; nor one who acts openly against the law; nor a decrepit old man; nor a child; nor a wretch of the lowest mixed class; nor one who has lost the organs of sense; nor one extremely grieved; nor one intoxicated; nor a madman; nor one tormented with hunger or thirst; nor one oppressed by fatigue; nor one excited by lust; nor one inflamed by wrath; nor one who has been convicted of theft."[1] Among the persons excluded from the rank of witnesses are the female sex entirely; unless in the case of evidence for others of the same sex. Servants, too, mechanics, and those of the lowest class, are allowed to give evidence for individuals of the same description.[2] Brahmens and the king are exempted from the obligation of giving evidence, by way of privilege, though the Brahmens are admitted when they please.[3]

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This enumeration of persons, whose testimony was altogether unfit to be believed, affords a proof of the great difficulty of obtaining true testimony in the age in which it was made; and holds up a dreadful picture of the state of morality to which it could be supposed to be adapted. It indicates, also, by the strange diversity of the cases which it includes, a singular want of discrimination, in the minds by which it was framed. And further; rules for the exclusion of testimony, from any person, not deprived of the ordinary exercise of the human faculties, could, however the vicious effects of custom

may preserve them, be introduced, only in an age of great ignorance and barbarity, when the human mind judges in the gross,
is incapable of nice discriminations, cannot assign the different value which ought to be attached to the testimony of different men, and estimates the weight of a body of evidence by the number, not the trustworthiness, of the people who deliver it.



The introduction of rules for the exclusion of evidence marks the age of false refinement, which is that of semibarbarism, intermediate between the age of true wisdom, and that of primeval ignorance. When the first judges, or arbiters, the heads of families, had to clear up any dispute, they called before them every individual of the little community or family, who appeared to know any thing of the matter, and questioned them all; allowing to the statements, extracted from each, the influence, much or little, or none at all, to which they seemed entitled; and this is the course, which true wisdom would recommend. In an age, however, of false refinement, which aims at excessive accuracy, but, failing in comprehensiveness, applies its rules to part only of a subject when they should include the whole, the makers of laws, perceiving that certain classes of witnesses were apt to give false testimony, and considering that false testimony misleads, resolved immediately that the testimony of such witnesses ought never to be received. Now, if the testimony of the best sort of witness had been a thing which the judges always had at command, in sufficient quantity, this might have been a rational procedure. But as this was very far from being the case; as it very often happens that the testimony of the best sort of witnesses cannot be had, or that they contradict one another; that not only some light, but full and satisfactory light, may often be obtained from the worst sort of witnesses; to determine that certain classes of persons, and among them the persons whose knowledge of the facts is naturally the most complete, shall not be used as witnesses,
is merely to determine that judicature shall be performed, so far, without evidence; that the judge shall decide without knowledge; and the question of right and wrong, instead of being determined upon all the evidence that can be had, shall be determined upon a part of it only, sometimes a most insignificant part, sometimes hardly any at all.[1]



One of the strongest characteristics of a rude age, or of a corrupt government, is, to make laws which cannot, or ought not, to be executed; and then to give dispensations for them. “In all cases of violence, of theft and adultery, of defamation and assault,” says the Hindu law, “the judge must not examine too strictly the competence of witnesses.”[2]

A presumption, of the very weakest kind, is admitted as a full proof, in the following passages: “If a man brings a suit against another, saying, I have
lent you several articles, and the person answers, I never received one of the articles you mention; in that case, if the plaintiff
proves any one of all the articles claimed, to be in the defendant's possession, the magistrate shall cause the whole so claimed to be restored.”[1] In cases of infinitely greater importance the same deceitful rule is applied. “If a man hath accused another of the murder of a man, or of a robbery, or of adultery, and should say, You have in several places been guilty of these crimes, and the defendant denies the accusation; in

such a case, if the accuser can prove upon the other the commission of any one of these crimes, it shall be a proof of the whole complaint."

Of all the perverse proceedings of a superstitious mind, which the history of rude nations presents to us, few will be found more at variance with reason, than the establishment of the following law: "The witness, who has given evidence, and to whom within seven days after, a misfortune happens from disease, fire, or the death of a kinsman, shall be condemned to pay the debt and a fine."2

Though there is no ground on which the infirmities of the human mind are more glaring, and more tenacious of existence, than that of law, it is probable that the annals of legislative absurdity can present nothing which will match a law for the *direct* encouragement of perjury. "Whenever," says the ordinance of Menu, "the death of a man, who had been a grievous offender, either of the servile, the commercial, the military, or the sacerdotal class, would be occasioned by true evidence, from the known rigour of the king, even though the fault arose from inadvertence or error, falsehood may be spoken: it is even preferable to truth."1 What a state of justice it is, in which the king may condemn a man to death, for inadvertence or error, and no better remedy is found than the perjury of witnesses? "Whenever a true evidence would deprive a man of his life, in that case, if a false testimony would be the preservation of his life, it is allowable to give such false testimony. If a marriage for any person may be obtained by false witness, such falsehood may be told. If a man by the impulse of lust tells lies to a woman, or if his own life would otherwise be lost, or all the goods of his house spoiled, or if it is for the benefit of a Brahmen, in such affairs falsehood is allowable."2



The laws respecting written evidence are few, and applied to a very limited number of cases. One distinction is recognized. "A writing," says the law, "is of two sorts; first, that which a man writes with his own hand; second, that which he procures to be written by another: of these two sorts, that which is written by a man's own hand, even without witnesses, is approved; and that written by another, if void of witnesses, is not approved."3 The remaining rules apply, almost entirely, to the modes of supplying, by means of the oral, what is at any time defective in the quantity or quality of the matter drawn from the scriptural source.4

Notwithstanding the diversities of appearance which, in different ages and countries, human nature puts on, the attentive observer may trace in it an astonishing uniformity with respect to the leading particulars which characterize the different stages of society; and often a surprising coincidence in particular thoughts and observances. The trials by ordeal, in the dark ages of modern Europe; when the decision of the most important questions was abandoned to chance or to fraud; when carrying in the hand a piece of red hot iron, or plunging the arm in boiling water, was deemed a test of innocence; and a painful or fraudulent experiment, supplanting a righteous award, might consign to punishment the most innocent, or save from it the most criminal of men; have been deemed a shocking singularity in the institutions of our barbarous ancestors. This species of evidence holds a high rank in the institutes of the Hindus.

There are nine different modes of the trial by ordeal; 1. by the balance; 2. by fire; 3. by water; 4. by poison; 5. by water in which an idol has been washed; 6. by rice; 7. by boiling oil; 8. by red hot iron; 9. by images. The first of these, by the balance, is thus performed. The party accused is placed in the scale, and carefully weighed; after which, he is taken down, the pundits write the substance of the accusation on a piece of paper, and bind it on his forehead. At the end of six minutes he is weighed again, when, if lighter than before, he is pronounced innocent; if heavier, guilty. In the second ordeal, an excavation in the ground, nine hands long, two spans broad, and one span deep, is filled with a fire of pippal wood, into which the party must walk barefooted; proving his guilt, if he is burned; his innocence, if he escapes unhurt. The third species is rather more complicated: the person accused is made to stand in water up to his navel, with a Brahmen by his side; a soldier then shoots three arrows from a bow of cane, and a man is dispatched to bring back that which was shot the farthest; as soon as he has taken it up, another man is directed to run from the brink of the water, and at the same instant the party under trial must plunge into it, grasping the foot or the staff of the Brahmen who stands by him: if he remains under the water till the two men with the arrows return, he is innocent; if he comes up, he is guilty. The fourth kind, by poison, is performed two ways: either the party swallows a certain quantity of a poisonous root, and is deemed innocent if no injury ensues; or a particular species of hooded snake is thrown into a deep earthen pot, and along with it a ring, a seal, or a coin. If the man, putting down his naked hand, cannot take this out unbitten by the serpent, he is accounted guilty. The accused, in the fifth species, is made to drink three draughts of the water in which the images of the sun and other deities have been washed; and if within fourteen days he has any indisposition, his crime is considered as proved. When several persons are suspected of theft, they chew, each, a quantity of dried rice, and throw it upon some leaves or bark of a tree; they from whose mouth it comes dry, or stained with blood, are deemed guilty: This is the sixth species of ordeal. In the seventh, a man thrusts his hand into hot oil; and in the eighth he carries an iron ball, or the head of a lance, red hot in his hand; receiving his sentence of innocence or guilt according as he does or does not come off with safety. The ninth species is literally a casting of lots; two images of the gods, one of silver, and one of iron, are thrown into a large earthen jar; or two pictures of a deity, one on white, and the other on black cloth, are rolled up in cow-dung, and thrown into a jar: if the man.



on putting in his hand, draws out the silver image, or the white picture, he is deemed innocent; if the contrary, guilty. The religious ceremonies with which these trials are performed it would be tedious and unprofitable to relate.[1]

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The qualities desirable in a Body of Law may all be summed up under two comprehensive titles; I. *Completeness;* II. *Exactness.*

*Completeness* has a reference to the matter: *Exactness* to the form.

I. A body of laws may be said to be *Complete*, when it includes every thing which it ought to include; that is, when all those rights, the existence of which is calculated to improve the state of society, are created; and all those acts, the hurtfulness of which to

the society is so great as to outweigh the cost, in all its senses, necessary for preventing them, are constituted offences.

II. A body of laws may be said to be *Exact;* 1. when it constitutes nothing a right, and nothing an offence, except those things precisely which are necessary to render it *Complete;* 2. when it contains no extraneous matter whatsoever; 3. when the aggregate of the powers and privileges which ought to be constituted rights, the aggregate of the acts which
ought to be constituted offences, are divided and sub-divided into those very parcels or classes, which beyond all others best adapt themselves to the means of securing the one, and preventing the other; 4. when it defines those classes, that is, rights and offences, with the greatest possible clearness and certainty; 5. when it represses crimes with the smallest possible expense of punishment; and 6. when it prescribes the best possible form of a judicatory, and lays down the best possible rules for the judicial functions.



To show in what degree the Hindu law approaches, or recedes from, the standard of *Completeness*, would require a more extensive survey of the field of law, than consists with the plan of the present work.

That it departs widely from *Exactness*, in every one of the particulars wherein exactness consists, enough has already been seen to make abundantly apparent. 1. It creates a great many rights which ought to have no existence; and acts, which ought not to be erected into offences, it does so erect in great numbers. 2. It abounds in extraneous matter. 3. The division and arrangement of the matters of law are highly imperfect. 4. The definitions are so far from excluding darkness and doubt that they leave almost every thing indefinite and uncertain. 5. Punishments are not repressed, but abound; while there is the most enormous excess in the quantity of punishment. 6. The form of the judicatory is bad, as are a certain proportion of the rules for the mode of performing the judicial services.

In respect to definitions, the Hindu law is in a state which requires a few words of elucidation. Prior to the art of writing, laws can have little accuracy of definition; because when words are not written, they
are seldom exactly remembered; and a definition whose words are constantly varying is not, for the purposes of law, a definition at all. Notwithstanding the necessity of writing to produce fixed and accurate definitions in law, the nations of modern Europe have allowed a great proportion of their laws to continue in the unwritten; that is, the traditionary state; the state in which they lay before the art of writing was known. Of these nations, none have kept in that barbarous condition so great a proportion of their law as the English. From the opinion of the Hindus that the Divine Being dictated all their laws, they acknowledge nothing as law but what is found in some one or other of their sacred books. In one sense, therefore, all their laws are written. But as the passages which can be collected from these books leave many parts of the field of law untouched, in these parts the defect must be supplied either by custom, or the momentary will of the judge. Again, as the passages which are collected from these books, even where they touch upon parts of the field of law, do so in expressions to the highest degree vague and

indeterminate, they commonly admit of any one of several meanings, and very frequently are contradicted and opposed by one another. When the words in which laws are couched are to a certain degree imperfect, it makes but little difference whether they are written or not: Adhering to the same words is without advantage, when these words secure no sameness in the things which they are made to signify. Further, in modern Europe, the uncertainty adhering to all unwritten laws, that is, laws the words of which have no certainty, is to some degree, though still a very imperfect one, circumscribed and limited, by the writing down of decisions. When, on any particular part of the field, a number of judges have all, with public approbation, decided in one way; and when these decisions are recorded and made known, the judge who comes after them has strong motives, both of fear and of hope, not to depart from their example. The degree of certainty, arising from the regard for uniformity, which may thus be produced, is, from its very nature, infinitely inferior to that which is the necessary result of good definitions rendered unalterable by writing. But such as it is, the Hindus are entirely deprived of it. Among them the strength of the human mind has never been sufficient to recommend effectually the preservation, by writing, of the memory of judicial decisions. It has never been sufficient to create such a public regard for uniformity, as to constitute a material motive to a judge. And as kings, and their great deputies, exercised the principal functions of judicature, they were too powerful to be restrained by a regard to what others had done before them. What judicature would pronounce was, therefore, almost always uncertain; almost always arbitrary.



In a Judicatory, the qualities desirable are; 1. intelligence; 2. good design: and that is the best judicatory in which the best securities are taken for them. In the judicatories of the Hindus, composed of the king and his Brahmens, or the Brahmens alone, there is no security for either the one or the other; and accordingly neither the one nor the other almost ever appears.

The qualities desirable in the forms of judicial procedure, are, 1. efficiency; 2. freedom from delay; 3. freedom from trouble and expense. In these several respects the system of the Hindus displayed a degree of excellence not only far beyond itself in the other branches of law, but far beyond what is exemplified in more enlightened countries. 1. The efficiency of the Hindu system of judicial procedure is chiefly impaired by those rules of evidence the badness of which has already been pointed out: 2. For preventing delay, it enjoys every requisite, in its method of immediate, direct, and simple investigation: 3. In the same method is included all that is requisite for obtaining the judicial services with the smallest portion of trouble and expense.[1]

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# CHAP. V.

The Taxes.

The form of the government is one, the nature of the laws for the administration of justice is the other, of the two circumstances by which the condition of the people in all countries is chiefly determined. Of these two primary causes no result to a greater degree ensures the happiness or misery of the people, than the mode of providing for the pecuniary wants of the government, and the extent to which the agents of government, of whatever kind, are enabled to divide among themselves and their creatures, the annual produce of the land and labour of the community.



The matters of detail, which by their number and uncertainty have so exceedingly perplexed the servants of the Company, in the financial operations of the Indian government, cannot here be described. The general outline, and the more important effects, of that system of taxation which is described in the ancient books, are all that falls within the design of an account of the ancient state of the people. 1. "Of grain," says the ordinance of Menu, "an eighth part, a sixth, or a twelfth may be taken by the king;" to be determined, adds the gloss of the commentator Culluca, "by the difference of the soil, and the labour necessary to cultivate it."[1] 2. "He may also take a sixth part of the clear annual increase of trees, flesh-meat, honey, clarified butter, perfumes, medical substances, liquids, flowers, roots and fruit, of gathered leaves, potherbs, grass, utensils made with leather or cane, earthern pots, and all things made of stone."[1] 3. "Of cattle, of gems, of gold and silver, added each year to the capital stock, a fiftieth part may be taken by the king."[2] 4. "Having ascertained the rules of purchase and sale," says the law, "the length of the way, the expenses of food and of condiments, the charges of securing the goods carried, and the neat profits of trade, let the king oblige traders to pay taxes on their saleable commodities; after full consideration, let a king so levy those taxes continually in his dominions, that both he and the merchant may receive a just compensation for their several acts."[3] 5. "Let the king order a mere trifle to be paid, in the name of the annual tax, by the meaner inhabitants of his realm who subsist by petty traffic: 6. By low handicraftsmen, artificers, and servile men, who support themselves by labour, the king may cause work to be done for a day in each month."[4] It is added; 7. "A military king, who takes even a fourth part of the crops of his realm at a time of urgent necessity, as of war or invasion, and protects his people to the utmost of his power, commits no sin. 8. The tax on the mercantile class, which in times of prosperity must be only a twelfth part of their crops, and a fiftieth of their personal profits, may be an eighth of their crops in a time of distress, or a sixth, which is the medium, or even a fourth in great public adversity; but a twentieth of their gains on money and other moveables is the highest tax: serving men, artisans, and mechanics, must assist by their labour, but at no time pay taxes."[1]

BOOK II. Chap. 5.

In these several articles is found an enumeration of all the objects of taxation; and a general expression of the modes and degrees of impost. We perceive taxes on the produce of land, taxes on the produce of labour, a tax on accumulation, a tax on sales, and poll taxes. In article 1., is exhibited a tax on the produce of land; In article 2., a tax both on the produce of land, and on the produce of labour; In article 3., is a tax on accumulation, at least in certain commodities; In article 4., is a tax on purchases and sales; In article 5., is one sort of poll tax; In article 6., is another.

There are two primary qualities desirable in a system of taxation; and in them every thing is included.

The First is, to take from the people the smallest quantity possible of their annual produce.

The Second is, to take from them that which is taken with the smallest possible hurt or uneasiness.

> I. Of taking from the people more than enough of the matter of wealth, the causes are two; 1st. When the government consumes beyond the smallest amount sufficient to obtain the services which it yields; 2d. When the collection of the taxes themselves costs more than the lowest sum at which, without sacrificing greater advantages, it is capable of being performed.
> II. Of the hurt and uneasiness, beyond the loss of what is taken away, which a system of taxation is liable to produce, the causes seem to be; 1. Uncertainty; 2. Inequality; 3. Impediment to production;
> 4. Injury to the good qualities, bodily or mental, of the people.



Of the first head and its subdivisions, no illustration is necessary; and a few words will suffice for the second.

> 1. Uncertainty may arise from two sources; 1. Uncertainty in the meaning of the words, by which the tax is defined; 2. Uncertainty in the circumstances upon which the amount of the tax is made to depend; as if it were made to depend upon the weather, or the state of a man's health. Uncertainty in the meaning of the words opens a door to oppression and fraud, on the part of the collector. He will exact the largest sum consistent with the words, if he is not bribed; the lowest, if he is. Uncertainty, from whatever source, is a cause of uneasiness. The mind is continually haunted with the idea of the worst, and with all the fears which attend it; fears, often very great and tormenting. As often as a source of chicanery is opened about the amount which the contributor should pay, a source of extortion is opened, and a source of oppression, necessary to effect the extortion.
> 2. Of the unequal partition of taxes, the necessary consequence is, a greater quantity of suffering, than the same amount of taxes would produce, if more equally imposed; because the pain of the man who pays too much is out of all proportion greater than the pleasure of the man who pays too little. To make the burthen of taxes equal, it should be made to press with equal severity

upon every individual. This is not effected by a mere numerical proportion. The man who is taxed to the amount of one tenth, and still more the man who is taxed to the amount of one fifth or one half, of an income of 100*l.* per annum, is taxed far more severely, than the man who is taxed to an equal proportion of an income of 1000*l.*
and to a prodigious degree more severely than the man who is taxed to an equal proportion of 10,000*l.* per annum.



3. On the mischievousness of all taxes which impede production, it is needless to enlarge. It is only necessary to make them known, or rather acknowledged. 1. Of this sort, are all taxes which take away any part of that property which has been already employed, as capital; because there is always more or less of difficulty in replacing it from the fund destined for immediate consumption. 2. Of this sort also are all taxes which create any encouragement whatsoever, or any discouragement whatsoever, to any particular employment of capital in respect to other employments; for as capital is always carried by a strong impulse to that employment which is the most productive, every thing which turns it out of the course which it would take of its own accord, turns so much of it out of a more, into a less productive channel.
4. That all taxes ought to be shunned which tend to lessen the amount of useful qualities in the people, will not be contradicted. Taxes upon medicines have a tendency to diminish health and strength. Taxes upon innocent amusements, as the sports of the field, have a tendency to drive the people to others that are hurtful. Taxes upon articles of consumption not hurtful, which have a tendency to supplant others that are, as tea and sugar to supplant intoxicating liquors, prompt to the consumption of the hurtful. Taxes upon law proceedings are a premium upon the practice of every species of iniquity. Lotteries are a direct encouragement to a habit of mind, with which no useful tendency can easily coexist. And all taxes, of which the quantity due is not clear and certain, train the people, by continual practice, to a state of hardened perfection in mendacity, fraud, and perjury.



1. In the above list of the sacred ordinances concerning taxes, the first relates entirely to the tax on the produce of the soil. It offends against the rule of *certainty* to a high degree. The amount varies as one to one half; and the variation is made to depend upon circumstances the uncertainty of which opens a boundless field to all the wretched arts of chicanery and fraud on the part of the people, and all the evils of oppression on the part of the collectors. As the determination of the circumstances on which the amount of the assessment depends belongs of course, in such a state of society as that of the Hindus, to the agents of the treasury, a free career is afforded to all the baneful operations of favour and disfavour, of bribery and corruption. Whenever an option is granted between a less exaction and a greater, the violent propensity of all imperfect governments to excess in expense is sure in time to establish the greater. It would appear accordingly that a sixth part of the produce became the uniform tax in Hindustan; and that the indulgence in favour of the barren soils was extinguished. This is the state in which it

was found by the Mohammedan conquerors.1 And in Sacontala,2 the king is described, at a much earlier period, as “that man whose revenue arises from a sixth part of his people's income.” The source of variation and uncertainty from these causes was prodigiously enlarged by the power reserved to the king, of taking even a fourth of the crops, in times of distress. As he was himself the judge of these times of necessity, we may believe that they were of pretty frequent occurrence.



2. In the second of these fiscal ordinances, a variety of products are enumerated, which, in a rude age, are either the spontaneous produce of the soil, as flowers, roots, grass; or obtained from the spontaneous produce, by some very simple process; as perfumes and medical substances, by expression; flesh-meat and honey, by killing the animals which produce them; and these, as costing little in point of labour, are all taxed at the highest rate imposed upon grain. By one of those capricious arrangements which abound in the institutions of a rude people, utensils made of leather, cane, earth, and stone, in the production of which labour is the principal agent, are placed under the same exaction as the spontaneous productions of the soil. The consequence must have been to render these commodities proportionably dear.In the execution of this ordinance, there must have been excessive uncertainty, and excessive expense. What is meant by “the annual increase?” The “annual produce of trees” is an absurd expression: Trees grow not by the year. What shall be said of such expressions, as “the annual produce,” of “clarified butter,” “of flesh-meat,” “of flowers?” These are not commodities, which continue accumulating, till the amount of the annual produce is seen entire at the end of the year: but commodities daily brought into existence and daily consumed. To collect the tax upon such commodities, a daily visit in every family would hardly suffice. In the execution of this ordinance, the temptation to the incessant practice of all the arts of fraud, on the part of the people, and the powers of oppression bestowed upon the collectors, were well calculated to fill society with immorality and suffering.



3. In the third of the above ordinances are enumerated the principal classes of moveables known to the Hindus. It seems to be the addition made in any year to the previous stock, and not the previous stock itself, of which one fiftieth is taken in the way of tax. In a society, full of knowledge and industry, this would have been a tax upon capital, and therefore mischievous: in Hindustan, where gold, silver, and gems, were most commonly hoarded, and not devoted to production, it would not have been easy to find a less objectionable tax. Unless in a state of society rapidly progressive, or a state in which there is excessive fluctuation of fortunes, that is, excessive misery, it would be a very unproductive tax.

4. In the words of the fourth ordinance is described a tax on all purchases and sales. The circumstances on which the amount is made to depend are so uncertain, as to constitute a great seminary of fraud on the one hand, and a great office of oppression on the other. The tax is also hurtful to production, by impeding circulation; that is, the passage of property from a situation in which it is less, to one in which it is more useful. The mode in which, at least in modern times, it was chiefly raised, that of transit duties, multiplied to excess, obstructed all that encouragement to industry which is afforded by the

interchange of commodities, not only between different countries, but one province and another of the same country. As often as property which has been, and is to be, employed as capital, is bought and sold, it is a tax upon capital.

5. A poll tax, when paid in money, or any other common measure of value, is chiefly objectionable on account of its inequality; as the same sum is a very different burthen to different persons.

6. A poll tax paid in labour is somewhat less objectionable in point of equality, though the same portion of his time may be a much greater burthen upon one man than it is upon another. It is chiefly objectionable on account of the loss of time, and of property, which it occasions to those who have it to pay. In a well-ordered society, accordingly, where every man's time and labour are disposed of to the best advantage, it has no place.



Some of these ordinances are modified, or the words rendered a little more precise, in the Gentoo Code translated by Mr. Halhed. The following are examples. If a man purchase goods in his own country, and sell them again there, one tenth of his profit goes to the magistrate. If the purchase took place in a foreign kingdom, and the sale in his own, one twentieth only is the share of the magistrate.[1] If a man, having purchased flowers, or roots, as ginger, radishes, and the like, or honey, or grass, or firewood, from another kingdom, sells them in his own, the magistrate is entitled to one sixth of his profits.[2] What was the reason of severe exaction in such cases does not appear. Rude times give not reasons. In the days of Menu these taxes appear to have been much more moderate; a fiftieth of mercantile profits being the ordinary, and a twentieth the extraordinary tax.

In this system of taxation, other sources are of small importance; the revenue of the sovereign arises almost wholly from the artificial produce of the land. To understand in what manner the people of Hindustan were affected by taxation, the circumstances of this impost are all that require to be very minutely explored.



The tenure of land in Hindustan has been the source of violent controversies among the servants of the Company; and between them and other Europeans. They first sprung up amid the disputes between Mr. Hastings and Mr. Francis, respecting the best mode of taxing Bengal. And they have been carried on with great warmth, and sometimes with great acrimony, ever since. Of these controversies the account will be due, at the periods when they occur. At present it will suffice to bring to light the circumstances which appear to ascertain the ancient state of the country, in respect to the distribution of property in the land.

In a state of society resembling our own, in which property is secure, and involves very extensive rights or privileges, the affections which it excites are so strong, and give such a force to the associations, by which the idea of it is compacted and formed, that in minds of little range, whose habits are blind and obstinate, the particulars combined together under the idea of property appear to be connected by nature, and not, without extreme injustice, to be made to exist apart.

At different times, however, very different rights and advantages are included under the idea of property. At very early periods of society it included very few: originally, nothing more perhaps than use during occupancy, the commodity being liable to be taken by another, the moment it was relinquished by the hand which held it: but one privilege is added to another as society advances: and it is not till a considerable progress has been made in civilization, that the right of property involves all the powers which are ultimately bestowed upon it.

It is hardly necessary to add, that the different combinations of benefits which are included under the idea of property, at different periods of society, are all equally arbitrary; that they are not the offspring of nature, but the creatures of will; determined, and chosen by the society, as that arrangement with regard to useful objects, which is, or is pretended to be, the best for all.



It is worthy of remark, that property in moveables was established; and that it conveyed most of the powers which are at any time assigned to it; while, as yet, property in land had no existence. So long as men continue to derive their subsistence from hunting; so long, indeed, as they continue to derive it from their flocks and herds, the land is enjoyed in common. Even when they begin to derive it partly from the ground, though the man who has cultivated a field is regarded as possessing in it a property till he has reaped his crop, he has no better title to it than another for the succeeding year.[1]

In prosecuting the advantages which are found to spring from the newly-invented method of deriving the means of subsistence from the ground, experience in time discovers, that much obstruction is created by restricting the right of ownership to a single year; and that food would be provided in greater abundance, if, by a greater permanence, men were encouraged to a more careful cultivation. To make, however, that belong to one man, which formerly belonged to all, is a change, to which men do not easily reconcile their minds. In a thing of so much importance as the land, the change is a great revolution. To overcome the popular resistance, that expedient which appears to have been the most generally successful, is, to vest the sovereign, as the representative of the society, with that property in the land which belongs to the society; and the sovereign parcels it out to individuals, with all those powers of ownership, which are regarded as most favourable to the extraction from the land of those benefits which it is calculated to yield. When a sovereign takes possession of a country by conquest, he naturally appropriates to himself all the benefits, which the ideas of his soldiers permit.



In many of the rude parts of Africa, the property of the land is understood to reside in the sovereign; it is in the shape of a donation from him, that individuals are allowed to cultivate; and when the son, as is generally the case, succeeds to the father, it is only by a prolongation of the royal bounty, which, in some places at least, is not obtained without a formal solicitation.[1] It is known, that in Egypt the king was the sole proprietor of the land; and one-fifth

of the produce appears to have been yielded to him as revenue or rent.1 Throughout the Ottoman dominions, the Sultan claims to himself the sole property in land.2 The same has undoubtedly been the situation of Persia, both in ancient and modern times.3 "It is established," says the late intelligent Governor of Java, "from every source of inquiry, that the sovereign in Java is the lord of the soil."4 And when the fact is established in regard to Java, it is established with regard to all that part of the eastern islands, which in point of manners and civilization resembled Java. It is not disputed that in China the whole property of the soil is vested in the Emperor.1 By the laws of the Welsh, in the ninth century, all the land of the kingdom was declared to belong to the king;2 and we may safely, says Mr. Turner, believe, that the same law prevailed while the Britons occupied the whole island.3



To those who contemplate the prevalence of this institution, among nations contiguous to the Hindus, and resembling them in the state of civilization, it cannot appear surprising, that among them, too, the sovereign was the lord of the soil. The fact is, indeed, very forcibly implied, in many of the ancient laws and institutions. "Of old hoards," says one of the ordinances of Menu, "and precious minerals in the earth, the king is entitled to half by reason of his general protection, and because he is the supreme lord of the soil."4 The king, as proprietor, and as fully entitled to an equitable return for the land which he has let, is empowered to punish the cultivator for bad cultivation. "If land be injured, by the fault of the farmer himself, as if he fails to sow it in due time, he shall be fined ten times as much as the king's share of the crop, that might otherwise have been raised; but only five times as much, if it was the fault of his servants without his knowledge."1 Among other ancient memorials of Hindu institutions and manners, are certain inscriptions engraved on durable materials. Some of them are records of grants of land, commonly to favourite Brahmens; and they afford strong indication of the proprietary rights of the sovereign. The sovereign gives away villages and lands, not empty, but already occupied by cultivators, and paying rent.2 It appears from an ordinance of Yagyawalcya, one of the most sacred of the law sages, that the kings alienated the lands within their dominions, in the same manner, and by the same title, as they alienated any portion of their revenues.3 On this point, it is of material importance to remark, that up to the time, when the interests of the Company's servants led them to raise a controversy about the rights of the Zemindars, every European visitor, without one exception that I have found, agrees in the opinion, that the sovereign was the owner of the soil.1



Wherever the Hindus have remained under the influence of their ancient customs and laws, the facts correspond with the inference which would be drawn from these laws. Under the direction of the Governor-General of Bengal, a journey was undertaken, in the year 1766, by Mr. Motte, to the diamond mines in the province of Orissa. In a narrative of his journey, he gives an account of the distribution of the land at Sumbhulpoor, which till that time had remained under the native government. Each village being rated to the government at a certain quantity

of rice, which is paid in kind, the land is thus divided among the inhabitants: To every man, as soon as he arrives at the proper age, is granted such a quantity of arable land as is estimated to produce 242 1/8 measures of rice, of which he must pay 60 3/8 measures, or about one-fourth to the rajah or king. Mr. Motte adds; "The reserved rent of three or four villages, being one-fourth the produce of the land, is applied to the use of the rajah's household. The reserved rent of the rest is given to his relations or principal servants, who by these means have all the inhabitants dependent on them."[1] Dr. Buchanan gives a particular account of the manner in which the crop, in those parts of India which are most purely Hindu, is divided between the inhabitants and the government. In Bengal it is not allowed to be cut down till the rent or tax is first paid: but in those countries to which his journey principally relates, it is the custom, after the grain has been thrashed out in the field, to collect it into heaps, and then to divide it. A heap generally consists of about 110 Winchester bushels, of which he presents the following distribution as a specimen of the partition which is usually made. For the gods, that is, for the priests at their temples, are deducted five seers, containing about one-third of a Winchester gallon each; for charity, or for the mendicant Brahmens, an equal quantity; for the astrologer and the Brahmen of the village, one seer each; for the barber, the potmaker, the washerman, and the Vasaradava, who is both carpenter and blacksmith, two seers each; for the measurer, four seers; for the Aduca, a kind of beadle, seven seers; for the village chief, eight seers, out of which he has to furnish the village sacrifices; and for the accomptant, ten seers. All these perquisites are the same, whatever be the size of the heap beyond a measure of about twenty-five Winchester bushels. When these allowances are withdrawn the heap is measured; and for every candaca which it contains, a measure equal to 5 1/20 Winchester bushels, there is again deducted half a seer to the village watchmen, two and a half seers to the accomptant, as much to the chief of the village; and the bottom of the heap, about an inch thick, mixed with the cow-dung which in order to purify it had been spread on the ground, is given to the Nirgunty, or conductor of water. These several deductions, on a heap of twenty candacas, or 110 Winchester bushels, amount to about 5 1/4 per cent. on the gross produce. Of the remainder, 10 per cent. is paid to the collectors of the revenue, as their wages or hire; and the heap is last of all divided into halves between the king and the cultivator.[1]



From these facts only one conclusion can be drawn, that the property of the soil resided in the sovereign; for if it did not reside in him, it will be impossible to show to whom it belonged. The cultivators were left a bare compensation, often not so much as a bare compensation, for the labour and cost of cultivation: they got the benefit of their labour: all the benefit of the land went to the king.[2]



Upon the state of facts, in those places where the present practices of the Hindus have not been forced into a disconformity with their ancient institutions, the fullest light has been thrown, by those servants of the Company, who made the inquiries requisite for the introduction of a regular system of finance, into the extensive regions in the south of India added to the British dominions during the administrations of the Marquisses Cornwallis and Wellesley. Place, Munro, Thackeray, Hodgson, were happily men of talents; sufficiently enlightened to see the things which were before them with their naked eyes; and not

through the mist of English anticipations. From the reports of these meritorious gentlemen, presented to their superiors, the Committee of the House of Commons, which inquired into East India affairs in 1810, have drawn the following as a general picture: "A village, geographically considered, is a tract of country, comprising some hundreds, or thousands, of acres of arable and waste land. Politically viewed, it resembles a corporation, or township. Its proper establishment of officers and servants consists of the following descriptions: The
*Potail*, or head inhabitant, who has the general superintendance of the affairs of the village, settles the disputes of the inhabitants, attends to the police, and performs the duty of collecting the revenues within his village: The *Curnum*, who keeps the accounts of cultivation, and registers every thing connected with it: The *Tallier* and *Totie;* the duty of the former appearing to consist in a wider and more enlarged sphere of action, in gaining information of crimes and offences, and in escorting and protecting persons travelling from one village to another; the province of the latter appearing to be more immediately confined to the village, consisting, among other duties, in guarding the crops, and assisting in measuring them: The *Boundaryman*, who preserves the limits of the village or gives evidence respecting them in cases of dispute: The *Superintendant of water courses and tanks*, who distributes the water for the purposes of agriculture: The *Brahmen*, who performs the village worship: The *Schoolmaster*, who is seen teaching the children in the villages to read and write in the sand: The *Calendar Brahmen*, or astrologer, who proclaims the lucky, or unpropitious periods for sowing and thrashing: The *Smith*, and *Carpenter*, who manufacture the implements of agriculture, and build the dwelling of the ryot: The *Potman* or potter: The *Washerman:* The *Barber:* The *Cow-keeper*, who looks after the cattle: The *Doctor:* The *Dancing Girl*, who attends at rejoicings; The *Musician*, and the *Poet*.



"Under this simple form of municipal government, the inhabitants of the country have lived, from time immemorial. The boundaries of the villages have been seldom altered: and though the villages themselves have been sometimes injured, and even desolated, by war, famine, and disease, the same name, the same limits, the same interests, and even the same families, have continued for ages. The inhabitants give themselves no trouble about the
breaking up and division of kingdoms; while the village remains entire, they care not to what power it is transferred, or to what sovereign it devolves; its internal economy remains unchanged; the Potail is still the head inhabitant, and still acts as the petty judge and magistrate, and collector or renter of the village."[1]



These villages appear to have been not only a sort of small republic, but to have enjoyed to a great degree the community of goods. Mr. Place, the collector in the jaghire district at Madras, informs us, that "Every village considers itself a distinct society; and its general concerns the sole object of the inhabitants at large: a practice," he adds, "which surely redounds as much to the public good as to theirs; each having, in some way or other, the assistance of the rest; the labours of all yield the rent; they enjoy the profit, proportionate to their original interest, and the loss falls light. It consists exactly with the principles upon which the advantages are derived from the

division of labour; one man goes to market, whilst the rest attend to the cultivation and the harvest; each has his particular occupation assigned to him, and insensibly labours for all. Another practice very frequently prevails, of each proprietor changing his lands every year. It is found in some of the richest villages; and intended, I imagine, to obviate that inequality to which a fixed distribution would be liable."[1]



The state of taxation is described by the same committee, in the following terms: "By the custom of the Hindu government, the cultivators were entitled to one half of the paddy produce (that is, grain in the husk) depending on the periodical rains. Of the crops from the dry grain lands, watered by artificial means, the share of the cultivator was about two thirds. Before the harvest commenced, the quantity of the crop was ascertained, in the presence of the inhabitants and village servants, by the survey of persons, unconnected with the village, who, from habit, were particularly skilful and expert, in judging of the amount of the produce, and who, in the adjustment of this business, were materially aided by a reference to the produce of former years, as recorded by the accountants of the villages. The quantity which belonged to the government being thus ascertained, it was received in kind, or in money." Of garden produce, of which the culture was more difficult, a smaller portion was taken; because, if field culture was taxed as much as it could bear, it seems to have been supposed that garden culture, at an equal rate of taxation, could not have been carried on.

"Such," continue the committee, "were the rights of the ryots, according to the ancient usage of the country. In consequence, however, of the changes introduced by the Mahomedan conquest, and the many abuses which later times had established, the share really enjoyed by the ryots was often reduced to a sixth, and but seldom exceeded a fifth. The assessments had no bounds but those which limited the supposed ability of the husbandman. The effects of this unjust system were considerably augmented by the custom, which had become common with the Zemindars, of sub-renting their lands to farmers, whom they armed with unrestricted powers of collection, and who were thus enabled to disregard, whenever it suited their purpose, the engagements they entered into with the ryots; besides practising every species of oppression, which an unfeeling motive of self-interest could suggest. If they agreed with the cultivators at the commencement of the year, for a rent in money, and the season proved an abundant one, they then insisted on receiving their dues in kind. When they did take their rents in specie, they hardly ever failed to collect a part of them before the harvest time had arrived and the crops were cut; which reduced the ryots to the necessity of borrowing from money lenders, at a heavy interest of 3, 4, and 5 per cent. per month, the sums requisite to make good the anticipated payments that were demanded of them. If, from calamity or other cause, the ryots were the least remiss in the discharge of their rents, the officers of the renters were instantly quartered upon them; and these officers they were obliged to maintain, until they might be recalled on the demand being satisfied. It was also a frequent practice with the renters to remove the inhabitants from fertile lands, in order to bestow them on their friends and favourites; and to oblige the ryots to assist them, where they happened to be farmers, in the tilling of their lands; and to furnish them gratuitously

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with labourers, bullocks, carts, and straw."[1]



The two terms, Ryot and Zemindar, introduced into this passage, are of frequent recurrence in the history of India, and require to be explained. By ryots, are always denoted the husbandmen; the immediate cultivators of the ground. The Persian term Zemindar, introduced by the Mahomedan conquerors, was in Bengal, and certain other parts of India, the name of a certain sort of middleman, between the cultivator who raised the crop, and the king who received the greater part of the net produce. Into the controversy respecting the nature of the interest which the Zemindar possessed in the land with respect to which he performed his function of middle-man, I shall not at present enter. Another occasion will present itself for the examination of that subject. It is here sufficient to say, that in districts, sometimes of greater, sometimes of less extent, a person, under the title of Zemindar, received the share of the produce, which was exacted from the ryot; either by himself, or the persons to whom he farmed the receipts; and paid it over to the sovereign, reserving a prescribed portion to himself. The Zemindar was thus, whatever else he might be, the collector of the revenue, for the district to which he belonged. As the receipt of revenue, in a rude state of government, is a business most dear to the governors, the Zemindar, in order the better to secure this favourite end, was vested with a great share of the powers of government. He was allowed the use of a military force; the police of the district was placed in his hands; and he was vested with the civil branch of judicature. When his district was
large, he was a sort of a petty prince. In various places of India, however, the collection of the revenue had never become fixed and hereditary, in the hands of an individual, and the business was transacted between the immediate cultivators, and a man who possessed none but the characteristics of an immediate officer of government.



The committee say, that a rate of taxation much more severe than that which existed under the Hindu governments was introduced by the Mohamedan rulers, and amid the abuses of modern times. For this opinion they have no authority whatsoever. It is, therefore, a mere prejudice. The rate which they mention goes far beyond the scale of the ancient ordinances: And what reason is there to believe that the ancient Hindu governments did not, as the Mohamedan, levy assessments to the utmost limits of the supposed ability of the ryots? In those parts of India which Europeans have found still remaining under Hindu governments, the state of the people is worse, if there is any difference, than where they have been subject to the Mohamedan sway.

The rate established in the ancient ordinances has been regarded as evidence of mild taxation, that is, of good government. It only proves that agriculture was in its earliest, and most unproductive state; and though it paid little, could not afford to pay any more.[1] We may assume it as a principle, in which there is no room for mistake, that a government constituted and circumstanced as that of the Hindus had only one limit to its exactions, the nonexistence
of any thing further to take. Another thing is certain, that under any state of cultivation, but the very worst, if the whole except a sixth of the produce of a soil, so rich as that of Hindustan, had been left with the

cultivator, he must have had the means of acquiring wealth, and of attaining rank and consequence; but these it is well ascertained that the ryots in India never enjoyed.[1]

Notwithstanding these proofs that the ownership in the land was reserved to the king, this conclusion has been disputed, in favour, 1st, of the Zemindars, and 2dly, of the Ryots. The question with regard to the Zemindars may be reserved till that period of the history, when it was agitated for the sake of practical proceedings on the part of the government. The question with regard to the Ryots belongs peculiarly to this part of the work.

The circumstances, which appear to have misled the intelligent Europeans who have misinterpreted this part of the Hindu institutions, are two; first, the tenure of the ryot or husbandman; and secondly, the humane and honourable anxiety, lest the interests and the happiness of the most numerous class of the population should be sacrificed, if the sovereign were acknowledged as owner of the soil.

But, if this acknowledgment were ever so complete, it is inconsistent neither with the tenure which is claimed in favour of the ryots, nor with the means of their prosperity and happiness. And it it were, the acknowledgment of its previous existence would be no bar to a preferable arrangement; since the sovereign
can have a right to nothing which is injurious to his people.



In a situation in which the revenue of the sovereign was increased in proportion to the number of cultivators, and in which a great proportion of the land continued void of cultivators, there would be a competition, not of cultivators for the land, but of the land for cultivators. If a ryot cultivated a piece of ground, and punctually paid his assessment, the sovereign would be far from any wish to remove him, because it would be difficult to supply his place. If the ryot sold the ground to another ryot, or left it to a successor, that is, put another in his place who would fulfil the wishes of the sovereign, he, whose source of fear was the want of a cultivator, had still cause for satisfaction; and seldom, if ever, interfered.

By custom, the possession of the ryot became, in this manner, a permanent possession; whence he was not removed except when he failed to pay his assessment or rent; a possession which he could sell during his life; or leave by inheritance when he died. As far as rights can be established by prescription, these rights were established in India in favour of the ryots. And no violation of property is more flagrant than that by which the tenure of the ryot is annulled.

But, according even to European ideas, a right to cultivate the land under these, and still greater advantages, is not understood to transfer the ownership of the land. The great estates in Ireland, for example, let under leases perpetually renewable, are vendible and inheritable by the leaseholders, without affecting the ownership of their lords; subject, moreover, to a very important restriction, from which the sovereigns in India were free;[1] the lords of such estates cannot raise their rents at pleasure; the sovereigns
in India enjoyed this privilege, and abused it to excess. The sovereigns in India had not only the ownership, but all the

benefit of the land; the ryots had merely the privilege of employing their labour always upon the same soil, and of transferring that privilege to some other person; the sovereign claimed a right to as much of the produce as he pleased, and seldom left to the ryots more than a very scanty reward for their labour.

That ownership in the land justified this extent of exaction, or implies a valid title to any power at variance with the interests of the ryots, is an erroneous inference. Without violating its obligations to the people, a government cannot spend any sum, beyond what is strictly necessary for the performance of the services, which it is destined to render: and it is justified in taking even this sum exclusively from the cultivators of the land, only if that is the mode in which all the qualities desirable in a financial system are the most completely realized.

Those who contend for the privileges of the ryots would no doubt observe, that in this mode of interpretation, we reduce the ownership of the sovereign to an empty name; and that to the admission of it, thus understood, they see nothing to object. The controversy is then at a close. The ownership of the sovereign in the soil, wherever it exists, is, by the principles which constitute the very foundation of government, reduced to the limits above described. And it is no less certain, that all which is valuable in the soil, after the deduction of what is due to the sovereign, belongs of incontestable right to the Indian husbandman.[1]

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The Hindu mode of raising the revenue of the state, wholly, or almost wholly, by taking as much as necessary of the rent of the land, while it is the obvious expedient which first presents itself to the rudest minds, has no inconsiderable recommendation from science itself. Previous to allotment, the productive powers of the soil are the joint property of the community; and hence are a fund peculiarly adapted to the joint or common purposes and demands. If the whole of what is strictly rent were taken away, the application of labour and capital to the land would resemble the application of labour and capital to wood or iron; and the same principles, in both cases, would determine their reward.

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But as the expense required for the services of government exceeds not a very small portion of the rent of the land, unless where the quantity is very minute, the greatest possible benefit is derived from the productive powers of the soil, when it is the property of individuals. The benefits of the soil have, accordingly, over the greater part of the globe, been employed, first, to supply in whole, or for the greater part, the necessities of government, next to enrich the individual occupant. The most remarkable exception to this rule is in modern Europe. After the conquests of the Gothic nations, the land was thrown in great portions into the hands of the leading men; and they had power to make the taxes fall where they chose; they took care accordingly that they should fall any where rather than upon the land; that is, upon any body rather than themselves. Further, as their influence over the sovereign made him glad to share with them what he derived from the taxes, they not only threw the burden off their own shoulders, but taxed, as they have continued to do, and

sometimes in a progressive ratio, to the present hour, the rest of the community for their benefit.

The objections to the Hindu system of providing for the expenses of government, arise rather from the mode, than the essence.

By aiming at the receipt of a prescribed portion of the crop of each year; and with a very imperfect distinction of the lands of different powers, the Hindus incurred most of the evils which a bad method of raising a tax is liable to produce. They rendered the amount of the tax always uncertain, and its pressure very unequal; they rendered necessary a perfect host of tax-gatherers; and opened a boundless inlet to partiality and oppression on the one hand; to fraud and mendacity on the other. A tax, consisting of any portion of the gross produce of the soil, raises the price of that produce; because the tax raised from the poorest of the cultivated land must be returned, along with the expense of cultivation, in the exchangeable value of its produce. In this manner a tax is levied upon the consumers of corn, which surpasses the sum paid to the government, and enriches the owners of the best land at the expense of the community.[1]



An expensive mode of raising the taxes is a natural effect of a rude state of society. We are informed by Sully, that the receipt into the French exchequer, in the year 1598, was only thirteen millions of French money; while the sum, dragged out of the pockets of the people, was 150 millions. “The thing appeared incredible,” says the statesman: “but by the due degree of labour, I made the truth of it certain.”[2] The proportion was doubtless greater in Hindustan.

Receiving the taxes in kind was a practice which ensured a prodigious expense, and a waste, by which nobody gained. Scarcely any other mode seems to have been known to the Hindus in the time of their ancient institutions; and to a great degree it continued down to the latest period of their history.[1] How rude and inconvenient soever this practice must be regarded; we find several nations, who make a considerable figure in the history of the world, who have not in this respect advanced beyond the Hindus. It may not surprise any one, that taxes were raised in kind in the ancient empire of Mexico.[2] The greater part, though not the whole, were raised in the same manner, in Persia, even in the time of Darius Hystaspes;[3] and the mixture, at least, whatever the proportion, continues to the present day.[4] The whole revenue of China, with the exception of some trifling articles, is paid in kind.[1]

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# CHAP. VI.

Religion.

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It is difficult to determine whether the constitution of the government and the provisions of law, or Religion, have, among the Hindus, the greatest influence upon the lives of individuals, and the operations of society. Beside the causes which usually give superstition a powerful sway in ignorant and credulous ages, the order of priests obtained a greater authority in India than in any other region of the globe; and this again they employed with astonishing success in multiplying and corroborating the ideas on which their power and consequence depended. Every thing in Hindustan was transacted by the Deity. The laws were promulgated, the people were classified, the government was established, by the Divine Being. The astonishing exploits of the Divinity were endless in that sacred land. For every stage of life from the cradle to the grave; for every hour of the day; for every function of nature; for every social transaction, God prescribed a number of religious observances. And meditation upon his incomprehensible attributes, as it was by far the most difficult of all human operations, so was it that glorious occupation which alone prepared the intense votary for the participation of the Divine nature.

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Of so extensive and complicated a subject, as the religion of the Hindus, a very general view can alone be taken here. All that is interesting to the politician and the philosopher, may, however, it is presumed, be confined within a moderate space. The task is rendered difficult by the unparalleled vagueness which marks the language of the Brahmens respecting the nature of the gods, the vast multiplicity of their fictions, and the endless discrepancy of their ideas. Hence it is, that no coherent system of belief seems capable of being extracted from their wild eulogies and legends; and if he who attempts to study their religion is disposed, like themselves, to build his faith on his imagination, he meets with little obstruction from the stubborn precision of Hindu expressions and tenets.

Nothing is more curious than to trace the ideas concerning Divine power which the natural faculties of our race suggest to them at the various stages of their career. In the very rude and imperfect state in which society originated, the human mind can hardly so far enlarge its views as to draw conclusions respecting the universe. Those operations and events of nature, which more immediately concern mankind, and on which their happiness and misery depend, no doubt engage their eager curiosity. The causes of light and darkness, of drought and rain, of the thunder, of the hurricane, of the earthquake, suggest many an anxious inquiry; but to put all the objects of nature, and all the changes which they undergo, into one group of ideas, and to ask whence did the whole proceed, seems to be an operation too complicated, and too far removed from the ordinary track of his ideas, to be one of the first that takes place in the mind of a barbarian.

With regard to that other class of questions, which more easily occur to him, his nature very readily suggests an answer. Prior to experience and instruction, there is a propensity in the imagination to endow
with life whatever we behold in motion; or, in general, whatever appears to be the cause of any event. A child beats the inanimate object, by which it has been hurt, and caresses that by which it has been gratified. The sun, which is the cause of day, the savage regards as a beneficent deity. A spirit resides in the storm; the woods and the waters are peopled with divinities; there is a god of plenty, and a god of want; a god of war, and a god of peace; a god of health, and a god of sickness. That this may be considered as a correct outline of the first religion which is suggested to the human mind, the laws of human nature, and the ideas which are found to prevail among rude tribes, appear sufficiently to evince.



But men are not long in making another step in their religious progress. Having made for themselves a theory with respect to the cause of the *events* which affect them, the origin too of the *things* which they perceive attracts their curiosity; and from asking the cause, first of one great object, and then of another, they come at last to put the general question, what is the cause and origin of the whole? There are very few, therefore, even among the most barbarous nations, who have not made an attempt to account for the origin of the universe, and in whose religious ideas some species of cosmogony is not involved. But, in answering the question respecting the origin of the universe, it is impossible that men should not be guided by their previous ideas. It follows, that among the divinities, whom they already adored, He, whom they regarded as the most powerful, should be selected as the Maker of the world. Were they placed in circumstances of tolerable tranquillity, this potent God would probably be the sun; were they a people almost constantly plunged in the horrors of war, the god of arms would naturally be their chief divinity. Hence we see that in many nations of Asia, who at an early period seem to have been placed in favourable circumstances, the sun was supreme among the gods, and the great principle of the universe; among the turbulent and warlike tribes who inhabited the north of Europe, Odin, the god of war, was the supreme deity, and author of all things.



The Hindus had made considerable progress beyond the first and lowest stage of human society. It seems common, however, to retain for a long time the ideas which are then implanted; and, rather than eradicate the old to make of them a heterogeneous compound with the new. The Greeks and the Romans did not reject their Jupiter, and Mars, their gods of the mountains, trees, and rivers, when they rose to more comprehensive views of the universe; they only endeavoured to accommodate to these primary conceptions their new apprehensions and conclusions. In like manner, the Hindus have still their Indra, or the god of the firmament, Varuna, or the god of the waters, Rembha, the goddess of love; in the whole, a long and splendid catalogue of thirtythree crore.[1]

We have translations from the Hindu books of several passages containing accounts of the creation.[2]
They differ from one another very widely in the minor forms and circumstances; but strongly resemble in the general character,

and in the principal ideas. That contained in the sacred volume which bears the name of Menu may be taken as a standard, being more full and circumstantial than any of those which are given us from the Vedas; derived from a work of equal authority with the Vedas themselves, and exhibiting, as drawn up at a later period, the improvement, if any, which the ideas of the people had acquired. It is all vagueness and darkness, incoherence, inconsistency, and confusion. It is one of the most extravagant of all specimens of discourse without ideas. The fearless propensity of a rude mind to guess where it does not know, never exhibited itself in more fantastic and senseless forms.1

Beside accounts of what creation was, we have accounts of the mode in which the Hindu divinity performed the creation. If a man possessing refined and exalted notions of the Divine Nature were to describe the great work of creation, he would have the clearest conviction of his own incompetence; and, as Moses, he would attempt no more than by a few strokes to convey an idea of the magnitude of the task, and of the power and wisdom of him who performed it. If far removed from this degree of knowledge and reflection, he will enter without hesitation upon a minute and detailed description both of the plan, and of its execution. If, however, the society in which he lives has attained any considerable improvement, the process which he conceives will indicate some portion of human wisdom; will, at least, be such as an instructed member of that society, had he infinite power imparted to him, would devise for himself. On the other hand, if a description of the creation presents no idea but what is fantastic, wild, and irrational; if it includes not even a portion of that design and contrivance which appear in the ordinary works of man; if it carries the common analogies of production, in animal and vegetable life, to the production of the universe, we cannot be mistaken in ascribing it to a people, whose ideas of the Divine Being were grovelling.



“The self-existing power,” says Menu, “having willed to produce various beings, first with a thought created the waters.” This is not a despicable conception: but what succeeds? “He placed in these waters a productive seed.” This is one of those analogies to the growth of a plant or an animal which are generally the foundation of the cosmogony of a rude people. What next? The seed becomes an egg; which is a very extraordinary product; a wonderful course, too, for the self-existing power to follow in the formation of the universe. The other steps are not less amazing. In this egg the divine being deposited himself, and there he lay, in a state of inactivity, a whole year of the Creator, that is, according to the Hindus, 1,555,200,000,000 solar years of mortals.1 At the end of this astonishing period he caused by his thought the egg to divide itself, and was himself born in the form of Brahma, the great forefather of all spirits;1 thus, “from That-Which-is, the first cause, was produced the divine male, famed in all worlds, under the appellation of Brahma.”2 This is celebrated in Hindu books as the great transformation of the Divine Being, from neuter to masculine, for the purpose of creating worlds; and under this masculine form of Brahma it was that he effected the rest of creation. The Hindus believe that he was engaged in it for no less than 17,064,000 years.3 Of the two divisions of the egg from which he had just been freed, he framed the heaven above, the earth beneath, and in the midst the subtle ether, the eight regions, and the permanent receptacle of waters. The creation of mind is next described; but this will be more conveniently considered when we come to

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appreciate the notions of the Hindus in relation to thought. The creation however of man, or at least of the Hindus, is worthy of our particular regard. “That the human race might be multiplied, He caused the Brahmen to proceed from his mouth, the Cshatriya from his arm, the Vaisya from his thigh, and the Sudra from his foot.” The analogy of ordinary descent is again the foundation of this fantastic imagination; and the Hindu could picture to himself the production of a human being, even by the Deity, only in the way of a species of birth. This analogy leads to a still more extravagant conceit for the creation of other races of men, and living creatures. As if “The Mighty
Power” could not produce them by his male virtue alone, “He divided his own substance, and became half male, half female. By this female the male half produced Viraj, a demigod and saint; Viraj, by the virtue of austere devotion, produced Menu, another demigod and saint.” Menu again, “desirous,” he says, “of giving birth to a race of men,” produced ten lords of created beings; and these lords produced at his command “seven other Menus, and deities, and the mansions of deities, and great sages, and also benevolent genii, and fierce giants, blood-thirsty savages, heavenly quiristers, nymphs and demons, huge serpents and snakes of smaller size, birds of mighty wing, and separate companions of Pitris or progenitors of mankind; lightnings and thunderbolts, clouds and coloured bows of Indra, falling meteors, earthrending vapours, comets, and luminaries of various degrees; horse-faced sylvans, apes, fish, and a variety of birds, tame cattle, deer, men, and ravenous beasts with two rows of teeth; small and large reptiles, moths, lice, fleas, and common flies, with every biting gnat, and immoveable substances of distinct sorts. Thus was this whole assemblage of moveable and stationary bodies framed by those high-minded beings.”[1]



But in the Hindu books we find applied to the Divinity a great variety of expressions, so elevated, that they cannot be surpassed even by those of the men who entertain the most sublime ideas of the Divine Nature. In the passage immediately quoted from Menu, he is described as the sole self-existing power, the soul of all beings, he whom the mind alone can perceive, who exists from eternity, and whom no being can comprehend. In a passage from the Brahmanda Purana, translated by Mr. Wilford, he is denominated; “The great God, the great Omnipotent, Omniscient one, the greatest in the World, the great Lord who goes through all worlds, incapable of decay.”[1] In a prayer, translated by Mr. Colebrooke, from one of the Vedas, he is called, “the pure Brahme, whom none can apprehend as an object of perception, above, around, or in the midst; the God who pervades all regions, the first-born; he, prior to whom nothing was born; who became all beings, himself the Lord of creatures; he, who made the fluid sky and solid earth, who fixed the solar orb and celestial abode, whom heaven and earth mentally contemplate; the mysterious Being, in whom the universe perpetually exists, resting on that sole support; in whom this world is absorbed, from whom it issues.”[2] Without multiplying instances, it may shortly be stated that human language does not supply more lofty epithets of praise than are occasionally addressed to their deities by the Hindus.

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To form a true estimate of the religion of this people, it is necessary by reflection to ascertain, what those expressions in the mouth of a Brahmen really mean. We shall

incur the risk of completely deceiving ourselves, if, with the experience how naturally vague and general expressions, especially in such abstract and mental subjects, convey the most different ideas, to people in different stages of society, we take the lofty expressions of devotion in Hindu books, as full and satisfactory evidence of lofty conceptions of the Divine Nature. It is well ascertained that nations, who have the lowest and meanest ideas of the Divine Being, may yet apply to him the most sounding epithets by which perfection can be expressed.

In tracing the progress of natural religion, through the different stages of intellectual acquirement, a very important fact is discovered; that language, on this subject, has a much greater tendency to improve, than ideas. It is well known how vile and degrading were the notions of the Divine Nature presented in the fictions of the Greek poets; insomuch that Plato deemed them unfit to be read;1 yet the Brahmens themselves do not surpass the Greek poets in elevated expressions concerning the Deity. Orpheus, early and rude as is the period to which his poetry relates, thus describes the celestial King; "Jupiter, the sovereign; Jupiter, the original parent of all things; and Wisdom, the first procreator; and all-delighting Love: For in the mighty frame of Jupiter all are contained: One power, one godhead: He is the great Regent of all."2 Cæsar informs us that the Druids among the ancient Gauls delivered many doctrines concerning the nature of the universe, and the powers of the immortal gods;1 and it is remarkable that the Greeks and the Romans were forcibly struck with the similarity between the ideas of the Druids, and those of the Brahmens of India, the Magi of Persia, the Chaldeans of Assyria, and the priests of Egypt.2 The creed of the ancient Germans, as we are informed by Tacitus, was, "that God is the Ruler of all: other things are to him subject and obedient."3 In the ancient Scandinavian mythology, the Supreme God was described, as, "The author of every thing that existeth; the eternal, the ancient, the living and awful Being, the searcher into concealed things; the Being that never changeth."4 On the statue of the Egyptian goddess Isis was this inscription; "I am every thing past, every thing present, and every thing to come."5 The Deity was described by Zoroaster as "The First, the Incorruptible, the Eternal, without generation, without dissolution, without a parallel, the charioteer of all which is good, inaccessible to bribes, the best of the good, the wisest of the wise."6 The Getes asserted their deity Zamolxis to be the true God, that besides him there was none other, and that to him they went after death, being endowed with spirits immortal.7 Even the rude tribes of America, wandering naked in the woods, "appear," says Robertson, "to acknowledge a Divine Power to be the maker of the world, and the disposer of all events. They denominate him the Great Spirit."1 Thus it appears how commonly the loftiest *expressions* are used concerning the gods, by people whose *conceptions* of them are, confessedly, mean.2



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This important fact, however remarkable, is founded on principles of very powerful operation in the nature of man. The timid barbarian, who is agitated by fears respecting the unknown events of nature, feels the most incessant and eager desire to propitiate the Being on whom he believes them to depend. His mind works, with laborious solicitude, to discover the best means of recommending himself. He

naturally takes counsel from his own sentiments and feelings; and as nothing to his rude breast is more delightful than adulation, he is led by a species of instinct to expect the favour of his god from praise and flattery. In an uncultivated mind, how strong this sentiment is, a very superficial knowledge of human nature may convince us. Mr. Foster, in his Travels over land from India, was overtaken by a storm in the Caspian Sea; and remarks that during the danger "every man was imploring the Divine interposition in his own manner and language." "But my attention," says he, "was chiefly attracted by a Persian. His ejaculations were loud and fervent; and the whole force of his prayers was levelled at Ali; on whom he bestowed every title that could denote sanctity or military prowess. He
called on him, by the name of the Friend of God; the Lord of the Faithful; the Brandisher of the invincible sword; to look down on his servant, and shield him from the impending evil. Thinking also to obtain the more grace with the father, he would occasionally launch out into the praises of his two sons."[1]



When the belief is once admitted that the Deity is pleased with panegyric, it is evident to what length the agitated and ignorant votary will speedily be carried. Whatever may be the phrases with which he begins; in a short time, the ardour of his fears incites him to invent new and stronger; as likely to prove more agreeable and prevalent. Even these, by a short use, become familiar to his mind. When they begin to be stale and feeble, he is again prompted to a new invention, and to more violent exaggerations.

Exhausting quickly the powers of his language, he has other expedients in store. The god, on whom his eulogies have been lavished, is that one, among the invisible powers, on whom his interests seem more immediately to depend: This deity is at first panegyrised on account of those operations alone which belong to his own department: The sun is originally applauded only as the Regent of day: the bountiful giver of light, and of all its attendant blessings! But when panegyric on this subject is exhausted, the unwearied adorer opens a new fountain of adulation: The operations of some divinity, whose department most nearly resembles that of the favourite deity, affords some circumstance which, it is imagined, might do honour to that patron god: It is accordingly, as a very artful expedient, immediately detracted from the one, and ascribed to the other: No sooner is the novelty of this new attribute decayed, than the prerogative of some other divinity is invaded,
and the great object of worship is invested with a new power or function of nature: This, it is evident, is a fertile discovery: The votary has many articles to add to his list of powers and functions, before he exhausts the provinces of the whole of the gods. He proceeds incessantly, however; adding to the works and dominions of the great divinity one province after another, till at last he bestows upon him the power and functions of all the gods. He is now the supreme deity, and all the rest are subordinate. He is the king of the celestial powers; or, what is still more sublime, their author or father; He from whom their very being and powers are derived. They still, however, retain their ancient departments: and he who was god of the winds remains the god of the winds: he who was god of the waters remains god of the waters. But they are no longer independant deities; they have now a superior, and are regarded in the light of his ministers or agents.

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The ingenuity of fear and desire sometimes invents a higher strain of flattery still. The power, which is delegated to so many extraordinary beings, is regarded as a deduction from that which might otherwise be wielded by the supreme. And happy is the man, who first imagines he can inform the Divinity, that no such division and diminution of his power exist: That those supposed agents or ministers are not in reality beings endowed with the powers of the Almighty; that they are those powers themselves; the different modes in which he manifests himself. After this, he is the one God He is all in all: From him every thing begins, in him every thing terminates: He unites all possible attributes: Like time, he has no beginning and shall have no end: All power belongs to him, all wisdom, and all virtue. Such is the progress of the language, not of knowledge and cultivated reason, but of the rude and selfish passions of a barbarian; and all these high and sounding epithets are invented by men whose ideas of the divine nature are mean, ridiculous, gross, and disgusting.



Some of the most enlightened of the Europeans who have made inquiries concerning the ideas and institutions of the Hindus, have been induced, from the lofty epithets occasionally applied to the gods, to believe and to assert that this people had a refined and elevated religion. Nothing is more certain than that such language is far from being proof of such a religion. Yet ingenious men, from whom we have largely derived instruction, appear to have thought that no other proof was requisite; and, as on this evidence they adopted the opinion themselves, thought that others ought to receive it on the same foundation.[1]

Since the language employed by any people is a very fallacious test of the ideas which they entertain concerning the Divine Nature, it is necessary to investigate the circumstances, in their religious practice or belief, which enable us in any degree to define their vague expressions. Those circumstances are few; but their evidence determinate. They are the operations ascribed to the Divinity, the services reputed agreeable to him, and the laws which he is understood to have ordained. If these correspond with the ideas of infinite power, wisdom, and goodness, we may believe with certainty that the sublime language is the expression of corresponding conceptions; on the other hand, where those operations, services, and laws, are in the highest degree unworthy of a perfect nature, we may be fully assured, that the sublime language is altogether without a meaning, the effect of flattery, and the meanest of passions; and that it is directly suggested, not by the most lofty, but by the most grovelling and base, ideas of the Divine Nature.



Of the host of Hindu Divinities, Brahma, Vishnu, and Siva are the most exalted. Other nations have most frequently carried on the applause of *one* favourite deity, till they bestowed upon him alone all power in heaven and earth: The Hindus have distributed the creation and government of the universe among those three, denominating Brahma the creator, Vishnu the preserver, and Siva the destroyer.



Of the highest scene of operation in which the Divine Being can be contemplated by mortals, the creation of the universe, the conception, formed by the Hindus, is so far

from corresponding with high and noble ideas of the creating power, that it is consistent only with the meanest. This itself is a criterion of a religious system from which there is no appeal.

Of the peculiar functions of Vishnu and Siva no determinate conception appears to have been formed. They are two beings of mighty power, by whom great actions are performed; but there is no distinct separation of their provinces. Whenever indeed we seek to ascertain the definite and precise ideas of the Hindus in religion, the subject eludes our grasp. All is loose, vague, wavering, obscure, and inconsistent. Their expressions point at one time to one meaning, and another time to another meaning;[1] and their wild fictions, to use the language of Mr. Hume, seem rather the playsome whimsies of monkeys in human shape, than the serious asseverations of a being who dignifies himself with the name of rational.[2] Vishnu is not unfrequently employed in the acts which properly belong only to a destructive power; and Siva is so far from answering to the title bestowed upon him, that he is a divinity hardly less beneficent than Vishnu himself.



In the conception which the Hindus have formed of the government of the world, the visible agency of the Deity is peculiarly required. “I have passed,” says the preserving God, “many births. Although I am not in my nature subject to birth or decay, and am the lord of all created beings, yet having command over my own nature, I am made evident by my own power; and as often as there is a decline of virtue, and an insurrection of vice and injustice in the world, I make myself evident; and thus I appear from age to age, for the preservation of the just, the destruction of the wicked, and the establishment of virtue.”[1] “Aty Sechen himself,” says another sacred book, “all knowing as he is, could not number the metamorphoses and different forms under which Vishnu has appeared for the salvation of the universe.”[2] Such are the Hindu ideas of the manner in which the power of the Divine Being is exerted in the government of the universe.

Of these visible appearances or incarnations of the divinity, ten, known in the Hindu mythology under the name of avatars, are peculiarly distinguished. The first, which is denominated the avatar of the fish, is thus described.[3] At the close of the last calpa, there was a general destruction, occasioned by the sleep of Brahma; his creatures in different worlds being drowned in a vast ocean. The strong demon Hagyagriva came near him and stole the Vedas, which had flowed from his lips. When the preserver of the universe discovered this deed, he took the shape of a minute fish, called sap’hari. A holy king named Satyavrata then reigned. One day, as he was making a libation in the river Critamala, the little fish said to him, How canst thou leave me in this river water, when I am too weak to resist the monsters of the stream who fill me with dread? Satyavrata placed it under his protection in a small vase full of water; but in a single night its bulk was so increased, that it could not be contained in the jar, and thus again addressed the prince: I am not pleased with living in this little vase; make me a large mansion where I may dwell in comfort. The king successively placed it in a cistern, in a pool, and in a lake, for each of which it speedily grew too large, and supplicated for a more spacious place of abode; after which he threw it into the sea, when the fish again addressed him: Here

the horned sharks and other monsters of great strength will devour me; thou shouldest not, O valiant man, leave me in this ocean. Thus repeatedly deluded by the fish, who had addressed him with gentle words, the king said, Who art thou that beguilest me in that assumed shape. Never before have I seen or heard of so prodigious an inhabitant of the waters, who like thee has filled up, in a single day, a lake 100 leagues in circumference. Surely thou art the great God whose dwelling was on the waves. Salutation and praise to thee, O first male, the lord of creation, of preservation, of destruction! Thou art the highest object, O supreme ruler, of us thy adorers, who piously seek thee. All thy delusive descents in this world give existence to various beings; yet I am anxious to know for what cause that shape has been assumed by thee. The lord of the universe, loving the pious man, and intending to preserve him from the sea of destruction, caused by the depravity of the age, thus told him how he was to act: In seven days from the present time, O thou tamer of enemies, the three worlds will be plunged in an ocean of death; but in the midst of the destroying waves, a large vessel, sent by me for thy use, shall stand before thee. Then shalt thou take all medicinal herbs, all the variety of seeds; and, accompanied by seven saints, encircled by pairs of all brute animals, thou shalt enter the spacious ark, and continue in it secure from the flood on one immense ocean, without light except the radiance of thy companions. When the ship shall be agitated by an impetuous wind, thou shalt fasten it with a large sea serpent on my horn; for I will be near thee, drawing the vessel with thee and thy attendants. Thus instructed, the pious king waited humbly for the appointed time. The sea, overwhelming its shores, deluged the whole earth; and it was soon perceived to be augmented by showers from immense clouds. He, still meditating on the divine command, and conforming to the divine directions, entered the ship; when the god appeared again distinctly on the vast ocean in the form of a fish, blazing like gold, extending a million of leagues, with one stupendous horn, on which the king, as he had before been commanded, tied the ship with a cable made of a vast serpent. Afterwards the god, rising, together with Brahma, from the destructive deluge, which was abated, slew the demon Hagyagriva.



Such are the operations in the government of the universe which the religious ideas of the Hindus lead them to ascribe to the divine Being. The second appearance or avatar of the Preserver is of the same character, and suggested by similar views. Hirinacheren, a malignant and destructive giant, who delighted in afflicting the earth, at last rolled it up into a shapeless mass, and plunged down with it into the abyss. On this occasion there issued from the side of Brahma, a being shaped like a boar, white and exceedingly small, which in the space of one hour grew to the size of an elephant of the largest magnitude, and remained in the air. This being, Brahma discovered to be Vishnu, who had assumed a body and become visible. Suddenly it uttered a sound like the loudest thunder, and the echo reverberated, and shook all the corners of the universe. Shaking the full-flowing mane which hung down his neck on both sides, and erecting the humid hairs of his body, he proudly displayed his two most exceedingly white tusks: then rolling round his wine-coloured eyes, and erecting his tail, he descended from the region of the air, and plunged head foremost into the water. The whole body of water was convulsed by the motion, and began to rise in waves, while the guardian spirit of the sea, being terrified, began to

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tremble for his domain, and cry out for quarter and mercy. At length, the power of the omnipotent having divided the water, and arriving at the bottom, he saw the earth lying, a mighty and barren stratum; then he took up the ponderous globe (freed from the water) and raised it high on his tusk: one would say it was a beautiful lotos blossoming on the tip of his tusk. In a moment, with one leap, coming to the surface, by the all-directing power of the Omnipotent Creator, he spread it, like a carpet, on the face of the water, and then vanished from the sight of Brahma.1

Of the third avatar we have so particular and remarkable a description, that it merits uncommon regard.1 The soors, a species of angels, and all the glorious host of heaven, sat on the summit of Mount Meru, a fictitious mountain, highly celebrated in the books of the Hindus, meditating the discovery of the Amreeta, that is, being translated, the water of immortality: when Narayan2 said unto Brahma, Let the ocean, as a pot of milk, be churned by the united labour of the soors and asoors; and when the mighty waters have been stirred up, the Amreeta shall be found. A great mountain, named Mandar, was the instrument with which the operation was to be performed; but the dews3 being unable to remove it, they had recourse to Vishnu and Brahma. By their direction, the king of the serpents lifted up that sovereign of mountains, with all its forests and inhabitants; and the soors and asoors having obtained permission of the king of the tortoises, it was placed for support on his back, in the midst of the ocean. Then the soors and asoors, using the serpent Vasookee for the rope, the asoors pulling by the head, and the soors by the tail, began to churn the ocean;4 while there issued from the mouth of the serpent, a continued stream of fire, and smoke, and wind; and the roaring of the ocean,



violently agitated with the whirling of the mountain, was like the bellowing of a mighty cloud. Meanwhile a violent conflagration was raised on the mountain, by the concussion of its trees and other substances, and quenched by a shower which the lord of the firmament poured down; whence an heterogeneous stream of the concocted juices of various trees and plants, ran down into the briny flood. It was from this milk-like stream, produced from those juices, and a mixture of melted gold, that the soors obtained their immortality. The waters of the ocean being now assimilated with those juices, were converted into milk, and a species of butter was produced, when the churning powers became fatigued; but Narayan endued them with fresh strength, and they proceeded with great ardour to stir that butter of the ocean. First, arose from it the moon; next, Sree, the goddess of fortune; then the goddess of wine, and the white horse, Oochisrava; afterwards the jewel kowstoobh; the tree of plenty; and the cow that granted every heart's desire. Then the dew Dhanwantaree, in human shape, came forth, holding in his hand a white vessel filled with the immortal juice, amreeta; which, when the asoors beheld, they raised their tumultuous voices, and each of them clamorously exclaimed, This of right is mine! But as they continued to churn the ocean more than enough, a deadly poison issued from its bed, confounding the three regions of the world with its mortal stench, until Siva, at the word of Brahma, swallowed the fatal drug to save mankind. In the mean while a violent jealousy and hatred, on account of the amreeta, and the goddess Sree, sprung up in the bosoms of the asoors. But Narayan, assuming the form of a beautiful female, stood before them, whose minds becoming fascinated by her presence, and deprived of reason, they seized the amreeta and

gave it unto her. But a dreadful battle arose between the soors and asoors, in which Narayan, quitting the female figure, assisted the soors. The elements and powers of nature were thrown into confusion by the conflict; but with the mighty aid of Narayan, and his weapon chacra, which of itself, unguided even by a hand, performed miraculous exploits, the soors obtained the victory, and the mountain Mandar was carried back to its former station. The soors guarded the amreeta with great care; and the god of the firmament, with all his immortal hands, gave the water of life unto Narayan, to keep it for their use. This was the third manifestation of the Almighty, in the preservation and government of the world.



The fourth I shall describe with greater brevity. Hirinacheren, the gigantic ruler, who rolled up the earth, and plunged with it to the bottom of the abyss, left a younger brother Hirinakassup, who succeeded him in his kingdom, and refused to do homage to Vishnu, but persecuted his own son, who was an ardent votary of that god. I, said he, am lord of all this visible world. The son replied, that Vishnu had no fixed abode, but was present every where. Is he, said his father, in that pillar? Then let him come forth; and rising from his seat, he struck the pillar with his foot; upon which Vishnu, bursting from it, with a body like a man, but a head like a lion, tore Hirinakassup in pieces, and placed his son upon the throne.1

In the fifth, the sixth, and the seventh avatars, the Preserving Power appeared in human shapes for the destruction of impious and ferocious kings, performing many heroic and many miraculous deeds. But, after the examples which have already been given, a particular description of these extravagant legends would poorly compensate the toil of a perusal. The eighth, however, is one of the most celebrated of all the incarnations of Vishnu. He was born the son of Vasudeva and Devaci, of the royal family of Cansa, and obtained the name of Crishna. But as it had been predicted to Cansa, that one born of those parents would occasion his destruction, whence he had decreed the death of all their children, Crishna was secretly withdrawn, and brought up in the family of a shepherd or herdsman. Many and wonderful were the transactions of his childhood, in which the wanton pranks of the mischievous, but amiable boy, are not less distinguished, than the miraculous exploits of the god. When he grew up to youth, the indulgence of licentious love was his great occupation and enjoyment. It is a small part of the picture which I can, or which I need, to expose to view. The scenes with the young shepherdesses are painted by the Hindus in all the glowing colours of oriental poetry. A passage from a hymn, or divine song, translated by Sir William Jones, is in the following words: “With a garland of wild flowers, descending even to the yellow mantle that girds his azure limbs, distinguished by smiling cheeks, and by earrings that sparkle as he plays, Heri1 exults in the assemblage of amorous damsels. One of them presses him with her swelling breast, while she warbles with exquisite melody. Another, affected by a glance from his eye, stands meditating on the lotos of his face. A third, on pretence of whispering a secret in his ear, approaches his temples and kisses them with ardour. One seizes his mantle, and draws him towards her, pointing to the bower on the banks of Yamuna, where elegant vanjulahs interweave their branches. He applauds another who dances in the sportive circle, whilst her bracelets ring, as she beats time with her

palms. Now he caresses one, and kisses another, smiling on a third with complacency; and now he chases her whose beauty has most allured him. Thus the wanton Heri frolics, in the season of sweets, among the maids of Vraja, who rush to his embraces, as if he were pleasure itself assuming a human form; and one of them, under a pretext of hymning his divine perfections, whispers in his ear: Thy lips, my beloved, are nectar."1 I shall select but another instance, which is from the translation before us of the Bhagavat. "Crishna, finding himself on the banks of the Yamuna,2 began to play on his pastoral flute. All the shepherdesses, filled with desire, ran in crowds to hear his enchanting sounds. Crishna, beholding them burning with desire, informed them, that it was contrary to the order established in the world, to quit their houses to seek the embraces of a lover. He added that their families might thus, if their husbands were jealous, be thrown into disorder, and disgrace come upon themselves. He advised them accordingly to return. The women replied, that their passion, it was true, were it for an ordinary man, would be criminal; but desiring to unite themselves with the absolute master of all things, they could not believe that such an impulse was any other than meritorious. In regard to their husbands, they could have no rights which tended to the exclusion of God. Crishna, who saw



the innocence of their hearts, graciously gave them entire satisfaction; and by a miracle continually renewed, in all that multitude of women, each was convinced that she alone enjoyed the Deity, and that he never quitted her an instant for the embraces of another."1 "Crishna," says Sir William Jones, "continues to this hour the darling god of the Indian women. The sect of Hindus," he adds, "who adore him with enthusiastic and almost exclusive devotion, have broached a doctrine which they maintain with eagerness, and which seems general in these provinces;2 that he was distinct from all the avatars, who had only a portion of his divinity; while Crishna was the person of Vishnu himself in a human form."3 "At a more advanced age," continues Sir William, "he put to death his cruel enemy, Cansa; and having taken under his protection the king Yudhisht'hir and the other Pandus, who had been grievously oppressed by the Curus, and their tyrannical chief, he kindled the war described in the great epic poem, entitled the Mahabharat, at the prosperous conclusion of which he returned to his heavenly seat in Vaicont'ha, having left the instructions comprised in the Gita with his disconsolate friend Arjoon."4 He was afterwards slain, being wounded by an arrow in the foot.1



The ninth incarnation of Vishnu, and the last, yet vouchsafed, of the Divine appearances, was in the person of Buddha. The object of this avatar is described in the following verse of a Hindu poet: "Thou blamest, Oh wonderful, the whole Veda, when thou seest, O kind-hearted, the slaughter of cattle prescribed for sacrifice, O Cesava,2 assuming the body of Buddha. Be victorious, O Heri,3 lord of the universe!"4 But though Buddha is by the Hindus, regarded as a manifestation of the Divine Being, the sect of Buddhists are regarded as heretical, and are persecuted by the Brahmens. It is conjectured that, at one time, a great number of them had been compelled to fly from the country, and spread their tenets in various directions.5 The religion of Buddha is now found to prevail over the greater part of the East; in Ceylon, in the farther peninsula, in Thibet, in China, and even as far as Japan.1 "The tenth avatar," says Sir William Jones, "we are told is yet to come, and is expected to appear mounted (like the

crowned conqueror in the Apocalypse) on a white horse, with a cimeter blazing like a comet, to mow down all incorrigible and impenitent offenders who shall then be on earth."2

It will require the addition of but a few passages more of this wild mythology, to convey a satisfactory idea of the actions and qualities which the Hindus ascribe to their supreme deities. "It is related," says Mr. Wilford,3 "in the Scanda,4 that when the whole earth was covered with water, and Vishnu lay extended asleep in the bosom of Devi,5 a lotos arose from his navel. Brahma sprang from that flower, and looking round without seeing any creature on the boundless expanse, imagined himself to be the first-born, and entitled to rank above all future beings. Resolving, however, by investigation, more fully to satisfy himself, he glided down the stalk of the lotos, and finding Vishnu asleep, asked loudly who he was. I am the first-born, answered Vishnu,
waking: and as Brahma contradicted him, they had an obstinate battle, till Mahadeva, or Siva, pressed between them in great wrath, saying, It is I who am truly the first-born: but I will resign my pretensions to either of you who shall be able to reach and behold the summit of my head, or the soles of my feet. Brahma instantly ascended; but having fatigued himself to no purpose in the regions of immensity, yet loth to abandon his claim, he returned to Mahadeva, and declared that he had attained the crown of his head, calling, as his witness, the first born cow. For this union of pride and falsehood, the angry god ordained, that no sacred rites should be performed to Brahma. When Vishnu returned, he acknowledged that he had not been able to see the feet of Mahadeva, confessed him to be the first-born among the gods, and entitled to rank above them all."



After a passage such as this, who would expect to find the following? "The patriarch Atterien retired into a forest, and there performed rigorous devotion, having for his nourishment nothing but the wind, and being exposed to all the injuries of the atmosphere. One day he addressed his vows to the Eternal in these words: O thou who hast created, and who preservest the universe; O thou by whom it is destroyed; give me the knowledge of thyself, and grant me the vision of thee! Then a fire issuing from the crown of the votary's head, made all the gods tremble, and they had recourse to Vishnu, to Siva, and to Brahma. Those three divinities, completely armed and mounted, accompanied by Lacshmi, Guenga, and Seraswati, their wives, presented themselves before the saint. Prostrating himself, Atterien worshipped them, and uttered the following words: O you three Lords, know that I recognise only one God: inform me which of you is the true divinity, that I may address to him alone my vows and adorations! To this supplication the three Gods replied; Learn, O devotee, that there is no real distinction between us: what to you appears such is only by semblance: the Single Being appears under three forms; by the acts of creation, of preservation, and destruction: but he is One."1 Yet this "Single" Being, this One God, is thus again represented, a few pages after, in the same Purana: "Even Brahma, finding himself alone with his daughter, who was full of charms and knowledge, conceived for her a criminal passion."2 Thus are we taught by the Hindus themselves to interpret the lofty phrases which the spirit of exaggeration and flattery so frequently puts into their mouths.

Of the First-born, Mahadeva, or the One, Eternal God, under one of his forms, we have the following sacred story. He was playing one day at dice with Parvati,3 when they quarrelled, and parted in wrath to different regions. They severally performed rigid acts of devotion, but the fires which they kindled blazed so vehemently as to threaten a general conflagration. The devas,4 in great alarm, hastened to Brahma, who led them to Mahadeva, and supplicated him to recall his consort; but the wrathful deity only answered, that she must come by her own free choice. They accordingly dispatched Ganga, the river goddess, who prevailed on Parvati to return to him, on condition that his love for her should be restored. The celestial mediators then employed Camadeva,5 who wounded Siva with one of his flowery arrows; but the angry divinity reduced him to ashes with a flame from his eye. Parvati soon after presented herself before him in the form of a Cirati, or daughter of a mountaineer, and seeing him enamoured of her, resumed her own shape.1 Of the various passages of a similar nature presented to us in the history of this God, I shall content myself with another, extracted by Mr. Wilford from the Scanda Purana. "There had subsisted," says he,2 "for a long time, some animosity between Brahma and Mahadeva in their mortal shapes; and the latter, on account of his bad conduct, which is fully described in the Puranas, had it appears given much uneasiness to Swayambhuva, and Satarupa. For he was libidinous, going about stark-naked, with a large club in his hand. Be this as it may, Mahadeva, who was the eldest, saw his claim as such totally disregarded, and Brahma set up in his room. This intrusion the latter wanted to support; but made use of such lies as provoked Mahadeva to such a point, that he cut off one of his heads in his divine form." Such are the ideas which the Hindus entertain of the actions and character of their supreme deities; on whom, notwithstanding, they lavish all the most lofty epithets of divinity which human language can supply.



This theology affords a remarkable instance of that progress in exaggeration and flattery which I have described as the genius of rude religion. As the Hindus, instead of selecting one god, to whom they assigned all power in heaven and in earth, distributed the creation and administration of the universe among three divinities, they divided themselves into sects; and some attached themselves more particularly to one deity, some to another.1



Presently the usual consequence appeared. Whichever of the three gods any votary selected for his peculiar patron, he expected to perform to him one of the most agreeable of all possible services, by representing him as superior to the other two. This we find to have been the practice, invariably, and enthusiastically. In a passage from the Scanda Purana, one of the sacred books in honour of Siva, we have seen by what legends his votaries endeavour to elevate him above Brahma, and Vishnu; while he cuts off the head of the one for contesting with him the supremacy, and has it expressly yielded up to him by the other. It is not, however, sufficient that the favourite god should be only superior to the rest; whatever honour is derived from their actions, that too must be claimed for him; and he is asserted to be himself the author of all their achievements.

A still higher strain of flattery succeeds. Not only must he absorb their actions, it is accounted still nobler if he can be asserted to absorb even themselves; if Siva, for example, can be affirmed, not only to be Siva, and to be at once creator, preserver, and destroyer, but can be declared to be Brahma, Vishnu, and Siva themselves. Beyond even this, a step remains. In the same manner as he absorbs the gods, he is finally made to absorb every thing. He is asserted to be the universe itself. He is then all in



all. We shall find this process pursued with the Hindu divinities, one after another. In another sacred book,[1] dedicated to Siva, that god is made to declare, "I have always been, and I always am, and I always will be. There is no second of whom I can say that I am he, and that he is I. I am the within of all the withins. I am in all surfaces. Whatever is I am; and whatever is not I am. I am Brahma; and I am also Brahme; and I am the causing cause. Whatever is in the east I am; and whatever is in the west I am; and whatever is in the south I am; and whatever is in the north I am. Whatever is below I am; and whatever is above I am. I am man, and not man, and woman. I am the truth; I am the ox; and I am all other animated beings. I am more ancient than all. I am the king of kings. And I am in all the great qualities. I am the perfect being. Whatever has been, Rudra[2] is; and whatever is he is; and whatever shall be he is. Rudra is life, and is death; and is the past, present, and future; and is all worlds."[3] But if the votaries of Siva, with exaggerating devotion, thus infinitely exalt him above all; the same, or, if possible, still greater honours, do the adorers of Vishnu lavish upon that divinity. "Let it not be thought," says the Bhagavat, "that Vishnu is only one of the three divinities, or triple powers. Know that he is the principle of all. It is he who created the universe by his productive power; it is he who supports all by his preserving power; it is he, in fine, who destroys all by his destructive power. He creates under the form of Brahma, and destroys under



that of Siva. The productive power is more excellent than the destructive, and the preserving more excellent than the productive. To the name of Vishnu, therefore, is attached the pre-eminence, since the title of preserver or saviour is peculiarly attributed to him."[1] In the Bhagvat-Geeta, Crishna is thus addressed; "O mighty being! who, greater than Brahma, art the prime creator! eternal god of gods! the world's mansion! thou art the incorruptible being distinct from all things transient! Thou art before all gods, and the supreme supporter of the universe! Thou knowest all things! By thee, O infinite form! the universe was spread abroad. Thou art Vayoo the god of winds, Agnee the god of fire, Varoon the god of oceans, Sasanka the moon, Prajapatee the god of nations! Reverence be unto thee before and behind, reverence be unto thee on all sides, O thou who art all in all! Infinite is thy power and thy glory! Thou includest all things, wherefore thou art all things."[2] In a Sanscrit inscription taken from a stone



at Buddha Gaya, Buddha is thus addressed; "Reverence be unto thee, O god, in the form of the god of mercy; the lord of all things, the guardian of the universe. Thou art Brahma, Vishnu, and Mahesa.[1] Thou art lord of the universe! Thou art, under the proper form of all things, moveable and immoveable, the possessor of the whole!"[2]

Among the numerous expressions of panegyric and adoration which the Hindus apply to their divinities, none seem to have made a deeper impression upon some of the

most intelligent of our English inquirers, than the epithet One. This has so far prevailed as to impress them with a belief that the Hindus had a refined conception of the unity of the Divine Nature. Yet it seems very clear that the use of such an epithet is but a natural link in that chain of unmeaning panegyric which distinguishes the religion of ignorant men. When one divinity has been made to engross the powers of all the rest, it is the necessary termination of this piece of flattery, to denominate him The One. Oriental scholars ought moreover to have reflected that *one* is an epithet of very common, and vague application in the languages of Asia; and is by no means a foundation whereon to infer among the Hindus any conception analogous to that which we denote by the term unity of God. The translation of the Institutes of Menu affords us a very satisfactory example; "Then only is a man perfect when he consists of three persons united, his wife, himself, and his son; and thus have learned Brahmens announced this—the husband is even One with his wife."3 Yet surely no unity of being was supposed in this triune person, *a man, his wife, and his son*. Ad, we are informed by Macrobius, was among the Assyrians a word which signified *one*, and was a name conferred by them upon their chief divinity.1 The Babylonians applied it to their principal goddess.2 The god Rimmon, as we learn from the Bible, had the same epithet.3 Mr. Bryant says it was a sacred title among all the Eastern nations, and originally conferred upon the sun.4 Even the Greek poets, who have never been suspected of refined notions of the unity of God, employ it to profusion. It is applied to Jupiter, to Pluto, to the sun, to Dionysius.5 All the gods are affirmed to be one.6 "One power," says the Orphic poetry, "one divinity, Jupiter is the great ruler of all."7 Plutarch informs us that Apollo was frequently denominated the *monad*, or the Only One;8 and from the emperor Julian we learn, that the people of Edessa had a god whom they called Monimus, a word of the same interpretation.9 Few nations shall we find without a knowledge of the unity of the Divine Nature, if we take such expressions of it as abound in the Hindu writings for satisfactory evidence. By this token Mr. Park found it among the savages of Africa.1





In pursuance of the same persuasion, ingenious authors have laid hold of the term Brahme, or Brahm, the neuter of Brahma, the masculine name of the creator.2 This they have represented as the peculiar appellation of the one god; Brahma, Vishnu, and Siva, being only names of the particular modes of divine action. But this supposition (for it is nothing more) involves the most enormous inconsistency; as if the Hindus possessed refined notions of the unity of God, and could yet conceive his modes of action to be truly set forth in the characters of Brahma, Vishnu, and Siva; as if the same people could at once be so enlightened as to form a sublime conception of the Divine nature, and yet so stupid as to make a distinction between the character of God and his modes of action. The parts of the Hindu writings, however, which are already before us, completely refute this gratuitous notion, and prove that Brahme is a mere unmeaning epithet of praise, applied to various gods; and no more indicative of refined notions of the unity, or any perfection of the Divine Nature, than other parts of their panegyrical devotions. We have already beheld Siva decorated with this title.1 Vishnu is denominated the supreme Brahme in the Bhagvat-Geeta.2 Nay, we find this Brahme, the great, the

eternal One, the supreme soul, employed in rather a subordinate capacity. "The Great Brahm," says Chrishna, "is my womb. In it I place my fœtus; and from it is the production of all nature. The great Brahm is the womb of all those various forms which are conceived in every natural womb, and I am the father who soweth the seed."[1] In one of the morning prayers of the Brahmens, cited from the Vedas by Mr. Colebrooke, water is denominated Brahme.[1] "The sun," says Yajnyawalcya, "is Brahme; this is a certain truth revealed in the sacred Upanishats, and in various sac'has of the Vedas. So the Bhawishya Purana, speaking of the sun: Because there is none greater than he, nor has been nor will be, therefore he is celebrated as the supreme soul in all the Vedas."[2] Air, too, receives the appellation of Brahme. Thus, says a passage in the Veda; "That which moves in the atmosphere is air, *Brahme*.[3] Thus again; "Salutation unto thee, O air! Even thou art Brahme, present to our apprehension. Thee I will call, 'present Brahme:' thee I will name, 'the right one:' thee I will pronounce, 'the true one.' May that Brahme, the universal being entitled air, preserve me."[4] Food too is denominated Brahme; so is breath, and intellect, and felicity.[5] Nay, it is affirmed, as part of the Hindu belief, that man himself may become Brahme; thus in the Bhagvat-Geeta Crishna declares: "A man being endowed with a purified understanding, having humbled his spirit by resolution, and abandoned the objects of the organs; who hath freed himself from passion and dislike, who worshippeth with discrimination, eateth with moderation, and is humble of speech, of body, and of mind; who preferreth the devotion of meditation, and who constantly placeth his confidence in dispassion; who is freed from ostentation, tyrannic strength, vain glory, lust, anger, and avarice; and who is exempt from selfishness, and in all things temperate, is formed for being Brahm."[1]







Such are the proofs on which the opinion has been adopted that sublime principles run through the religion of the Brahmens.[2] I know no supposition which can be employed to reconcile the inconsistencies, and to remove the absurdities, which we have found this opinion to involve, unless it be assumed that the legends of the Hindus are all allegorical; and though, in their literal interpretation, they may be altogether unworthy of a perfect being, that yet a recondite and enigmatical meaning may be extorted from them, which will tally with the sublime hypothesis it is wished to entertain. Undoubtedly, if we assume to ourselves the licence of giving to the Hindu mythology a meaning to suit our own views, we may form out of it not only a sublime theology, but a sublime philosophy, or any thing we please. It might, however, have been imagined that the futility, the absurdity, of these arbitrary interpretations had been too well exposed to allow them to mislead such men as some of the advocates for the allegorical sense of the Hindu scriptures. The latter Platonists, and other refiners upon the mythology of Greece and Rome, drew from it a pure system of theology, by the very same process which is adopted and recommended in regard to the fables of the Hindus. "Without a tedious detail," says Mr. Gibbon, "the modern reader could not form a just idea of the strange allusions, the forced etymologies, the solemn trifling, and the impenetrable obscurity of these sages, who professed to reveal

the system of the universe. As the traditions of Pagan mythology were variously related, the sacred interpreters were at liberty to select the most convenient circumstances; and as they translated an arbitrary cipher, they could extract from *any* fable *any* sense which was adapted to their favourite system of religion and philosophy. The lascivious form of a naked Venus was tortured into the discovery of some moral precept, or some physical truth; and the castration of Atys explained the revolution of the sun between the tropics, or the separation of the human soul from vice and error."[1] But if a condemnation thus severe can be justly pronounced upon those who allegorize the Greek and Roman mythology, what judgment should be formed of those by whom the same mode of interpretation is applied to the fables of the Hindus?[2] The Egyptian religion is allowed on all hands to have possessed the same fundamental principles with the Hindu, and to have resembled it remarkably in its outward features: yet, of all the systems of superstition which were found within the Roman empire, Mr. Gibbon pronounces this to be "the most contemptible and abject."[3] There are satisfactory reasons for supposing that improvement in the language of the Brahmens, and refinement in the interpretations which they put upon their ancient writings, not to speak of what may have been done by their favourite practice of interpolation, have been suggested by the more rational and simple doctrines of Mahomet.[4] The natural effect of acquaintance with a better creed is well described by Mr. Bryant. "It is to be observed," he says, "that when Christianity had introduced a more rational system, as well as a more refined worship, among mankind; the Pagans were struck with the sublimity of its doctrines, and tried in their turns to refine. But their misfortune was, that they were obliged to abide by the theology which had been transmitted to them; and to make the history of the Gentile Gods the basis of their procedure. This brought them into immense difficulties and equal absurdities: while they laboured to solve what was inexplicable; and to remedy what was past cure. Hence we meet with many dull and elaborate sophisms even in the great Plutarch: but many more in after times, among the writers of whom I am speaking. Proclus is continually ringing the changes upon the terms νοος, νοερος, and νοητος; and explains what is really a proper name, as if it signified *sense* and *intellect*. In consequence of this, he tries to subtilize and refine all the base jargon about Saturn and Zeus: and would persuade us that the most idle and obscene legends related to the divine mind, to the eternal wisdom, and supremacy of the Deity. Thus he borrows many exalted notions from Christianity: and blends them with the basest alloy, with the dregs of Pagan mythology."[1] Such are the opinions of the greatest men respecting those attempts to allegorize a rude superstition, which some of the most celebrated of our Indian guides so vehemently recommend.[1]



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Of the pure and elevated ideas of the Divine Nature, which are ascribed to the Hindus, or to any other people, an accurate judgment may be formed, by ascertaining the source from which they are derived. It will be allowed that just and rational views of God can be obtained from two sources alone: from revelation; or, where that is wanting, from sound reflection upon the frame and government of the universe. Wherever men are sufficiently improved to take a comprehensive survey of this magnificent system, to observe the order which prevails, the adaptation of means to ends, and the incredible train of effects which

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flow from the simplest causes; they may then form exalted notions of the intelligence to which all those wonders are ascribed. If all the unrevealed knowledge which we possess respecting God, the immediate object of none of our senses, be derived from his works, they whose ideas of the works are in the highest degree absurd, mean, and degrading, cannot, whatever may be the language which they employ, have elevated ideas of the author of those works. It is impossible for the stream to ascend higher than the fountain. The only question therefore is, what are the ideas which the Hindus have reached concerning the wisdom and beauty of the universe. To this the answer is clear and incontrovertible. No people, how rude and ignorant soever, who have been so far advanced as to leave us memorials of their thoughts in writing, have ever drawn a more gross and disgusting picture of the universe than what is presented in the writings of the Hindus.[1] In the conception of it no coherence, wisdom, or beauty, ever appears: all is disorder, caprice, passion, contest, portents, prodigies, violence, and deformity.[1] It is perfectly evident that the Hindus never contemplated the universe as a connected and perfect system, governed by general laws, and directed to benevolent ends; and it follows, as a necessary consequence, that their religion is no other than that primary worship, which is addressed to the designing and invisible beings who preside over the powers of nature, according to their own arbitrary will, and act only for some private and selfish gratification. The elevated language, which this species of worship finally assumes, is only the refinement, which flattery, founded upon a base apprehension of the divine character, ingrafts upon a mean superstition.[1]





If it be deemed necessary to inquire into the principle of the Hindu superstition; or which of the powers of nature, personified into gods, they exalted in the progress of hyperbolical adoration to the supremacy over the rest, and the lordship of all things; the question is resolved by copious evidence; and on this point inquirers generally coincide. Sir William Jones has written a discourse to prove that the gods of Greece, Italy, and India are the same. But it is sufficiently proved that the Greek and Roman deities ultimately resolve themselves into the sun, whose powers and provinces had been gradually enlarged, till they included those of all nature. It follows that the sun too is the principle of the Hindu religion. “We must not be surprised,” says Sir William Jones, “at finding on a close examination, that the characters of all the Pagan deities, male and female, melt into each other, and at last into one or two; for it seems a well-founded opinion, that the whole crowd of gods and goddesses, in ancient Rome and modern Varanes, mean only the powers of nature, and principally those of the sun, expressed in a variety of ways, and by a multitude of fanciful names.”[1] He says too, that “the three Powers Creative, Preservative, and Destructive, which the Hindus express by the triliteral word *Aum*, were grossly ascribed by the first idolators to the heat, light, and flame of their mistaken divinity the sun.”[1] Brahma, Vishnu, and Siva, were therefore, the heat, light, and flame of the sun; and it follows as a very clear deduction, that Brahme, whose powers were shadowed forth in the characters of those three gods, was the sun himself. This conclusion, too, is established by many express texts of the Hindu scriptures, as well as by the most venerated part of the Hindu ritual. “The syllable Om (Aum) intends,” says a passage

from the Veda translated by Mr. Colebrooke, “every deity: It belongs to Paramesht’hi, him who dwells in the supreme abode: it appertains to Brahme, the vast one; to Deva, god; to Adhyatma, the superintending soul. Other deities belonging to those several regions, are portions of the three gods; for they are variously named and described, on account of their different operations: but in fact there is only one deity, THE GREAT SOUL. He is called the Sun; for he is the soul of all beings. Other deities are portions of him.”2 I have already quoted a very remarkable passage from Yajnyawalcya, one of the highest of all authorities, in which the sun is directly asserted to be Brahme, and to be the supreme soul, as is declared in all the Vedas.3 Another passage translated from a Veda by Mr. Colebrooke says; “Fire is That Original Cause, the Sun is that; such too is that pure Brahme. Even he is the god who pervades all regions; he, prior to whom nothing was born; and who became all beings, himself the lord of creatures.”4 A passage in the Veda, translated by Sir William Jones, says, “That Sun, than which nothing is higher, to which nothing is equal, enlightens the sky, the earth, the lower worlds, the



higher worlds, other worlds, enlightens the breast, enlightens all besides the breast.”1 In the Bhawishya, Purana, Crishna himself says; “The sun is the god of perception, the eye of the universe, the cause of day; there is none greater than he among the immortal powers. From him this universe proceeded, and in him it will reach annihilation; he is time measured by instants.” I shall add but one instance more. There is a passage in the Vedas, which is regarded by the Hindus with unspeakable veneration. It has a distinctive appellation. It is called the Gayatri; and is used upon the mightiest occasions of religion. It is denominated the holiest text in the Vedas. This extraordinary, this most sacred, most wonderful text, is thus translated by Sir William Jones; “Let us adore the supremacy of that divine Sun, the godhead, who illuminates all, who re-creates all, from whom all proceed, to whom all must return, whom we invoke to direct our understandings aright in our progress towards his holy seat.”2 Another version of it, and somewhat different in its phraseology, is given by Mr. Colebrooke, in his account of the first of the Vedas: “I subjoin,” says he, “a translation of the prayer which contains it, as also of the preceding one, (both of which are addressed to the sun) for the sake of exhibiting the Indian priests’ confession of faith with its context:—’This new and excellent praise of thee, O splendid, playful Sun! is offered by us to thee. Be gratified by this my speech: approach this craving mind as a fond man seeks a woman. May that sun who contemplates and looks into all worlds be our protector!—Let us Meditate on The Adorable Light of The Divine Ruler; MAY IT GUIDE OUR INTELLECTS!1 Desirous of food, we solicit the gift of the

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splendid Sun, who should be studiously worshipped. Venerable men, guided by the understanding, salute the divine Sun with oblations and praise.”2 Constrained by these and similar passages, Mr. Colebrooke says; “The ancient Hindu religion, as founded on the Indian scriptures, recognizes but one God, *yet not sufficiently discriminating the creature from the Creator*.”3 This is an important admission, from one of the most illustrious advocates of the sublimity of the Hindu religion. Had he reflected for one moment, he would have seen that between *not sufficiently*, and *not-at-all*, in this case, there can be no distinction.4

In the natural progress of religion, it very frequently happens, that the spirit of adulation and

hyperbole exalts admired or powerful individuals to the rank of gods. The name of the sun, or of some other divinity, is bestowed as a title, or as an epithet of inflated praise, upon a great prince, or conqueror.1 Immediately the exploits of the hero are blended with the functions of the god; and, in process of time, when the origin of the combination is forgotten, they form a compound mass of inextricable and inconsistent mythology. Mr. Colebrooke is of opinion, that in the Vedas the elements and the planets alone are deified; that the worship of heroes was introduced among the Hindus at a later period; and makes a remarkable figure in the Puranas.2

Among the false refinements to which the spirit of a rude religion gives birth, it is worthy of particular remark, that abstract terms are personified, and made to assume the character of gods: such as, Health and Sickness; War and Peace; Plenty, Famine, Pestilence. When the most general abstractions too begin to be formed, as of space, of time, of fate, of nature, they are apt to fill the mind with a kind of awe and wonder; and appear to stretch beyond all things. They are either, therefore, apprehended as new gods, and celebrated as antecedent, and superior, to all the old; or if any of the old have taken a firm possession of the mind, they are exalted to the new dignity, and receive the name of the abstract idea which most forcibly engages the attention. Thus, among the Greeks and the Romans, Fate usurped a power over all the gods. The Parsee books represent Ormusd and Ahriman, the Good Principle and the Evil Principle, sometimes as independent beings; sometimes as owing their existence to something above them; in a manner extremely resembling the language of the Sanscrit books respecting Brahma, Vishnu, and Siva. At times, however, the Persians express themselves more precisely. “In the law of Zoroaster,” says one of their sacred books, “it is positively declared that God [Ormusd] was created by Time along with all other beings; and the creator is Time; and Time has no limits; it has nothing above it; it has no root; it has always been, and always will be. No one who has understanding will ever say, Whence did Time come? In that grandeur wherein Time was, there was no being who could call it creator, because it had not yet created. Afterwards it created fire and water, and from their combination proceeded Ormusd. Time was the creator, and preserved its authority over the creatures which it had produced.? ? ? I said in the beginning that Ormusd and Ahriman came both from Time.”1 The Brahmens, on the other hand, rather appear to have advanced the dignity of the acknowledged divinities so far as to make it embrace the extent of the abstract ideas; and to have regarded them as the abstract ideas themselves. Thus Mr. Wilkins supposes, that Brahme represents nature; Brahma, matter; Vishnu, space; Siva, time. But this is a refinement which is very sparingly, if at all, introduced in any writings of the Brahmens, which have yet been laid open to European eyes. Direct contradictions of it, though plentifully diffused, are no proof that it is not at all a Hindu doctrine. Thus Chrishna, in the Geeta, says, “I am never failing Time, the Preserver, whose face is turned on all sides;”1 a point of view in which it well agrees with the peculiar attributes of Vishnu. But in the very same discourse, Chrishna says again, “I am Time, the destroyer of mankind,”2 in which case it agrees only with the character of Siva. But it is still more remarkable that Brahma is said to have “given being to time, and the divisions of time;”3 and that space is said to have been produced from the ear of the first victim immolated by the gods.4 Nay, there are passages in which the Hindus

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acknowledge a destiny or fate which over-rules the Supreme Beings themselves. “The future condition of great beings is destined with certainty, both the nakedness of Mahadeva, and the bed of Vishnu, on a vast serpent. What is not to be, that will not be; and if an event be predoomed, it cannot happen otherwise.”5

When the exaggerations of flattery are in this manner engrafted upon the original deification of the elements and powers of nature; and when the worship of heroes and of abstract ideas is incorporated with the whole; then is produced that heterogeneous and monstrous compound which has formed the religious creed of so great a portion of the human race; but composes a more stupendous mass in Hindustan than any other country; because in Hindustan a greater and more powerful section of the people, than in any other country, have, during a long series of ages, been solely occupied in adding to its volume, and augmenting its influence.1



So little do men regard incoherence of thought; so little are they accustomed to trace the relations of one set of opinions to another, and to form on any subject a consistent and harmonious combination of ideas, that while many persons of eminence loudly contend for the correctness and sublimity of the speculative, there is an universal agreement respecting the meanness, the absurdity, the folly, of the endless ceremonies, in which the practical part of the Hindu religion consists. For the illustration of this part of the subject, I shall content myself with a reference to the documents in the appendix.1 Volumes would hardly suffice to depict at large a ritual which is more tedious, minute, and burthensome; and engrosses a greater portion of human life, than any which has been found to fetter and oppress any other portion of the human race.





No circumstance connected with a religious system more decidedly pronounces on its character, than the ideas which it inculcates respecting merit and demerit, purity and impurity, innocence and guilt. If those qualities which render a man amiable, respectable, and useful; if wisdom, beneficence, self-command, are celebrated as the chief recommendation to the favour of the Almighty; if the production of happiness is steadily and consistently represented as the most acceptable worship of the Creator; no other proof is requisite, that they who framed, and they who understand this religion, have arrived at high and refined notions of an All-perfect being. But where, with no more attention to morality, than the exigencies and laws of human nature force upon the attention of the rudest tribes, the sacred duties are made to consist in frivolous observances, there, we may be assured, the religious ideas of the people are barbarous. The train of thought which tends to this conclusion is extremely similar to that which gives birth to other deformities in the religious system of ignorant minds. From the imbecilities which usually accompany exalted station, it is found, even when society is considerably improved, that assiduous attendance upon the person of the great man or prince, and unwearied contrivances for the expression of devotion and respect, are the path which leads the most surely to his attention and favour.1 To the rude mind, no other rule suggests itself for paying court to the Divine, than that for paying court to the Human Majesty; and as among a barbarous people,

the forms of address, of respect, and compliment, are generally multiplied into a great variety of grotesque and frivolous ceremonies, so it happens with regard to their religious service. An endless succession of observances, in compliment to the god, is supposed to afford him the most exquisite delight; while the common discharge of the beneficent duties of life is regarded as an object of comparative indifference. It is unnecessary to cite instances in support of a representation, of which the whole history of the religion of most nations is a continual proof.

Even those inquirers who have been least aware of the grossness of the Hindu religion, have seen that wretched ceremonies constituted almost the whole of its practical part. The precepts, which are lavished upon its ceremonies, bury, in their exorbitant mass, the pittance bestowed upon all other duties taken together. On all occasions ceremonies meet the attention as the pre-eminent duties of the Hindu. The holiest man is always he, by whom the ceremonies of his religion are most strictly performed. Never among any other people did the ceremonial part of religion prevail over the moral to a greater, probably to an equal extent. Of the many rules of conduct prescribed to the householder, almost the whole concern religious observances.1 Beside the general strain of the holy text, many positive declarations ascribe infinite superiority to rites and ceremonies, above morality. "Devotion," says Menu, "is equal to the performance of all duties; it is divine knowledge in a Brahmen; it is defence of the people in a Cshatriya; devotion is the business of trade and agriculture in a Vaisya; devotion is dutiful service in a Sudra. By reading each day as much as possible of the Veda, by performing the five great sacraments, and by forgiving all injuries, even sins of the highest degree shall soon be effaced."2 In the following list of conditions, a small space is allotted to useful virtue. "By injuring nothing animated, by subduing all sensual appetites, by devout rites ordained in the Veda, and by rigorous mortifications, men obtain, even in this life, the state of beatitude."3 "It is through sacrifices," says the Calica Purana, "that princes obtain bliss, heaven, and victory over their enemies."4



In conceiving the honours with which the divine powers should be treated, it is supposed that there are certain qualities with which it is holy or unholy to approach them. As there are certain pollutions with which it would be held disrespectful to approach an earthly superior, the same sentiment, as usual, is transferred to the heavens; and the notion of a religious impurity is engendered. This is a circumstance of considerable importance. By the nature of the particulars, to which the belief of religious purity and impurity is attached, a criterion is afforded of the mental qualities which the Divine Being is supposed to possess. The causes of impurity among the Brahmens are exceedingly numerous; that they are proportionally strange, a few instances will evince. "When a child has teethed," says the law of Menu, "and when, after teething, his head has been shorn, and when he has been girt with his thread, and when, being full grown, he dies, all his kindred are impure: on the birth of a child, the law is the same."1 Among a variety of other instances it is declared, that he who has touched a Chandala, a woman in her courses, an outcast, a new-born child, a corpse, or one who has touched a corpse, is impure. A Brahmen who has touched a human bone is impure.2 The rules of purification, which form a

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remarkable part of this subject, are not less exorbitant in their number, or extravagant in their forms. On the death of a kinsman, the modes of purification are various, according to various cases: one, which we may select as an example, is prescribed in the following words: “Let them eat vegetable food without factitious (that is, only with native) salt; let them bathe for three days at intervals; let them taste no flesh-meat; and let them sleep apart on the ground.”3 “Should a Brahmen touch a human bone moist with oil, he is purified by bathing; if it be not oily, by stroking a cow, or by looking at the sun, having sprinkled his mouth with water.”4 All those functions of the body, by which its offensive discharges are effected, or its vital powers communicated,



afford occasion for the ceremonies of purification.1 “Oily exudations,” says the law of Menu, “seminal fluids, blood, dandruff, urine, feces, earwax, nail-parings, phlegm, tears, concretions on the eyes, and sweat, are the twelve impurities of the human frame, and for cleansing these earth and water must be used.”2 “He who carries in any manner an inanimate burthen, and is touched by any thing impure, is cleansed by making an ablution, without laying his burden down.”3 “He who has been bitten by a dog, a shakal, or an ass, by any carnivorous animal frequenting a town, by a man, a horse, a camel, or a boar, may be purified by stopping his breath during one repetition of the gayatri.”4 After the rules for the purification of living bodies, follow precepts for the purification of things inanimate. For each of a great many species, a separate mode is prescribed. Land, for example, is cleansed, by sweeping, by smearing with cow-dung, by sprinkling with cow's urine, by scraping, or by letting a



cow pass a day and a night on it.1 “The purification ordained for all sorts of liquids, is by stirring them with cusa grass; for cloths folded, by sprinkling them with hallowed water; for wooden utensils, by planing them. The purification by sprinkling is ordained for grain and cloths in large quantities; but to purify them in small parcels, such as a man may easily carry, they must be washed.”2 These instances, selected merely as a small specimen of a great whole, will suffice to show what moral ideas are conveyed and inculcated in the notions of purity and impurity comprised in the religion of the Hindus.

As the purifications, so likewise the penances, prescribed by the various systems of religion, afford a remarkable indication of the qualities really ascribed to the object of worship. All penance consists in suffering. In the same degree in which the object of worship is supposed to be delighted with penance, in the same degree he is delighted with human suffering; and so far as he delights in suffering, for its own sake, so far he is a malignant being; whatever epithets, in the spirit of flattery, his votaries may confer upon him. It is natural to a rude and ignorant mind to regard the object of its worship as malignant. Things appear great or little by comparison. Amid the incessant efforts which are made to ascend another step in adulation, after all the epithets of greatness and honour are lavished upon the god, to make his greatness and honour still higher, by contrast, every epithet of meanness and contempt is heaped by the worshipper upon himself and his kind. The same is the case with his *happiness*; which will appear the greater, the higher it is raised above that of other beings; of course, the deeper the misery of other beings. Hence it is, that the prayers and praises, addressed to the deity by rude nations, abound with the most hyperbolical expressions of human misery as well as

human depravity; that, in the religion of rude minds, pleasure in general bears a strong mark of reprobation, and the voluntary creation of pain is the strongest of all recommendations to him on whom the issues of life depend. In the language of the Greeks and Romans, the gods were envious of human happiness;[1] just as the proud and haughty mind of the earthly despot, the archetype and model according to which, in certain stages of knowledge, the idea of the heavenly is regularly formed, likes not that the happiness of other people should approach to that of himself, and reaps a pleasure from their pain, both as enhancing the idea of his own happiness, and lessening the sense of his misery.[2] "A sin, involuntarily committed," says the sacred text of Menu, "is removed by repeating certain texts of the scripture, but a sin committed intentionally, by harsh penances of different sorts."[1] The following account of the reason for performing penances, has the effect of exposing to religious antipathy all those persons who are affected with a bodily infirmity. "Some evil-minded persons," says the same sacred volume, "for sins committed in this life, and some for bad actions in a preceding state, suffer a morbid change in their bodies: a stealer of gold from a Brahmen has whitlows on his nails; a drinker of spirits, black teeth; the slayer of a Brahmen, a marasmus; the violator of his preceptor's bed, a deformity in the generative organs; a malignant informer, fetid ulcers in his nostrils; a false detractor, stinking breath; a stealer of grain, the defect of some limb; a mixer of bad wares with good, some redundant member; a stealer of dressed grain, dyspepsia; a stealer of holy words, or an unauthorised reader of the scriptures, dumbness; a stealer of clothes, leprosy; a horse-stealer, lameness; the stealer of a lamp, total blindness; the mischievous extinguisher of it, blindness in one eye; a delighter in hurting sentient creatures, perpetual illness; an adulterer, windy swelling in his limbs: Thus, according to the diversity of actions, are born men despised by the good, stupid, dumb, blind, deaf, and deformed: Penance, therefore, must invariably be performed for the sake of expiation, since they who have not expiated their sins, will again spring to birth with disgraceful marks."[2] "Any twice-born man, who has drunk spirit of rice through perverse delusion of mind, may drink more spirit in flame, and atone for his offence by severely burning his body; or he may drink boiling hot, until he die, the urine of a cow, or pure water, or milk, or clarified butter, or juice expressed from cow-dung."[1] A curious reason is assigned for the heinous guilt assigned to the drinking of intoxicating liquors by a Brahmen; Because, "stupified by drunkenness, he might fall on something very impure, or might even, when intoxicated, pronounce a secret phrase of the Veda, or might do some other act which ought not to be done."[2] If a Brahmen kill by design a cat, or an ichneumon, the bird chasha, or a frog, a dog, a lizard, an owl, or a crow, he must perform the ordinary penance required for the death of a Sudra;"[3] as if the crime of killing a man were the same with that of killing a frog. "Should one of the twice-born eat the food of those persons with whom he ought never to eat, or food left by a woman, or a Sudra, or any prohibited flesh, he must drink barley gruel only for seven days and nights."[4] "Having taken goods of little value from the house of another man, he must procure absolution by performing the penance santapana, or by eating for a whole day the dung and urine of cows mixed with curds, milk, clarified butter, and water boiled with cusa grass, and then fasting entirely for a day and a night."[5] The penances for venereal sin, and the description of its various species, are unfit to be transcribed.[6] Something might be said for penances, if they were attached solely to moral offences, and proportioned in painfulness to the



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motives to offend; because the efficacy of the punishment which is reserved to a subsequent life is commonly annihilated by remoteness. How much of this useful character belongs to the penances of the Hindus, a few passages will disclose. “He, who has officiated at a sacrifice for outcasts, or burned the corpse of a stranger, or performed rites to destroy the innocent,” (a strange association of crimes) “may expiate his guilt by three prajapatya penances.”1 “A total fast for twelve days and nights, by a penitent with his organs controlled, and his mind attentive, is the penance named paraca, which expiates all degrees of guilt.”2 He who for a whole month eats no more than thrice eighty mouthfuls of wild grains, as he happens by any means to meet with them, keeping his organs in subjection, shall attain the same abode with the regent of the moon.”3 “Sixteen suppressions of the breath, while the holiest of texts is repeated with the three mighty words, and the triliteral syllable, continued each day for a month, absolve even the slayer of a Brahman from his hidden faults.”4 “A priest who should retain in his memory the whole Rigveda would be absolved from guilt, even if he had slain the inhabitants of the three worlds, and had eaten food from the foulest hands.”5 To such a degree are fantastic ceremonies exalted above moral duties; and so easily may the greatest crimes be compensated, by the merit of ritual, and unmeaning services.6



But the excess to which religion depraves the moral sentiments of the Hindus is most remarkably exemplified in the supreme, the ineffable merit which they ascribe to the saint who makes penance his trade.

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Repairing to a forest, with no other utensils or effects, than those necessary in making oblations to consecrated fire: and leaving all property, and all worldly duties behind him, he is there directed to live on pure food, on certain herbs, roots, and fruit, which he may collect in the forest, to wear a black antelope's hide, or a vesture of bark, and to suffer the hairs of his head, his beard, and his nails to grow continually. He is commanded to entertain those who may visit his hermitage with such food as he himself may use, to perform the five great sacraments, to be constantly engaged in reading the Veda; patient of all extremities, universally benevolent, with a mind intent on the Supreme Being; a perpetual giver, but no receiver of gifts; with tender affection for all animated bodies. “Let him not eat the produce of ploughed land, though abandoned by any man, nor fruits and roots produced in a town, even though hunger oppress him.———Either let him break hard fruits with a stone, or let his teeth serve as a pestle.—Let him slide backwards and forwards on the ground; or let him stand a whole day on tiptoe; or let him continue in motion rising and sitting alternately; but at sunrise, at noon, and at sunset, let him go to the waters, and bathe. In the hot season let him sit exposed to five fires, *four blazing around him with the sun above;* in the rains let him stand uncovered, *without even a mantle*, where the clouds pour *the heaviest* showers; in the cold season, let him wear humid vesture; and enduring harsher and harsher mortifications, let him dry up his bodily frame. Let him live without external fire, without a mansion, wholly silent, feeding on roots and fruit, sleeping on the bare earth, dwelling at the roots of trees. From devout Brahmens let him receive alms to support life, or from other housekeepers of twice-born classes, who dwell in the forest. Or, *if he has*

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*any incurable disease*, let him advance in a straight path, towards the invincible *north eastern* point, feeding on water and air, till his mortal frame totally decay, and his soul become united with the Supreme."[1]

In conformity with these principles are formed those professors of mortification and piety, who are known under the modern name of Fakeers, and presented to Europeans a spectacle which so greatly surprised them. Of all the phenomena of human nature, none appears at first view more extraordinary than the self-inflicted torment of the holy saints of Hindustan. Some of them keep their hands closed till they are pierced through by the growth of the nails. Others hold them above their heads, till the power of the arms is extinguished. They make vows to remain in the standing posture for years. Three men were seen by Fryer, whose vow extended to sixteen years. One of them had completed his dreadful penance; of the rest, one had passed five years in torment, the other
three. Their legs were prodigiously swelled, and deeply

ulcerated; and became at last too weak to support their bodies, when they leaned on a pillow suspended from a tree. Others, turning their heads to gaze at the heaven over their shoulder, remain fixed in that posture, till the head can no longer be restored to its natural position, and no aliment, except in the liquid state, can pass down their throats.

The ceremony, commanded by Menu, "of sitting, in the hot season between five fires," cannot be conceived without horror. A yogee, or penitent, actually seen by Fryer, had resolved to undergo this penance for forty days, at a public festival, where an immense concourse of spectators were assembled. Early on the morning, after having seated himself on a quadrangular stage he fell prostrate, and continued fervent in his devotions, till the sun began to have considerable power. He then rose, and stood on one leg, gazing stedfastly at thesun, while fires, each large enough, says the traveller, to roast an ox, were kindled at the four corners of the stage, the penitent counting his beads, and occasionally, with his pot of incense, throwing combustible materials into the fire to increase the flames. He next bowed himself down in the centre of the four fires, keeping his eyes still fixed upon the sun. Afterwards, placing himself upright on his head, with his feet elevated in the air, he stood for the extraordinary space of three hours, in that inverted position; he then seated himself with his legs across, and thus remained sustaining the raging heat of the sun and of the fires till the end of the day. Other penitents bury themselves up to the neck in the ground, or even wholly below it, leaving only a little hole through which they may breathe. They tear themselves with whips; they repose on beds of iron
spikes;[1] they chain themselves for life to the foot of a tree: the

wild imagination of the race appears in short to have been racked to devise a sufficient variety of fantastic modes of tormenting themselves. The extent to which they carry the penance of fasting is almost incredible. They fix their eyes on the blazzing sun till the power of vision is extinguished.[2] The following description, in the drama entitled Sacontala, how much soever partaking of the hyperbolical character of oriental poetry, conveys a most remarkable image of the length of time, the patience, and steadiness, with which the devotees of the forests must have remained immoveable in their solitary positions. "You see," says one of the personages of the drama, "in that grove a pious Yogee, motionless as a pollard,

holding his thick, bushy hair, and fixing his eyes on the solar orb.—Mark; his body is covered with a white ants' edifice, made of raised clay; the skin of a snake supplies the place of his sacerdotal thread, and part of it girds his loins; a number of knotty plants encircle and wound his neck; 'and surrounding birds' nests almost conceal his shoulders."[1] The same venerable character is thus farther described in the Bhagvat-Geeta; "The Yogee constantly exerciseth the spirit in private. He is recluse, of a subdued mind and spirit; free from hope, and free from perception. He planteth his own seat firmly on a spot that is undefiled, neither too high, nor too low, and sitteth upon the sacred grass which is called coos, covered with a skin and a cloth. There he, whose business is the restraint of his passions, should sit, with his mind fixed on one object alone, in the exercise of his devotion for the purification of his soul, keeping his head, his neck, and his body, steady, without motion, his eyes fixed on the point of his nose, looking at no other place around. The man who keepeth the outward accidents from entering his mind, and his eyes fixed in contemplation between his brows; who maketh the breath to pass through both his nostrils alike in expiration and inspiration, who is of subdued faculties, mind, and understanding; the Yogee, who thus constantly exerciseth his soul, obtaineth happiness incorporeal and supreme."[1] This pure state of meditation, which obtains the name of devotion, is even more exalted than that of penance. "The Yogee," says Crishna, "is more exalted than Tapaswees, those votaries who afflict themselves in performing penance, respected above the learned in science, and" (which is worthy of peculiar regard,) "superior to those who are attached to moral works."[2] "Be thou at all times," says this supreme god to Arjoon in another place, "employed in devotion. The fruit of this surpasseth all the rewards of virtue pointed out in the Vedas, in worshippings, in mortifications, and even in the gifts of charity."[3]



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It is abundantly ascertained that the Hindus at one time, and that a time comparatively recent,[4] were marked with the barbarity of human sacrifices.[5] It even appears that the remainder of that devotional service is now in existence. When it is proposed to resist, as exorbitant, the demands of government, the Brahmens erect, what they denominate a koor, which is a circular pile of wood, with a cow, or an old woman on the top of it. If urged to extremity they set fire to the pile, and consume the victim, a sacrifice by which they are understood to involve their oppressor in the deepest guilt.[1] The British Government has interfered to prevent the sacrifice of children by throwing them to the sharks in the Ganges.[2]

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Though the progress of improvement has brought into comparative disuse the mode of seeking divine favour by the sacrifice of a fellow creature, horrid rites, which have too near an affinity with it, are still the objects of the highest veneration. It is one of the grandest achievements of piety, for individuals to sacrifice themselves in honour of the gods. There are solemn festivals, in which the images of certain deities are carried in procession in vast ponderous machines denominated raths, or chariots, drawn by a multitude of devotees and priests; when it is customary for numbers of the congregated people to throw themselves under the wheels, and even fathers and mothers with their children in their arms. The chariot passes on, as if no impediment

existed, and crushing them to death, is supposed to convey them immediately to heaven.[3] The practice of sacrificing themselves in the flames is a noted ceremony of the Hindus. It is sometimes executed with circumstances of studied atrocity; the victim striking himself in front with his sabre, so as to lay open his bowels to the spectators, tearing out part of his liver, cutting it off with his sabre, giving it to a relation or bystander, conversing all the time with indifference apparently complete, then with unchanged countenance leaping into the flames, and expiring without a movement.[1] In some parts of India a Brahmen devotes himself to death, by eating till he expires with the surfeit.[2] On great solemnities, the votaries strike off their own heads, as a sacrifice to the Ganges,[3] and many drown themselves in the hallowed streams.[4] Of the modes adopted by the Hindus of sacrificing themselves to the divine powers, none however has more excited the attention of the Europeans, than the burning of the wives on the funeral piles of their husbands. To this cruel sacrifice the highest virtues are ascribed. "The wife who commits herself to the flames with her husband's corpse, shall equal Arundhati, and reside in Swarga; accompanying her husband, she shall reside so long in Swarga, as are the thirty-five millions of hairs on the human body.[1] As the snake-catcher forcibly drags the serpent from his earth, so, bearing her husband from hell, with him, she shall enjoy the delights of heaven, while fourteen Indras reign. If her husband had killed a Brahmana, broken the ties of gratitude, or murdered his friend, she expiates the crime."[2] Though a widow has the alternative of leading a life of chastity, of piety, and mortification, denied to the pleasures of dress, never sleeping on a bed, never exceeding one meal a day, nor eating any other than simple food, it is held her duty to burn herself along with her husband; and "the Hindu legislators," says Mr. Colebrooke, "have shown themselves disposed to encourage" this barbarous sacrifice.[3]





Such are the acts, by which, according to the Hindu religion, the favour of the Almighty Power is chiefly to be gained; such are the ideas respecting purity and merit, which it is calculated to inspire. Yet if any one concludes that the Hindus were unacquainted with the ordinary precepts of morality, he will be greatly deceived. "By Brahmens," says the law of Menu, "placed in the four orders, a tenfold system of duties must ever be sedulously practised; Content; returning good for evil; resistance to sensual appetites; abstinence from illicit gain; purification; coercion of the organs; knowledge of scripture; knowledge of the supreme spirit; veracity; and freedom from wrath."[1] In this enumeration of duties, though a large proportion is allowed to acts purely ceremonial and useless; yet some of the noblest virtues are included. "Action," says the same sacred code, "is either mental, verbal, or corporeal. Devising means to appropriate the wealth of other men, resolving on any forbidden deed, and conceiving notions of atheism or materialism, are the three bad acts of the mind: scurrilous language, falsehood, indiscriminate backbiting, and useless tattle, are the four bad acts of the tongue: Taking effects not given, hurting sentient creatures without the sanction of law, and criminal intercourse with the wife of another, are three bad acts of the body; and all the ten have their opposites, which are good in an equal degree."[2] Though there is something extremely whimsical in the consequence ascribed to the following acts of injustice, yet they are

with great propriety forbidden: “He who appropriates to his own use, the carriage, the bed, the seat,
the well, the garden, or the house of another man, who has not delivered them to him, assumes a fourth part of the guilt of their owner.”[1] The following observations are in a pure and elevated strain of morality: “Even here below an unjust man attains no felicity; nor he whose wealth proceeds from giving false evidence; nor he, who constantly takes delight in mischief. Though oppressed by penury, in consequence of his righteous dealings, let him never give his mind to unrighteousness; for he may observe the speedy overthrow of iniquitous and sinful men. Iniquity, committed in this world, produces not fruit immediately, but, like the earth, in due season; and, advancing by little and little, it eradicates the man who committed it. Yes; iniquity, once committed, fails not of producing fruit to him who wrought it. He grows rich for a while through unrighteousness; then he beholds good things; then it is that he vanquishes his foes; but he perishes at length from his whole root upwards. Let a man continually take pleasure in truth, in justice, in laudable practices, and in purity; let him chastise those, whom he may chastise, in a legal mode; let him keep in subjection his speech, his arm, and his appetite: wealth and pleasures, repugnant to law, let him shun; and even lawful acts, which may cause future pain, or be offensive to mankind.”[2]



Sir William Jones, whom it is useful to quote, because his authority may have influence with those whose opinions I am constrained to controvert, observes, that “the principles of morality are few, luminous, and ready to present themselves on every
occasion.”[1] Descanting on the rudeness, and ignorance, of the Scythian nations; “of any philosophy,” he says, “except natural ethics, which the rudest society requires, and experience teaches, we find no more vestiges in Asiatic Scythia, than in ancient Arabia.”[2] He was not surprised to find natural ethics, where not a vestige of philosophy was found; because “natural ethics,” are what “*the rudest society requires, and experience teaches*.” If we search a little further, we shall discover that nations differ less from one another in the knowledge of morality, and of its obligations, (the rules of morality have been taught in all nations in a manner remarkably similar), than in the degrees of steadiness, with which they assign the preference to moral, above other acts. Among rude nations it has almost always been found, that religion has served to degrade morality, by advancing to the place of greatest honour, those external performances, or those mental exercises, which more immediately regarded the deity; and with which, of course, he was supposed to be more peculiarly delighted. On no occasion, indeed, has religion obliterated the impressions of morality, of which the rules are the fundamental laws of human society: morality has every where met with the highest applause; and no where has it been celebrated in more pompous strains, than in places where the most contemptible, or the most abominable rites, have most effectually been allowed to usurp its honours.[3] It is not so much, therefore, by the mere words in which morality is mentioned, that we are to judge of the mental perfections of different nations, as by the place which it clearly holds in the established scale of meritorious acts. In a moment of hyperbolical praise, it may even receive a verbal preference to ceremonies; as in one passage of the Institutes of Menu: “A wise man should constantly discharge all the moral duties, though he perform not

constantly the ceremonies of religion; since he falls low, if, while he performs ceremonial acts only, he discharge not his moral duties."[1] Yet in the entire system of rules concerning duty, the stress which is laid upon moral acts, may, as we see in the case of the Hindus, bear no comparison to the importance which is attached to useless or pernicious ceremonies. Such a maxim as that which has just been quoted, can be regarded as but of little value, when it is surrounded by numerous maxims of the following tendency; "Not a mortal exists more sinful than he, who, without an oblation to the manes or gods, desires to enlarge his own flesh with the flesh of another creature."[2] "From the three Vedas, the lord of creatures, incomprehensibly exalted, successively milked out the three measures of that ineffable text beginning with the word *tad* and entitled, *savitri*, or *gayatri;* whoever shall repeat, day by day, for three years, without negligence, that sacred text, shall hereafter approach the divine essence, move as freely as air, and assume an ethereal form."[3] "Studying and comprehending the Veda, practising pious austerities, acquiring divine knowledge, command over the organs of sense and action, avoiding all injury to sentient creatures, and showing reverence to a natural and spiritual father, are the chief branches of duty which ensure final happiness."[4] "Even three suppressions of breath made according to the divine rule, accompanied with the triverbal phrase, and the triliteral syllable, may be considered as the highest devotion of a Brahmen; for as the dross and impurities of metallic ores are consumed by fire, thus are the sinful acts of the human organs consumed by suppressions of the breath."[5] If we examine that highest degree of merit to which the imagination of the Hindu can ascend, that of the Sanyassi, or professor of austere devotion, we shall find it to consist in an absolute renunciation of all moral duties, and moral affections. "Exemption from attachments, and affection for children, wife, and home;"[1] nay, "the abandonment of all earthly attachments,"[2] form a necessary part of that perfection after which he aspires.





It is by no means unnatural for the religion of a rude people to unite opposite qualities, to preach the most harsh austerities, and at the same time to encourage the loosest morality. It may be matter of controversy to what degree the indecent objects employed in the Hindu worship imply depravity of manners; but a religion which subjects to the eyes of its votaries the grossest images of sensual pleasure, and renders even the emblems of generation objects of worship; which ascribes to the supreme God an immense train of obscene acts; which has them engraved on the sacred cars, pourtrayed in the temples, and presented to the people as objects of adoration, which pays worship to the Yoni, and the Lingam, cannot be regarded as favourable to chastity.[3] Nor can it be supposed, when to all these circumstances is added the institution of a number of girls, attached to the temples, whose business is dancing and prostitution, that this is a virtue encouraged by the religion of the Hindus.





Another contrast to the tortures and death which the religion of the Hindus exhorts them to inflict upon themselves, is the sacredness which it imprints upon the life of animals. Not only are the Hindus prohibited the use of animal food, except at certain peculiar sacrifices; even the offerings to the gods

consist almost entirely of inanimate objects; and to deprive any sensitive creature of life, is a heinous transgression of religious duty. Many of the inferior creatures, both animate and inanimate, are the objects of religious veneration; such, in particular, are the cow, the lotos, and cusa grass. Nor, in this enumeration, must the dung and urine of the cow be forgotten; things so holy as to be of peculiar efficacy in the ceremonies of purification. To whatever origin we may ascribe this strange application of the religious principle, it has at least been very widely diffused. It is known that many negro tribes worship animals and reptiles; and that they carry the solicitude for their preservation to a still more extravagant pitch than even the Hindus; punishing with death those who hurt them even casually.1 The sacred character in Egypt of the ox, and of many other animals, is too familiarly known to require any proof. The cow was oracular, and sacred among the Amonians.2 Not only cows, but horses, eagles, lions, bears, were divine animals among the Syrians.3 The Egyptian priests respected as sacred the life of all animals, and animal food seems to have been interdicted not less in Egypt than in Hindustan.1 At an early period, the Greeks, and even the Romans, punished with death, the killing of an ox.2 The worship of this species of quadrupeds appears indeed to have been common to all the idolatrous nations from Japan to Scandinavia.3 That, in India, it was a worship directed to no moral end, is evident upon the slightest inspection. To renounce the benefits which the inferior animals are fitted by nature to render to man, is not humanity, any more than swinging before an idol, by an iron hook, forced through the muscles of the back, is the virtue of self-command. And that this superstition took not its rise from a sensibility to the feelings of animated creatures, is evident from the barbarous character of several of the nations where it prevails; from the proverbial cruelty suffered by the labouring animals of Hindustan; and from the apathy with which human beings are left to expire by hunger and disease, while reptiles are zealously tended and fed.4



Religion consists of two great doctrines; that concerning the nature and service of God; and that concerning the nature and destination of the human soul. In the complicated superstition of the Hindus, the first presented many questions which it needed a considerable accumulation of evidence to solve. Of the latter, a just idea may be speedily conveyed.





It is well known that the metempsychosis, or the transmigration of the soul into various orders of being, reviving in one form, when it ceases to exist in another, is the tenet of the Hindus. This is a theory well calculated to present itself to the mind of the rude inquirer, when first excited to stretch his views beyond the present term of sensation and action. The vegetable life, which expires in the plant, in autumn, revives in the seed in spring. The sluggish worm, which undergoes a species of death, and buries itself in a tomb of its own formation, springs again to life, a gay and active creature, as different in appearance, as in appetites and powers. Every thing on earth is changed, nothing annihilated; and the soul of the man who expires to day, revives in something else, to which life is at that instant imparted.

Some very obvious, and very impressive appearances must have suggested the notion of the metempsychosis, since it is one of the most ancient, and one of the most general of all religious opinions. “No doctrine,” says Dupuis, “was ever more universally diffused; none claims an origin so ancient. It reigned in the East, and in the West, among rude nations, and polished nations; and it ascends to antiquity so high, that Burnet ingeniously declares, one would believe it to be descended from heaven; so much it appears without father, without mother, and without descent.”1 The Brahmens grafted upon it, in their usual way, a number of fantastic refinements, and gave to their ideas on this subject, a more systematic form than is usual with those eccentric theologians. They describe the mind as characterized by three qualities, goodness, passion, darkness. According as any soul is distinguished by one or another of those qualities in its present life, is the species of being into which it migrates in the life to come. Souls endued with goodness attain the condition of deities; those filled with passion receive that of men; those immersed in darkness are condemned to that of beasts. Each of these conditions, again, is divided into three degrees, a lower, a middle, and a higher. Of the souls distinguished by darkness, the lowest are thrust into mineral and vegetable substances, into worms, reptiles, fishes, snakes, tortoises, cattle, shakals; the middle pass into elephants, horses, Sudras, Mlec’has, (a word of very opprobrious import, denoting men of all other races not Hindu,) lions, tigers, and boars; the highest animate the forms of dancers, singers, birds, deceitful men, giants, and blood-thirsty savages. Of the souls who receive their future condition from the quality of passion, the lowest pass into cudgel players, boxers, wrestlers, actors, those who teach the use of weapons, and those who are addicted to gaming and drinking; the middle enter the bodies of kings, men of the fighting class, domestic priests of kings, and men skilled in the war of controversy; the highest become gand-harvas, (a species of supposed aërial spirits, whose business is music,) genii, attending superior gods, together with various companies of apsarases, or nymphs. Of the souls who are characterized by the quality of goodness, the lowest migrate into hermits, religious mendicants, other Brahmens, such orders of demigods as are wafted in airy cars, genii of the signs and lunar mansions, and Daityas, another of their many orders of superior spirits; the middle attain the condition of sacrificers, of holy sages, deities of the lower heaven, genii of the Vedas, regents of stars, divinities of years, Pitris, and Sadhyas, two other species of exalted intelligences; the highest ascend to the condition of Brahma with four faces, of creators of worlds, of the genius of virtue, and the divinities presiding over the two principles of nature.1 Besides this general description of the future allotment of different souls, a variety of particular dooms are specified, of which a few may be taken as an example. “Sinners in the first degree,” says the ordinance of Menu, “having passed through terrible regions of torture, for a great number of years, are condemned to the following births at the close of that period. The slayer of a Brahmen must enter the body of a dog, a boar, an ass, a camel, a bull, a goat, a sheep, a stag, a bird, a Chandala, or a Puccasa. He, who steals the gold of a priest, shall pass a thousand times into the bodies of spiders, of snakes, and camelions, of crocodiles, and other aquatic monsters, or of mischievous blood-sucking demons. He who violates the bed of his natural or spiritual father, migrates a hundred times into the forms of grasses, of shrubs, with crowded stems, or of creeping and twining plants, carnivorous animals, beasts with sharp teeth, or cruel brutes.”2 After a variety of other cases, a general rule is declared,



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for those of the four castes who neglect the duties of their order: “Should a Brahmen omit his peculiar duty, he shall be changed into a demon, with a mouth like a firebrand, who devours what has been vomited; a Cshatriya, into a demon who feeds on ordure and carrion; a Vaisya, into an evil being who eats purulent carcases; and a Sudra, who neglects his occupations, into a foul embodied spirit, who feeds on lice.”[3]



The reward of the most exalted piety, of the most profound meditation, of that exquisite abstemiousness which dries up the mortal frame, is peculiar: Such a perfect soul becomes absorbed in the Divine essence, and is for ever exempt from transmigration.[1]

We might very easily, from the known laws of human nature, conclude, notwithstanding the language held by the Hindus on the connection between future happiness and the virtue of the present life, that rewards and punishments, very distant and very obscure, would be wholly impotent against temptations to crime; though, at the instigation of the priests, they might engage the people in a ceaseless train of wretched ceremonies. The fact corresponds most exactly with the anticipation. An admirable witness has said, “The doctrine of a state of future rewards and punishments, as some persons may plead, has always been supposed to have a strong influence on public morals: the Hindoos not only have this doctrine in their writings, but are taught to consider every disease and misfortune of life as an undoubted symptom of moral disease, and the terrific appearance of its close-pursuing punishment. Can this fail to produce a dread of vice, and a desire to merit the favour of the Deity? I will still farther,” he adds, “assist the objector; and inform him, that the Hindoo writings declare, that till every immoral taint is removed, every sin atoned for, and the mind has obtained perfect abstraction from material objects, it is impossible to be re-united to the great spirit; and that, to obtain this perfection, the sinner must linger in many hells, and transmigrate through almost every form of matter.” Our informant then declares; “Great as these terrors are, there is nothing more palpable than that, with most of the



Hindoos, they do not weigh the weight of a feather, compared with the loss of a roopee. The reason is obvious: every Hindoo considers all his actions as the effect of his destiny; he laments, perhaps, his miserable fate, but he resigns himself to it without a struggle, like the malefactor in a condemned cell.” This experienced observer adds, which is still more comprehensive, that the doctrine of future rewards and punishments has, in no situation, and among no people, a power to make men virtuous.[1]

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# CHAP. VII.

Manners.

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By the manners of a nation are understood the peculiar modes in which the ordinary business of human life is carried on. The business itself is every where essentially the same. In all nations men eat and drink; they meet, converse, transact, and sport together. But the manner in which these and other things are performed is as different as the nations are numerous into which the race is divided.

So much of the entire business of life, among the Hindus, consists in religious services, that the delineation of their religion is a delineation of the principal branch of their manners.

The singular distinctions, attached to the different classes, present another remarkable feature in the manners of this people. The lower orders, in other countries, are often lamentably debased; in Hindustan they are degraded below the brutes. With the single exception of the Vaisya caste, to whom is appropriated the business of agriculture and of barter, the whole of the productive classes, according to the standards of law and religion, are vile and odious, unworthy to eat, to drink, or to sit with a member of the classes above them.

There are four remarkable periods into which, with respect to the three honourable classes, human life is divided. Of these periods; or orders, as they are denominated by the Hindus; the first is that of the student; the second, that of the householder; the third, that of the man who performs penance or other religious acts, residing continually in a forest; the fourth, that of the Sannyasi, or the ascetic absorbed in divine contemplation.[1]

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The period of the student commences at the era of investiture.[2] Prior to this age, the situation of children is remarkable; even those of a Brahmen are not held superior in rank to a Sudra.[3] The condition of the student much more closely resembles that of an European apprentice than that of a pupil in literature. He dwells in the house of his preceptor, and tends him with the most respectful assiduity. He is commanded to exert himself in all acts useful to his teacher;[4] and of course performs the part of an assistant in all the offices of religion.[5] “As he who digs deep with a spade comes to a spring of water, so the student, who humbly serves his teacher, attains the knowledge which lies deep in his teacher's mind.” Upon the student of the priestly order a peculiar burden, or distinction, is imposed: to acquire daily his food by begging.[6]

The gift of sacred instruction is not bestowed indiscriminately; but the text, which regulates the choice of pupils, is so vague as to leave the selection nearly at the discretion of the master. “Ten persons,” it is declared, “may legally be instructed in

the Veda; the son of a spiritual teacher; a boy who is assiduous; one who can impart other knowledge; one who is just; one who is pure; one who is friendly; one who is powerful; one who can bestow wealth; one who is honest; and one who is related by blood. Where virtue and wealth are not found, or diligent attention proportioned, in that soil divine instruction must not be sown; it would perish like fine seed in barren land."[1]



The instruction which is bestowed may soon be described. "The venerable preceptor, having girt his pupil with the thread, must first instruct him in purification, in good customs, in the management of the consecrated fire, and in the holy rites of morning, noon, and evening."[2] The grand object of attention and solicitude is the reading of the Veda.[3] Some classes of the Brahmens have united with their religious doctrines certain speculations concerning the intellectual and material worlds; and these speculations have been dignified with the name of philosophy; but the holy rites, and the Veda, form the great, and on most occasions the exclusive object of that higher instruction which is bestowed on the pupil of the Brahmen.

On this important occasion, as on other occasions, the attention of the Hindu is much more engaged by frivolous observances, than by objects of utility. While the directions laid down respecting the instruction of the pupil are exceedingly few and insignificant, the forms, according to which he must pay his duty to the master, are numerous, minute, and emphatically enjoined.[4]

The duration of the period of study is very indefinite. "The discipline of a student in the three Vedas may be continued for thirty-six years, in the house of his preceptor; or for half that time, or for a quarter of it, or until he perfectly comprehend them: A student, whose rules have not been violated, may assume the order of a married man, after he has read in succession a sac'ha, or branch from each of the three Vedas, or from two or from any one of them."[1] It is even permitted to pass the whole period of life in the state of a pupil; and to this merit so exalted is ascribed, that the very highest rewards of religion are bestowed upon it. "If a student anxiously desire to pass his whole life in the house of a sacerdotal teacher, he must serve him with assiduous care, till he be released from his mortal frame. That Brahmen who has dutifully attended his preceptor till the dissolution of his body, passes directly to the eternal mansion of God."[2] Should the teacher die, the student must attend upon his widow, his son, or one of his paternal kinsmen, with the same respect as to the deceased preceptor. Should none of these be living he occupies the seat of the preceptor himself.[3]





To the state of the student succeeds that of the married man, or the housekeeper. It is at this epoch that the Hindu begins to sustain a part as the member of society.



Marriage is a religious duty; and a duty of the highest order. Except for some grand plan of devotion, as that of remaining a student, or of becoming a fakeer, no man neglects at an early age to fulfil this sacred obligation. As the sacrament of obsequies to the manes of ancestors can be performed only by a male descendant, and as any

failure in these obsequies deeply affects the spirits of the dead, to die without a son is regarded as one of the greatest of all calamities.[1]

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The ceremonies of marriage, entirely religious, have been already described. Marriages are distinguished into eight kinds; of which one half are honourable, and differ from one another only in some minute circumstances; in the fifth the bridegroom bestows gifts upon the bride, her father, and paternal kinsman; the last three are rather species of unlawful connexion, than forms of nuptial contract; one being voluntary and by mutual consent; the other forcible, when a woman is seized, "while she weeps, and calls for assistance, after her kinsmen and friends have been slain in battle;" the last, "when the damsel is sleeping, or flushed with strong liquor, or disordered in her intellect."[1] With the grand rule to prevent the intermixture of the castes, the reader is already acquainted. "For the first marriage of the twice-born classes," says the law of Menu, "a woman of the same class is recommended; but for such as are impelled by inclination to marry again, women in the direct order of the classes are to be preferred: a Sudra woman only must be the wife of a Sudra; she and a Vaisya of a Vaisya; they two and a Cshatriya, of a Cshatriya; those two and a Brahmani, of a Brahmen."[2] The Hindu law-givers, who commonly mistake minuteness for precision, and are apt to be most particular where it is least required, make rules for the choice of a wife. "In connecting a man's self with a wife, let him," says Menu, "studiously avoid the ten following families, be they ever so great, or ever so rich in kine, goats, sheep, gold, and grain: The family which has omitted prescribed acts of religion; that which has produced no male children; that in which the Veda has not been read; that which has thick hair on the body; and those which have been subject to hemorrhoids, to phthisis, to dyspepsia, to epilepsy, to leprosy, and to elephantiasis. Let him not marry a girl with reddish hair, nor with any deformed limb; nor one troubled with habitual sickness; nor one either with no hair, or too much; nor one immoderately talkative; nor one with inflamed eyes; nor one with the name of a constellation, of a tree, or of a river, of a barbarous nation, or of a mountain, of a winged creature, a snake, or a slave; nor with any name raising an image of terror. Let him choose for his wife a girl, whose form has no defect; who has an agreeable name; who walks gracefully like a phenicopteros, or like a young elephant; whose hair and teeth are moderate respectively in quantity and in size; whose body has exquisite softness."[1]

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The condition of the women is one of the most remarkable circumstances in the manners of nations. Among rude people, the women are generally degraded; among civilized people they are exalted.[2] In the barbarian, the passion of sex is a brutal impulse, which infuses no tenderness; and his undisciplined nature leads him to abuse his power over every creature that is weaker than himself. The history of uncultivated nations uniformly represents the women as in a state of abject slavery, from which they slowly emerge, as civilization advances. Among some of the negro tribes on the coast of Africa, the wife is never permitted to receive any thing from the hands of her husband, or even to appear in his presence, except on her knees.[1] In the empire of Congo, where the people are sufficiently advanced to be united in a large community; and in most of the nations which inhabit the southern regions of Africa, the women

are reckoned unworthy to eat with the men.2 In such a state of society property is an advantage which it may naturally be supposed that the degraded sex are by no means permitted to enjoy. Not only among the African and other savage tribes, and the Tartars of the present day, but among the ancient inhabitants of Chaldea and Arabia, and all the nations of Europe in their ancient uncivilized state, the women were excluded from the inheritance of the family.3 Being condemned to severe and perpetual labour, they are themselves regarded as useful property. Hence a father parts not with his daughter but for a valuable consideration; hence the general custom, among barbarous nations, as in Pegu, in Siberia, among the Tartars, among the negroes on the coast of Guinea, among the Arabs, and even among the Chinese, of purchasing the bride by a dower.4 It is only in that improved state of property and security, when the necessities of life have ceased to create perpetual solicitude, and when a large share of attention may be given to its pleasures; that the women, from their influence on those pleasures, begin to be an object of regard. As society refines upon its enjoyments, and advances into that state of civilization, in which various corporeal qualities become equal or superior in value to corporeal strength, and in which the qualities of the mind are ranked above the qualities of the body, the condition of the weaker sex is gradually improved, till they associate on equal terms with the men, and occupy the place of voluntary and useful coadjutors.



A state of dependance more strict and humiliating than that which is ordained for the weaker sex among the Hindus cannot easily be conceived. “Day and night,” says Menu, “must women be held by their protectors in a state of dependance.”1 Who are meant by their protectors is immediately explained: “Their fathers protect them in childhood; their husbands protect them in youth, their sons protect them in age: a woman,” it is added, “is never fit for independence. Let husbands consider this as the supreme law, ordained for all classes; and let them, how weak soever, diligently keep their wives under lawful restrictions.”2 “By a girl, or by a young woman, or by a woman advanced in years, nothing,” says the same code, “must be done, even in her own dwelling-place, according to her mere pleasure. In childhood must a female be dependant on her father; in youth, on her husband; her lord being dead, on her sons: a woman must never seek independence.”3 The deference which is exacted towards her husband is without limits. “Though inobservant of approved usages, or enamoured of another woman, or devoid of good qualities, yet a husband must constantly be revered as a god by a virtuous wife. No sacrifice is allowed to women apart from their husbands, no religious rite, no fasting: as far only as a wife honours her lord, so far she is exalted in heaven.”1 “She who neglects her lord, though addicted to gaming, fond of spirituous liquors, or diseased, must be deserted for three months, and deprived of her ornaments and household furniture.”2 To every species of ill-usage, she is bound to submit; “neither by sale nor desertion,” says the ordinance of Menu, “can a wife be released from her husband: thus we fully acknowledge the law enacted of old by the lord of creatures.”3 This is a remarkable law; for it indicates the power of the husband to sell his wife for a slave, and by conse quence proves, that her condition, while in his house, was not regarded as very different from slavery. A law is even made to direct the mode in which she is beaten;

"A wife, a son, a servant, a pupil, and a younger whole brother, may be corrected, when they commit faults, with a rope, or the small shoot of a cane; but on the back part only of their bodies, and not on a noble part by any means."[4]

Nothing can exceed the habitual contempt which the Hindus entertain for their women. "Hardly are they ever mentioned in their laws, or other books, but as wretches of the most base and vicious inclinations, on whose nature no virtuous or useful qualities can be engrafted. "Their husbands," says the sacred code, "should be diligently careful in guarding them; though they well know the disposition with which the lord of creation formed them; Menu allotted to such women a love of their bed, of their seat, and of ornament, impure appetites, wrath, weak flexibility, desire of mischief, and bad conduct."[1] "Be there no place, be there no time, be there no one to tempt them," says the Hetopadesa, "then, O Narada, doth women's chastity appear. Women at all times have been inconstant, even among the celestials, we are told. In infancy the father should guard her, in youth her husband should guard her, and in old age her children should guard her; for at no time is a woman proper to be trusted with liberty."[2] The same author declares again; "Unto woman no man is to be found disagreeable, no man agreeable. They may be compared to a heifer on the plain, that still longeth for fresh grass. Infidelity, violence, deceit, envy, extreme avariciousness, a total want of good qualities, with impurity, are the innate faults of womankind."[3]



They are held, accordingly, in extreme degradation. They are not accounted worthy to partake of religious rites but in conjunction with their husbands.[1] They are entirely excluded from the sacred books; "Women have no business with the texts of the Veda; thus is the law fully settled: having, therefore, no evidence of law, and no knowledge of expiatory texts, sinful women must be as foul as falsehood itself. To this effect many texts, which may show their true disposition, are chanted in the Vedas."[2] "A minor," says the law, "one single person, a woman, a man of bad principles, &c. may not be witnesses."[3] We have already seen, as in the most barbarous nations, that the women among the Hindus are excluded from sharing in the paternal property.[4] They are, by system, deprived of education.[5] That remarkable proof of barbarity, the wife held unworthy to eat with her husband, is prevalent in Hindustan.[6]



An almost unlimited power of rejection or divorce appears to be reserved to the husband. In the code of Gentoo laws, among various other ordinances to the same purpose, it is declared that, "a woman who dissipates or spoils her own property, or who procures abortion, or who has an intention to murder her husband, and is always quarrelling with every body, and who eats before her husband eats, such women shall be turned out of the house."[1] On grounds like these, a man can never be without a pretence for dismissing his wife. But on the other hand we have seen that no species of barbarous treatment, not even desertion and sale, ever absolves the woman from her obligations to her lord.[2]



That polygamy was an established custom of the Hindus, we learn from various documents, and among others from the following story, which at the same time conveys no evidence of their domestic

gentleness:—"In the city of Devee-kotta, there was a Brahman, whose name was Deva-Sarma. One lucky evening he found a curious dish, which he took with him into a potter's warehouse full of earthen-ware, and throwing himself upon a bed which happened to be there, it being night, he began to express his thoughts upon the occasion in this manner:—If I dispose of this dish, I shall get ten kapardakas (cowries) for it; and with that sum I may purchase many pots and pans, the sale of which will increase my capital so much that I shall be able to lay in a large stock of cloth and the like; which having disposed of at a great advance, I shall have accumulated a fortune of a lack of money. With this I will marry four wives; and of these I will amuse myself with her who may prove the handsomest. This will create jealousy;
so when the rival wives shall be quarrelling, then will I, overwhelmed with anger, hurl my stick at them thus! Saying which he flung his walking-stick out of his hand with such force, that he not only broke his curious dish, but destroyed many of the pots and pans in the shop."[1]



The Hindus were, notwithstanding, so far advanced in civilization, except in the mountainous and most barbarous tracts of the country, as to have improved in some degree upon the manners of savage tribes. They have some general precepts, recommending indulgence and humanity in favour of the weaker sex. "Married women," says the law of Menu, "must be honoured and adorned by their fathers and brethren, by their husbands, and by the brethren of their husbands, if they seek abundant prosperity. Where female relations are made miserable, the family of him, who makes them so, very soon wholly perishes."[2] When particulars indeed are explained, the indulgences recommended are not very extensive. It is added, "Let those women, therefore, be continually supplied with ornaments, apparel, and food, at festivals, and at jubilees, by men desirous of wealth."[3] When it is commanded by law, as an extraordinary extension of liberality, to give them ornaments, and even apparel and food, at festivals and jubilees; this is rather a proof of habitual degradation than of general respect and tenderness. The idea, however, of purchasing a wife, as a slave, from her relations, had become odious; and though it is stated as one of the eight species of nuptial contract, it is classed among
the dishonourable species, and forbidden.[1] As the necessity of such a law indicates a state of society but one remove from that in which the unhappy bride is purchased and sold; so the customary, and original purchasing gift, the bull and the cow, still remained; but it had acquired a religious character, and was at last commanded to pass by another name. "Some say," observes the law of Menu, "that the bull and cow given in the nuptial ceremony of the Rishis, are a bribe to the father; but this is untrue: a bribe indeed, whether large or small, is an actual sale of the daughter."[2] There are texts, however, which directly recognize the transaction as a purchase: "He who takes to wife," it is said, "a damsel of full age, shall not give a nuptial present to her father; since the father lost his dominion over her, by detaining her at a time when she might have been a parent."[3] The obligation of the marriage contract is stated in the Institutes of Menu, under the head of purchase and sale; and it is expressly said, "If, after one damsel has been shown, another be offered to the bridegroom, who had purchased leave to marry her from her next kinsman, he may become the husband of both for the same price: this law Menu ordained."[4] The same undoubtedly is the purport of the following sacred

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text: “The recitation of holy texts, and the sacrifice ordained by the lord of creatures, are used in marriages for the sake of procuring good fortune to brides; but the first gift by the husband is the primary cause of marital dominion.”[1] It is to be observed, besides, that the women have no choice in their own destiny; but are absolutely at the disposal of their fathers, till three years after the nuptial age. If, until that period, the father have neglected what is reckoned one of his most sacred duties, to place his daughter in a situation to become a parent, he forfeits, through his sin, the dominion over her, and she may choose a husband for herself.[2]

It has been doubted whether immuring the women was an original part of Hindu manners, or adopted in consequence of the intercourse and dominion of the Mahomedans. But they have been found in a state of seclusion and confinement beyond the range of Mahomedan influence.[3] The practice is fully recognized in the ancient writings. We are told in the Bhagavat, that, on the day of the yug of Judishter, “the women who, buried in harams, were seldom permitted to see the sun, came out, on that day, to view rajah Judishter.”[1] The monarch who forms the hero in the drama entitled Sacontala had many wives, and they are represented as residing in the *secret* apartments of the palace.[2] The whole spirit of the Hindu maxims indicates confinement: there are numerous precepts which respect the guarding of women: and the punishment for vitiating those who are not guarded is always less than the punishment in the case of those that are.[3] Among these proofs of confinement are also appearances of freedom. The law of seclusion is made only for the few. Among the jealous Ottomans themselves, the great body of the community must leave their women at large, because an indigent man can neither dispense with the useful services of his wife, nor afford the cost of retaining her in confinement. In the earlier and ruder states of society, when men are in general poor, few can afford the expense of confinement; but among the Hindus, as in general among the nations of Asia, since their emerging from the rudest barbarism, it seems to have been the practice for every man, who possessed sufficient means, to keep his women guarded, in a state of seclusion.



On the coast of Malabar, where the manners differ considerably from those of the rest of the Hindus, and where the people have not reached a state of society altogether so perfect as that in some other parts of Hindustan, it would appear that the institution of marriage has never been regularly introduced. The peculiar mode in which the intercourse of the sexes is here carried on has not yet been satisfactorily explained to us, and from the differences which appear in the accounts of different authors it probably exhibits considerable variety; but in its general character it is pretty evidently a relict of the period in which there is no law for the association of the sexes; when their intercourse is casual; when the father of the offspring is by consequence uncertain; and when the children of necessity belong to the mother. The nearest male relations of the female, her father being in this case unknown, are her brothers; who, never having children whom they can recognize as their own, naturally contract an affection for those of their sister whom they support and with whom they live; by consequence regard them as in some measure their own; and vest them with the property which they leave at their death. In the family of a Nair there is no wife; all the brothers and sisters live under the same roof; their mother

the only known parent, during her life, and after her death the eldest sister, manage the domestic affairs; the sisters cohabit with the men of their choice, subject only to the sacred restriction of a class not inferior to their own; the children are by the brothers regarded as their own, and inherit the property of the family.[1] This is the exact description of a people among whom the institution of marriage is unknown, and the order into which things will run of their own accord, wherever the intercourse of the sexes is casual. The Nairs, however, are said to have added a kind of refinement to this established custom. They contract a marriage with a particular woman. But this is entirely nominal. The woman never leaves her mother's house; her intercourse with other men is not restricted; her children belong to her brothers; and the arrangement of society is the same as if no such marriage existed. If it really takes place, and the absurdity of the thing may support a suspicion of some mistake in our informants, it must be the effect of imitation, and of the reproaches which this people have sustained from other nations. These circumstances move them to contrive a semblance of a marriage, though not in the least degree to alter the established system of manners, to which it adheres as a useless excrescence. The Nairs are only one of the castes; and there appears to be some diversity in the mode of intercourse between the sexes in the several castes. The fashion among the Nairs is the standard to which they all approach. Our information, however, of these diversities, even if they merited a fuller elucidation, is too imperfect for minute description.[1]



It is not surprising, that grossness, in ideas and language, respecting the intercourse of the sexes, is a uniform concomitant of the degraded state of the women. Superficial contemplators have, in general, contented themselves with remarking, that it was a diversity of manners; or was the effect of a diversity of climate; and that what in one place was gross bore a different interpretation in another. Inquiry discovers, that grossness in this respect is a regular ingredient in the manners of a rude age; and that society, as it refines, deposits this, among its other impurities. The ancient inhabitants of our own country were as indelicate as those of the hottest regions of Asia.[1] All European witnesses have been struck with the indelicacy of the Hindus. The gross emblems and practices of their religion are already known.[2] To the indecent passages in the books of law, and the practices which they describe, exceedingly numerous, and exceedingly gross, we can here only allude.[3] Both the writings and conversation of the Hindus abound with passages which are shocking to European ears. Even in the popular and moral work, entitled Hetopadesa, there are parts which Mr. Wilkins could not translate; and he thus expresses himself on this characteristic of society among the Hindus: “The translator has carefully refined a great many indelicate expressions, which a Hindu lady, from grosser habits, might hear without a blush; and even omitted whole passages when that could not be effected but by a total change of the author's meaning.”[4] Another Oriental scholar, as well as eye-witness of the manners he describes, affords us a passage which at once pourtrays this part of the Hindu character, and traces one of those remarkable resemblances, which run through the principal nations of Asia. “The Persian woman,” says Mr. Scott Waring, “like the Indian, are totally devoid of delicacy; their language is often gross and disgusting, nor do they feel more hesitation in expressing

themselves before men, than they would before their female associates. Their terms of abuse or reproach are indelicate to the utmost degree. I will not disgust the reader by noticing any of them; but I may safely aver that it is not possible for language to express, or the imagination to conceive, more indecent or grosser images."[1]

Much attention has been attracted to the gentleness of manners, in this people. They possess a feminine softness both in their persons and in their address. As the inhabitants of Europe were rough and impetuous, in their rude and early state, and grew mild only as they grew civilized, the gentleness of Hindu manners has usually impressed their European visitors, with a high conception of their progress in civilization. It is, perhaps, a ground of presumption; but fallacious if taken as a proof. One of the circumstances which distinguish the state of commencing civilization is, that it is compatible with great violence, as well as great gentleness of manners. Nothing is more common than examples of both. Mildness of address is not always separated even from the rudest condition of human life, as the Otaheitans, and some other of the South-Sea islanders, abundantly testify.[1] "The savages of North America are affectionate in their carriage, and in their conversations pay a mutual attention and regard, says Charlevoix, more tender and more engaging, than what we profess in the ceremonial of polished societies."[2]



The causes which seem to account for these effects are partly physical, and partly moral. Where the commodities of life, by a happy union of climate and soil, are abundant, gentleness of manners, as appears by the traditions respecting the golden or pastoral age, is by no means unnatural to men in the earliest period of improvement: The savage, involved in a continual struggle with want, who sees himself and his children every day exposed to perish with hunger, is, by a sort of necessity, rapacious, harsh, unfeeling, and cruel. The species of polity under which the national character is formed is perhaps to a still greater degree the cause of the diversity which we now contemplate. Where the mind is free, and may vent its passions with little fear, the nation, while ignorant and rude, is also fierce and impetuous: Where slavery prevails, and any departure from the most perfect obsequiousness is followed with the most direful consequences, an insinuating and fawning behaviour is the interest, and thence becomes the habit, of the people.



With the same causes are connected other leading features in the character of the Hindus. They are remarkably prone to flattery; the most prevailing mode of address from the weak to the strong, while men are still ignorant and unreflecting.[1] The Hindus are full of dissimulation and falsehood, the universal concomitants of oppression.[1] The vices of falsehood, indeed, they carry to a height almost unexampled among the other races of men. Judicial mendacity is more than common; it is almost universal. "Perjury," said Sir William Jones, to the Grand Jury at Calcutta, "seems to be committed by the meanest, and encouraged by some of the better sort among the Hindus and Mussulmans, with as little remorse, as if it were a proof of ingenuity, or even a merit."[2] —" I have many reasons to believe, and none to doubt, that affidavits of every imaginable fact may as easily be procured in the streets and markets of Calcutta, especially from the natives, as any other article of traffic."[3] Speaking of the forms of an oath, among the Hindus,

he says, “But such is the corrupt state even of their erroneous religion, that if the most binding form on the consciences of men could be known and established, there would be few consciences to be bound by it.”[4]

I have not enumerated the religion of the Hindus as one among the causes of that gentleness, which has been remarked in their deportment. This religion has produced a practice, which has strongly engaged the curiosity of Europeans; a superstitious care of the life of the inferior animals. A Hindu lives in perpetual terror of killing even an insect; and hardly any crime can equal that of being unintentionally the cause of death to any animal of the more sacred species. This feeble circumstance, however, is counteracted by so many gloomy and malignant principles, that their religion, instead of humanizing the character, must have had no inconsiderable effect in fostering that disposition to revenge, that insensibility to the sufferings of others, and often that active cruelty, which lurks under the smiling exterior of the Hindu. “Although the killing of an animal of the ox kind,” says Buchanan, “is by all Hindus considered as a kind of murder, I know no creature whose sufferings equal those of the labouring cattle of Hindustan.”[1] No other race of men are perhaps so little friendly, and beneficent to one another as the Hindus. “Dysenteries,” says Dr. Tenant, speaking of the salt manufacturers, “are at one season, peculiarly fatal. The unhappy victims of this disorder are avoided as infectious by their companions, and suffered to pine without receiving either that aid or consolation, which compassion usually pays to the wretched.”[1] “The Bengalese,” says another traveller, “will seldom assist each other, unless they happen to be friends or relations, and then the service that they render only consists in carrying the sufferer to the water of the Ganges, to let him die there, or be carried away by the stream.”[2] Le Couteur remarks, that “men accustomed from their infancy to abstain from every kind of cruelty towards brutes, ought naturally to be humane and benevolent towards their own species; and this would infallibly be the case, if the same religion had not hardened the hearts of the superior casts; for they hold those that are born their inferiors, as beings below even the most worthless animals: they take away the life of a man with less scruple than we kill a fowl. To strike a cow would be sacrilege; but a Bramin may put a man to death when he lists.”[1]



BOOK II. Chap. 7.

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It commonly happens that in a rude period of society, the virtue of hospitality, generously and cordially displayed, helps to cast into the shade the odious passions which adhere to man in his uncultivated state. The unhappy circumstances, religious and political, of the Hindu, have tended to eradicate even this, the virtue of a rude age, from his breast. After noticing in various parts of his journey, the striking instances which he witnessed of the want of hospitality, Dr. Buchanan says in one passage, “I mention these difficulties, which are very frequently met with by travellers in all parts of India where Europeans have not long resided, to show the inhospitable nature of its inhabitants.” For one of his sepoys, who was seized with an acute disease, and left in agony by the side of the road, he could not, except by force, in a large village obtain a cot, though he was assured there was one in every house.[2]

The ancient literature of the Hindus affords many proofs that no inconsiderable degree of ferocity has at all times been mingled with the other ingredients of their character. The Yadavas, a sacred race, the kindred of Crishna, in a drunken fray, took arms and butchered one another, to the utter extinction of the race.[1] One of the most remarkable stories in the celebrated book, called *Hetopadesu*, is that of a man who cut off his wife's nose, because she would not speak to him.[2] As the performance of that great religious ceremony, called a Jug, is sufficient to extort from the divinity whatever boon the true performer demands, the following law makes provision against the most cool, intense, and persevering malignity of which human nature appears to be susceptible. "If a man performs a jug to procure the death of any innocent person, the magistrate shall fine him 200 puns of cowries."[3] If the gentleness, too, of the punishment, about ten shillings,[4] be a sign, the indignation, which so atrocious a purpose excites, is far from remarkable. That murder by the most odious means, by poison, is looked upon in the same venial light, the following law bears equal testimony; "If a man, to procure the death of any innocent person, by any contrivance, causes him to drink a potion, or otherwise meditates his death, the magistrate shall fine him 200 puns of cowries."[5] The cool reflection which attends the villainy of the Hindu, has often surprised the European. Mr. Holwell informs us, that, when he sat as a judge at Calcutta he had often heard the most atrocious murders avowed and defended by the criminals, on the ground of its being now the Cali age, when men are destined to be wicked.[1]



Notwithstanding the degree to which the furious passions enter into the character of the Hindu, all witnesses agree in representing him as a timid being. With more apparent capacity of supporting pain than any other race of men; and, on many occasions, a superiority to the fear of death, which cannot be surpassed, this people run from danger with more trepidation and eagerness than has been almost ever witnessed in any other part of the globe.[2]



It is the mixture of this fearfulness, with their antisocial passions, which has given existence to that litigiousness of character which almost all witnesses have ascribed to this ancient race. As often as courage fails them in seeking a more daring gratification to their hatred or revenge, their malignity finds a vent in the channel of litigation. "That pusillanimity and sensibility of spirit," says Mr, Orme, "which renders the Gentoos incapable of supporting the contentions of danger, disposes them as much to prosecute litigious contests. No people are of more inveterate and steady resentments in civil disputes. The only instance in which they seem to have a contempt for money, is their profusion of it in procuring the redress and revenge of injuries at the bar of justice. Although they can, with great resignation, see themselves plundered to the utmost by their superiors, they become mad with impatience, when they think themselves defrauded of any part of their property by their equals. Nothing can be more adapted to the feminine spirit of a Gentoo, than the animosities of a lawsuit."[1]

A modification of the same passions gives rise to another, and seemingly a strong ingredient in the Hindu character, a propensity to the war of contentious tongues. The following picture, if not finely, is at least clearly drawn. "The timidity of the Hindu

may, in general, prevent his fighting, boxing, or shedding of blood; but it by no means restrains him from scolding and upbraiding his neighbours. In this respect they are the most litigious and quarrel-some of all men. Have two persons a misunderstanding? Let them meet in the street and they will upbraid each other for an hour together, with every foul epithet of abuse which their imagination can suggest, or their language supply. A few natives engaged in one of these bickerings display a furious gesticulation; a volubility of words and coarseness of expression which leave the eloquence of Billingsgate far behind."[1]



The physical temperament of the Hindus, though an effect of some of the circumstances which have operated to the formation of their minds, has reflected a strong influence on their character. Their make is slender and delicate. Their shapes are in general fine. The female form, in particular, frequently attains in India its most exquisite proportions; and "their skins," says Mr. Orme, speaking of the Hindu women, "are of a polish and softness beyond that of all their rivals on the globe." The muscular strength, however, of the Hindus, is small; even less, according to the same accurate observer, than the appearance of their bodies, though expressive of weakness, would lead the spectator to infer. Their stature is in general considerably below the European standard; though such inferiority is more remarkable in the south, and diminishes as you advance toward the north.[1]



The extreme simplicity and lightness of the aliments used by the Hindu, and the smallness of his consumption, must, undoubtedly, have been among the causes of the lightness and feebleness observable in his frame. His food consists almost wholly of rice; and his drink is nothing but water: while his demands are satisfied with a pittance which appears extreme to the people of almost every other part of the world. The prohibition, by the Hindu religion, of the flesh of animals for food, has been sufficiently remarked. It is not such as to have produced by any means a total abstinence, but the quantity consumed is, no doubt, small. The great luxury of the Hindu is butter, prepared in a manner peculiar to himself, and called by him, ghee.[2]



But though the body of the Hindu is feeble, it is agile, in an extraordinary degree. Not only in those surprising contortions and feats, which constitute the art of the tumbler, do they excel almost all the nations in the world; but even in running and marching they equal, if not surpass, people of the most robust constitutions. "Their messengers will go fifty miles a day, for twenty or thirty days without intermission." Their infantry, if totally unincumbered with burthens, which they could by no means support, will march faster, and with less weariness, than European.[1]

The delicacy of their texture is accompanied with great acuteness and sensibility in all the organs of sense. This not only gives them great advantages in some of the finest of the manual arts, as weaving, for example; the pliant fingers and exquisite touch of the Hindu being so peculiarly adapted to the handling of the finest threads: but it communicates a remarkable susceptibility to the mental organs. The Hindu is a sort of a sensitive plant. His imagination and passions are easily inflamed; and he has a

sharpness and quickness of intellect which seems strongly connected with the sensibility of his outward frame.

Another remarkable circumstance in the character of the Hindus; in part, too, no doubt, the effect of corporeal weakness, though an effect in some sort opposite to that excitability which we have immediately remarked, is the inertness of disposition, with which all men have been so forcibly struck in observing the conduct of this peculiar race. The love of repose reigns in India with more powerful sway, than in any other region probably of the globe. “It is more happy to be seated than to walk; it is more happy to sleep than to be awake; but the happiest of all is death.” Such is one of the favourite sayings, most frequently in the mouths of this listless tribe, and most descriptive of their habitual propensities. Phlegmatic indolence pervades the nation. Few pains, to the mind of a Hindu, are equal to that of bodily exertion; the pleasure must be intense which he prefers to that of its total cessation.1



This listless apathy and corporeal weakness of the natives of Hindustan, have been ascribed to the climate under which they live. But other nations, subject to the influence of as warm a sun, are neither indolent nor weak; the Malays for example, the Arabians, the Chinese.2 The savage is listless and indolent under every clime. In general, this disposition must arise from the absence of the motives to work; because the pain of moderate labour is so very gentle, that even feeble pleasures suffice to overcome it; and the pleasures which spring from the fruits of labour are so many and great, that the prospect of them, where allowed to operate, can seldom fail to produce the exertions which they require. There is a state of barbarity and rudeness which implies, perhaps, a weakness of mind too great to be capable of perceiving, with a clearness sufficient to operate upon the will, the benefits of labour. This, however, is a state beyond which the Hindus have long since passed; and there is but one cause, to which, among the Hindus, the absence of the motives for labour can be ascribed; their subjection to a wretched government, under which the fruits of labour were never secure.1



The languid and slothful habits of the Hindu appear to have prescribed even his amusements and diversions. They are almost all of the sedentary and inactive kind. The game of paucheess, which bears a resemblance to chess and draughts, and is played by two natives, reclining on their sides, with a small chequered carpet placed between them, is the favourite amusement of this indolent race. Wonderful is the patience and interest with which, we are told, they watch and plan the evolutions of this languid game.1 The mind in vacuity droops and pines; even where the body is the most gratified by repose: and in the rude state of society, when interesting objects seldom occur, the passion for play is a general resource. The Hindus, accordingly, appear to have been at all times deeply infected with the vices of gaming. In that celebrated poem, the Mahabarat, Judishter, though celebrated as a model of kingly wisdom, and his four brothers, all eminent men, are represented as losing their fortunes, and their very kingdoms, at dice. The laws, as usual, are ambiguous and contradictory. All gaming is pronounced unlawful; yet,

according to the Gentoo Code, parties may game before an agent of the magistrate, to whom in that case a half of the winnings belongs.2

A fondness for those surprising feats of bodily agility and dexterity which form the arts of the tumbler and the juggler, is a feature in the character of the Hindu. It is a passive enjoyment which corresponds with the passiveness of his temper; and it seems in general to be adapted to the taste of all men in a similar state of society. Our Saxon ancestors were much addicted to this species of amusement; and their tumblers and jugglers had arrived at great proficiency.1 The passion of the Chinese for those diversions is known to be excessive, and the powers of their performers, almost incredible.2 This was one of the favourite entertainments of the ancient Mexicans; and their surprising dexterity and skill seem hardly to have yielded to that of the Hindus and Chinese. Clavigero concludes a minute and interesting account of the astonishing feats of the Mexican performers, by remarking, that, "the first Spaniards, who were witnesses of these and other exhibitions of the Mexicans, were so much astonished at their agility, that they suspected some supernatural power assisted them, forgetting to make a due allowance for the progress of the human genius when assisted by application and labour."3



A taste for buffoonery is very generally a part of the character of a rude people; as appears by the buffoons, who, under the name of fools, were entertained by our Gothic ancestors in the courts of princes and the palaces of the great. Among the Hindus, this source of amusement was an object of so much importance, as to become the subject of legislative enactment. "The magistrate," says the Gentoo Code, "shall retain in his service a great number of buffoons or parasites, jesters, and dancers, and athletics."1



Story-telling, which entirely harmonizes with the Hindu tone of mind, is said to be a favourite diversion.2 The recitations of the bards, with which the people of Europe were formerly so much delighted, afforded an entertainment of the same description. The stories of the Hindus consist of the wildest fictions; and as almost all their written narratives are in verse, their spoken stories, it is probable, like the effusions of the bards, contained occasionally more or less of the measure and elevation of verse.3 Music and dancing form a part of their entertainments; the latter, however, they enjoy as spectators chiefly, not performers.

Notwithstanding the indolence and inactivity of the Hindus, hunting, which is in general so favourite a sport of man in his uncivilized state, is capable of calling forth their most strenuous exertions. The different classes seem not only to forget their habitual languor and timidity, but their still more inveterate prejudices of caste, and join together in pursuing the tenants of the woods and mountains with an ardour, enterprise and patience, which no other people can surpass.4

It is curious that avarice, which seems but little consistent with sloth, or that insecurity with regard to property which so bad a government as theirs implies forms a more remarkable ingredient in the national character of the

Hindus, than in that of any other people. It is a passion congenial to a weak and timid mind, unwarmed by the social affections. They are almost universally penurious;[1] and where placed in situations in which their insatiable desire of gain can meet with its gratification, it is not easy to surpass their keenness and assiduity in the arts of accumulation.[2] "Slavery," says Mr. Orme, "has sharpened the natural fineness of all the spirits of Asia. From the difficulty of obtaining, and the greater difficulty of preserving, the Gentoos are indefatigable in business, and masters of the most exquisite dissimulation in all affairs of interest. They are the acutest buyers and sellers in the world, and preserve through all their bargains a degree of calmness, which baffles all the arts that can be opposed against it."[3] The avaricious disposition of the Hindus is deeply stamped in their maxims of prudence and morality. Thus, they say: "From poverty a man cometh to shame. Alas! the want of riches is the foundation of every misfortune.—It is better to dwell in a forest haunted by tigers and lions, than to live amongst relations after the loss of wealth."[1]



The mode of transacting bargains among the Hindus is sufficiently peculiar to deserve description. By a refinement of the cunning and deceitful temper of a rude people, the business is performed secretly, by tangible signs. The buyer and seller seat themselves opposite to one another, and covering their hands with a cloth, perform all the most subtile artifices of chaffering, without uttering a word, by means of certain touches and signals of the fingers, which they mutually understand.[2]

The simplicity of the houses, dress, and furniture of the Hindus correspond with that of their diet. "The Indian houses," says Sonnerat, "display nothing of oriental magnificence."[1] Those of the poor, even in towns, are built of mud, sometimes of brick, and thatched. "Brahmens and religious people plaster the pavement, and sometimes the walls, with cow-dung; and although this act proceeds from a spirit of religion, yet it is of use in keeping out insects."[2] The furniture, which is almost nothing in the houses of the poor, is in the highest degree scanty and simple even in those of the rich. Mats or carpets for the floor, on which they are accustomed both to sit and to lie, with a few earthen and other vessels for the preparation of their victuals and for their religious ceremonies, form the inventory in general of their household goods.[3]



From the frequency and care with which the Hindus perform religious ablutions, the Europeans, prone from partial appearances to draw flattering conclusions, painted them, at first, as in the colours of so many other virtues, so likewise in those of cleanliness. Few nations are surpassed by the Hindus, in the total want of physical purity, in their streets, houses, and persons. Mr. Foster, whose long residence in India, and knowledge of the country, render him an excellent witness, says of the narrow streets of Benares; "In addition to the pernicious effect which must proceed from a confined atmosphere, there is, in the hot season, an intolerable stench arising from the many pieces of stagnated water dispersed in different quarters of the town. The filth also which is indiscriminately thrown into the streets, and there left exposed, (for the Hindus possess but a small portion of general cleanliness) add to the compound of

ill smells so offensive to the European inhabitants of this city."[1] Dr. Buchanan informs us, that "the earthen pots in which the Hindus boil their milk, are in general so nasty, that after this operation no part of the produce of the dairy is tolerable to Europeans, and whatever they use their own servants must prepare."[2] "The Hindoo," says Mr. Scott Waring, "who bathes constantly in the Ganges, and whose heart equals in purity the whiteness of his vest, will allow this same white robe to drop nearly off with filth before he thinks of changing it. Histories, composed in the closet, of the manners of extensive nations may possess every beauty; for as *facts* do not restrain the imagination, nor impose rules on poetic license, the fancy of the historian enjoys an uninterrupted range in the regions of fiction."[3]

To a superficial view, it appears surprising that overstrained sentiments in regard to the ceremonial of behaviour are a mark of the uncivilized state of the human mind. The period when men have but just emerged from barbarism, and have made the first feeble steps in improvement, is the period at which formalities in the intercourse of social life are the most remarkably multiplied, at which the importance attached to them is the greatest, and at which the nice observance of them is the most rigidly exacted. In modern Europe, as manners have refined, and knowledge improved, we have thrown off the punctilious ceremonies which constituted the fine breeding of our ancestors; and adopted more and more of simplicity in the forms of intercourse. Among the inhabitants of Hindustan, the formalities of behaviour are multiplied to excess; and the most important bonds of society are hardly objects of greater reverence.[1] Some of their rules breathe that spirit of benevolence, and of respect for the weak, which begins to show itself partially at an early period of society, and still wants much of its proper strength at a late one. The distinctions of giving way on the road are thus marked in the Gentoo code; a man with sight, to a man blind; a man with hearing to a man deaf; a man to a woman; a man empty-handed to a man with a burthen; an inferior person to a superior; a man in health to a sick person; and all persons to a Brahmen.[1] Not a few of their rules bear curious testimony to the unpolished state of society in which they were prescribed. "If a man," says one of their laws," having accepted another's invitation, doth not eat at his house, then he shall be obliged to make good all the expense that was incurred in consequence of the invitation."[2] When a Hindu gives an entertainment, he seats himself in the place of greatest distinction; and all the most delicate and costly of the viands are placed before him. The company sit according to their quality, the inferior sort at the greatest distance from the master, each eating of those dishes only which are placed before him, and they continually decreasing in fineness, as they approach the place of the lowest of the guests.[3]



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The attachment which the Hindus, in common with all ignorant nations, bear to astrology, is a part of their manners exerting a strong influence upon the train of their actions. "The Hindus of the present age," says a partial observer, "do not undertake any affair of consequence without consulting their astrologers, who are always Brahmens."[4] The belief of witchcraft and sorcery continues universally prevalent; and is every day the cause of the greatest enormities. It not unfrequently happens that Brahmens, tried for murder before the

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English judges, assign as their motive to the crime, that the murdered individual had enchanted them. No fewer than five unhappy persons in one district were tried and executed for witchcraft, so late as the year 1792. The villagers themselves assume the right of sitting in judgment on this imaginary offence; and their sole instruments of proof are the most wretched of all incantations. Branches of the Saul tree, for example, one for each of the suspected individuals, inscribed with her name, are planted in water. If any of them withers within a certain time, the devoted female, whose name it bears, suffers death as a witch.[1]

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# NOTES

## NOTE A. P. 286.

"5. This*universe* existed only *in the first divine idea yet unexpanded, as if involved* in darkness, imperceptible, undefinable, undiscoverable *by reason*, and undiscovered *by revelation*, as if it were wholly immersed in sleep;

"6. Then the *sole* self-existing power, himself undiscerned, but making this world discernible, with five elements and other principles *of nature*, appeared with undiminished glory, *expanding his idea, or* dispelling the gloom.

"7. He, whom the mind alone can perceive, whose essence eludes the external organs, who has no visible parts, who exists from eternity, even he, the soul of all beings, whom no being can comprehend, shone forth in person.

"8. He, having willed to produce various beings from his own divine substance, first with a thought created the waters, and placed in them a productive seed:

"9. The *seed* became an egg bright as gold, blazing like the luminary with a thousand beams: and in that egg he was born himself, *in the form* of Brahma, the great forefather of all spirits.

"10. The waters are called *nara*, because they were the production of Nara, *or the Spirit of God;* and, since they were his first *ayana, or place of motion*, he thence is named Narayana, *or moving on the waters*.

"11. From That Which is, the first cause, not the object of sense, existing *every where in substance*, not existing *to our perception*, without beginning or end, was produced the divine male, famed in all worlds under the appellation of Brahma.

"12. In that egg the great power sat inactive a whole year *of the Creator*, at the close of which, by his thought alone, he caused the egg to divide itself.

"13. And from its two divisions he framed the heaven *above* and the earth *beneath:* in the midst *he placed* the subtil ether, the eight regions, and the permanent receptacle of waters.

"14. From the supreme soul he drew forth mind, existing substantially though unperceived by sense, immaterial; and *before mind, or the reasoning power, he produced* consciousness, the internal monitor, the ruler:

"15. And, *before them both*, he produced the great *principle of the soul, or first expansion of the divine idea;* and all vital forms endued with the three qualities of *goodness, passion, and darkness*; and the *five* perceptions of sense, and the five organs of sensation.

"16. *Thus*, having at once pervaded, with emanations from the Supreme Spirit, the minutest portions of six principles immensely operative, consciousness and the five perceptions, he framed all creatures;

"17. And since the minutest particles of visible nature have a dependence on those *six* emanations from God, the wise have accordingly given the name of *sarira or depending on six, that is, the ten organs on consciousness, and the five elements on as many perceptions*, to his *image or* appearance in visible nature.

"18. Thence proceed the great elements endued with peculiar powers, and mind with operations infinitely subtil, the unperishable cause of all apparent forms.

"19. This *universe*, therefore, is compacted from the minute portions of those seven divine and active principles, *the great soul, or first emanation, consciousness, and five perceptions; a* mutable *universe* from immutable *ideas*.

"20. Among them each succeeding element acquires the quality of the preceding; and, in as many degrees as each of them is advanced, with so many properties is it said to be endued.

"21. He too first assigned to all creatures distinct names, distinct acts, and distinct occupations; as they had been revealed in the pre-existing *Veda*.

"22. He, the supreme ruler, created an assemblage of inferior deities, with divine attributes and pure souls; and a number of genii exquisitely delicate; and he *prescribed* the sacrifice ordained from the beginning.

"23. From fire, from air, and from the sun he milked out, *as it were*, the three primordial *Vedas*, named *Rich, Yajush, and Saman*, for the due performance of the sacrifice.

"24. He gave being to time and the divisions of time, to the stars also, and to the planets, to rivers, oceans, and mountains, to level plains, and uneven valleys.

"25. To devotion, speech, complacency, desire, and wrath, and to the creation, which shall presently be mentioned; for he willed the existence of all those created things.

"26. For the sake of distinguishing actions, he made a total difference between right and wrong, and enured these sentient creatures to pleasure and pain, *cold and heat*, and other opposite pairs.

"27. With very minute transformable portions, called *natras*, of the five elements, all this perceptible world was composed in fit order;

"28. And in whatever occupation the supreme lord first employed any vital soul, to that occupation the same soul attaches itself spontaneously, when it receives a new body again and again:

"29. Whatever quality, noxious or innocent, harsh or mild, unjust or just, false or true, he conferred on any being at its creation, the same quality enters it of course *on its future births;*

"30. As the *six* seasons of the year attain respectively their peculiar marks in due time, and of their own accord, even so the several acts of each embodied spirit *attend it naturally*.

"31. That the human race might be multiplied, he caused the *Brahmen*, the *Cshatriya*, the *Vaisya*, and the *Sudra* (so named from the *scripture, protection, wealth, and labour*) to proceed from his mouth, his arm, his thigh, and his foot.

"32. Having divided his own substance, the mighty Power became half male, half female, *or nature active and passive;* and from that female he produced Viraj:

"33. Know me, O most excellent of Brahmens, to be that person, whom the male *power* VIRAJ, having performed austere devotion, produced by himself; me, the *secondary* framer of all this *visible world*.

"34. It was I, who, desirous of giving birth to a race of men, performed very difficult religious duties, and first produced ten lords of created being, eminent in holiness,

"35. Marichi, Atri, Angeras, Pulastya, Pulaha, Cratu, Prachetas, or Dacsha, Vasishtha, Bhrigu, and Narada:

"36. They, abundant in glory, produced seven other *Menus*, together with deities, and in the mansions of deities, and *Maharshis*, or great Sages, unlimited in power.

"37. Benevolent genii, and fierce giants, blood-thirsty savages, heavenly quiristers, nymphs and demons, huge serpents, and snakes of smaller size, birds of mighty wing, and separate companies of *Pitris*, or progenitors of mankind;

"38. Lightnings and thunder-bolts, clouds and coloured bows of *Indra*, falling meteors, earth-rending vapours, comets, and luminaries of various degrees;

"39. Horse-faced sylvans, apes, fish, and a variety of birds, tame cattle, deer, men, and ravenous beasts with two rows of teeth;

"40. Small and large reptiles, moths, lice, fleas, and common flies, with every biting gnat, and immovable substances of distinct sorts." (Instit. of Menu, ch. 1.)

Such is the account of the creation which is contained in one of the principal standards of Hindu faith; such is one of the chief documents from which we can draw precise ideas respecting the religious principles of the Hindus. The darkness, the vagueness, and the confusion, which reign in it, need not be remarked; for by these the Hindu mythology is throughout distinguished. The first of the propositions, as it now stands, can be adequately designated only by the familiar appellative, nonsense; the ideas are heterogeneous, and incompatible. "This universe" it is said, "existed only *in the first divine idea*." When any thing is said to exist in idea, the meaning is,

that it is conceived by the mind, or, in common language, that it is an idea in the mind. This universe then, according to the above passage, was conceived by the divine mind before it was actually produced, or, in other words, it was an idea in the divine mind. This idea existed in the divine mind "yet unexpanded." But what are we to understand by an idea in the divine mind "unexpanded?" In regard to human thought an idea may be said to be unexpanded, when something is conceived very generally and obscurely; and it may be said to be expanded when the thing is conceived minutely, distinctly, and in all its parts. Are we then to understand by the idea of the universe being unexpanded in the divine mind, that the universe was conceived by it only generally, obscurely, indistinctly, and that it was not till creation was actually performed, that the divine idea was clear, full, and precise? How infinitely removed is this from the sublime conception which we entertain of the Divine Being; to whose thoughts all his works past, present, and to come, and every thing in the universe from eternity to eternity, are present always, essentially, perfectly, in all their parts, properties, and relations! This divine idea is still farther described: it existed "as if involved in darkness." When an idea is involved in darkness, it is an idea not perfectly understood; an apprehension only compatible with the most imperfect notions of the divine nature. It existed "imperceptible." If this means by the senses, all ideas are imperceptible; if it means by the mind, it is impossible, for the very essence of an idea consists in its being perceived by the mind. It existed "undefinable, undiscoverable by reason, undiscovered by revelation, as if it were wholly immersed in sleep." What sort of an idea could that be in the divine mind which the divine mind could not define, that mind by which it was formed? If the meaning be, that it could not be defined by any other mind; neither can the idea, not yet expressed, which exists in the mind of the most foolish of men. "Not discoverable by reason;" does this mean that the divine reason did not discover the divine idea; or does it mean that human reason could not discover it? An idea in the mind of another being is not discoverable to man by reason, but by enunciation. The last expression is the most extraordinary; "as if immersed in sleep:" "an idea immersed in sleep!" An idea too in the divine mind immersed in sleep! What notion can be formed of this?

But it must be explained that this incoherence and absurdity is not the work of Menu, or of the author, whoever he was, of the treatise which goes by his name. It is a common plan in India, for a commentator who is explaining a book, to insert between the words of the text such expressions as to him appear necessary to render the sense of the author clear and distinct. This has been done by a commentator of the name of Culluca, in regard to the ordinances of Menu; and his gloss or commentary, interworded with the text, Sir William Jones has translated along with his author. As he has, very judiciously, however, printed the interwoven expressions of the commentator in italics, it is easy for the reader to separate them, and to behold the sense of the original unadulterated. According to this expedient, the words of Menu appear thus: "This existed only in darkness, imperceptible, undefinable, undiscoverable, undiscovered, as if it were wholly immersed in sleep." It seems remarkably the genius of the ancient Sanscrit writings to be elliptical, and the adjective pronouns specially are very frequently used without a substantive. "This," in the passage which we are now examining, is in that situation. The mind of the reader is left to supply the word which the sense of the context demands. This—every thing; this—whole; this—universe; such is the manner in which the mind easily here

suggests the requisite idea; and when this is done, the incoherence and absurdity which the supplement of Culluca engendered, is entirely dispelled. The passage presents clearly and unambiguously, a description, a very vague and unmeaning description, it must be owned, of that chaos of which the Greeks and Romans drew so striking and awful a picture, and of which the belief appears to have been so widely and generally diffused. The notion which Culluca endeavoured to engraft, is remarkable. It is no other than the celebrated Platonic principle of the preexistence of all things in the divine mind, which Culluca, it is evident, neither understood nor could apply, and with which he made such havoc on the genuine sense of his author. It is probable that he borrowed the idea from some foreign source, that it pleased him as preferable to the more rude conception of a chaos, and that he resolved, according to the invariable rule of the Brahmens, to give his own order the credit of it, by incorporating it with the doctrines of the sacred authors.

There is a remarkable coincidence, and there is a remarkable discrepancy, between this passage in the Institutes of Menu, and the following at the beginning of the book of Genesis: “In the beginning God created the heaven and the earth. And the earth was without form and void, and darkness was upon the face of the deep.” The coincidence appears in the chaotic description here applied to the earth: the discrepancy consists in this, that the Jewish legislator informs us of the previous creation of the shapeless mass, the Hindu legislator describes it as antecedent to all creation.

This chaos, this universe, then, in its dark, imperceptible, undefinable state, existed according to Menu, antecedent to creation. This too was the idea of the Greeks and Romans, who thence believed in the eternity of matter. It is doubtful, from the extreme vagueness of the Hindu language, whether they had carried their thoughts so far as to conceive the question respecting the origin of matter; but as its eternity is implied in several of their doctrines, so it appears to be recognized in some of their expressions. It appears, indeed, that they were unable to make any clear distinction between matter and spirit, but rather considered the latter to be some extraordinary refinement of the former. Thus even the Divine Being, though they called him soul, and spirit, they certainly regarded as material. In the passage already quoted, it is said, “that he willed to produce various beings from *his own divine substance*.” Now what can be meant by substance, if not material substance? Besides, from material substance alone can material beings be produced. But the first thing which we are told was produced from the divine substance, was water. It is worth remarking, at the same time, that in other places water appears to be spoken of as uncreated, and as the material out of which all other things were produced. A passage describing the creation, translated from the Yajur Veda by Mr. Colebrooke, commences thus: “Waters alone there were; this world originally was water. In it the lord of creation moved, having become air.” [Asiat. Res. viii. 452.]

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## NOTE B. P. 289.

Another and a very remarkable account of the creation of living creatures is found in the Vedas, and translated by Mr. Colebrooke. “This variety of forms was, before the production of body, soul, bearing a human shape. Next, looking round, that primeval Being saw nothing but himself; and he first said, *I am I*. Therefore his name was I: and thence even now, when called, a man first answers, *it is I*, and then declares any other name which appertains to him.—Since he, being anterior to all this which seeks supremacy, did consume by fire all sinful obstacles to his own supremacy, therefore does the man, who knows this truth, overcome him, who seeks to be before him.—He felt dread; and, therefore, man fears, when alone. But he reflected 'since nothing exists besides myself, why should I fear?’ Thus his terror departed from him; for what should he dread, since fear must be of another?—He felt not delight; and, therefore, man delights not when alone. He wished the existence of another; and instantly he became such as is man and woman in mutual embrace. He caused this his own self to fall in twain; and thus became a husband and a wife. Therefore was this body, so separated, as it were an imperfect moiety of himself: for so Yajnyawalcya has pronounced it. This blank, therefore, is completed by woman. He approached her; and thence were human beings produced.—She reflected, doubtingly; How can he, having produced me from himself, incestuously approach me? I will now assume a disguise. She became a cow; and the other became a bull and approached her; and the issue were kine. She was changed into a mare, and he into a stallion; one was turned into a female ass, and the other into a male one: thus did he again approach her, and the one-hoofed kind was the offspring. She became a female goat, and he a male one; she was an ewe, and he a ram: thus he approached her, and goats and sheep were the progeny. In this manner, did he create every existing pair whatsoever, even to the ants and minutest insect.” See a curious Discourse of Mr. Colebrooke on the Vedas, or Sacred Writings of the Hindus, Asiat. Research. viii. 440, 441.

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# NOTE C. P. 341.
# Daily Ceremomies Of The Brahmens.

As he rises from sleep, a Brahmen must rub his teeth with a proper withe, or a twig of the racimeferous fig tree, repeating prayers. Should this sacred duty be omitted, so great a sin is incurred, that the benefit is lost of all religious rites performed by him. The next circumstance of importance is, the deposit of the withe after it has done its office. It must be carefully thrown away in a place free from impurities; that is, where none of those religious stains, which are so multiplied among the Hindus, and must infect so many places, have been imprinted. When the business of the teeth and of the twig is accomplished, ablution next engages the attention of the Brahmen. The duty of the bath, particularly in the months of Magha, Pholgima, and Cartica, is no less efficacious than a rigid penance for the expiation of sin. Standing in a river, or in other water, the worshipper, sipping water, which is a requisite preliminary to all rites, and sprinkling it before him, recites inaudibly the gayatri, or holiest text of the Veda, with the names of the seven worlds. He next throws water eight times on his head, or towards the sky, and at last upon the ground, to destroy the demons who wage war with the gods, reciting prayers, of which the first may be received as a specimen: “O waters, since ye afford us delight, grant us present happiness, and the rapturous sight of the supreme God.” When these ceremonies and prayers are performed, he plunges three times into the water, and each time repeats the expiatory text which recites the creation, and having then washed his mantle, the morning ablution is finished. If he is an householder, it is his duty to bathe again at noon, and if he belongs to an order of devotion, both at noon and in the evening, with ceremonies, differing somewhat in the words and forms, but the same in spirit and substance.1

An important part of the worship of the Brahmen then succeeds. Coming out of the water, and putting on his mantle, he sits down to worship the rising sun. This great duty is performed by first tying the lock of hair on the crown of his head, while he holds much cusa grass in his left hand, and three blades of it in his right, or wears a ring of it on the third finger of that hand, reciting at the same time the gayatri. He then sips water three times, repeats the mysterious names of the seven worlds, recites again the gayatri, rubs his hands as if washing them, touches with his wet hand his feet, head, breast, eyes, ears, nose and navel, and again three times sips water. If, however, he should sneeze, or spit, he must obey the text which says, “after sneezing, spitting, blowing his nose, sleeping, putting on apparel or dropping tears, a man should not immediately sip water, but first touch his right ear.” The sipping, however, being at last performed, he passes his hand filled with water, briskly round his neck, while he prays: “May the waters preserve me!” He then shuts his eyes and meditates in silence. Till we got better information, very wonderful ideas were formed of the sublimity of the Brahmen's meditations. On this, one of the most sacred and solemn of all occasions, while he meditates in silence, with his eyes shut, and every mark of intense thought, we are informed, that he is only “figuring to himself, that Brahma, with five faces and a red complexion, resides in his navel; Vishnu, with four arms and a black complexion, in his heart; and Siva, with five faces and a white co lexion, in his

forehead." Nor is this the whole of his meditation. He ponders next on the holiest of texts; and this sublime duty is performed in the following manner. Closing the left nostril with the two longest fingers of the right hand, he draws his breath through the right nostril, and then closing it with his thumb, and suspending his breath, he repeats to himself the gayatri, the mysterious names of the worlds, and the sacred text of Brahme; after which, raising his fingers from the left nostril, he emits the breath which he had suppressed, and thus ends one part of his meditation. The same process is repeated three times and the whole is then concluded. This meditation, says Yajnyawalcya, "implies, Om, (aum,) earth, sky, heaven, middle region, place of births, mansion of the blessed, abode of truth. We meditate on the adorable light of the resplendent generator which governs our intellects, which is water, lustre, savour, immortal faculty of thought, Brahme, earth, sky, and heaven."1 He then stands on one foot, resting the other against his ancle or heel, and looking towards the east, while his hands are held open before him in a hollow form, and in that posture he recites prayers to the sun, of which the following is one of the most remarkable: "Thou art self-existent, thou art the most excellent ray; thou givest effulgence, grant it unto me." When all these ceremonies are performed, the oblation or offering is the next part of the service. It consists of tila, flowers, barley, water, and red sanders wood; it is put into a vessel of copper in the shape of a boat, and placed on the head of the votary, who presents it with fresh prayers, and holy texts. In the last place comes the invocation of the gayatri. It is first addressed in these words: "Thou art light; thou art seed; thou art immortal life; thou art effulgent; beloved by the gods, defamed by none, thou art the holiest sacrifice." It is then recited measure by measure; next the two first measures are recited as one hemistich; and the third measure as the other; lastly, the three measures are repeated without interruption. It is addressed again in the following words; "Divine text, who dost grant our best wishes, whose name is trisyllable, whose import is the power of the Supreme Being; come, thou mother of the Vedas, who didst spring from Brahme, be constant here." It is then, along with the triliteral monosyllable, and the names of the three lower worlds, pronounced inaudibly a hundred, or a thousand times, or as often as practicable, while the repetitions are counted upon a rosary of wild grains, or of gems set in gold. Additional prayers are recited, and the morning worship of the sun is thus terminated.1

The religious duties which fill up the remaining portion of the day are chiefly comprised in what are denominated the five sacraments. In a passage of the Institutes of Menu these are thus described; "Teaching and studying the scripture is the sacrament of the Veda: Offering cakes and water, the sacrament of the manes; An oblation to fire, the sacrament of the deities; Giving rice or other food to living creatures, the sacrament of spirits; Receiving guests with honour, the sacrament of men."2 I shall endeavour by a very short illustration to convey an idea of each.

Preparatory to the study of the Veda must ablution be performed. Of this some ceremonies not yet described may be here introduced. "Let a Brahman at all times perform the ablution," says the law of Menu, "with the pure part of his hand, denominated from the Veda, or with the part sacred to the Lord of creatures, or with that dedicated to the gods; but never with the part named from the Pitris: The pure part under the root of the thumb is called Brahma; that at the root of the little finger, Caya; that at the tips of the fingers, Daiva; and the part between the thumb and index,

Pitrya. Let him first sip water thrice; then twice wipe his mouth, and lastly touch with water the six hollow parts of his head, [or his eyes, ears, and nostrils,] his breast and his head. He who knows the law, and seeks purity, will ever perform the ablution with the pure part of his hand, and with water neither hot nor frothy, standing in a lonely place, and turning to the east or the north. A Brahmen is purified by water that reaches his bosom; a Cshatriya, by water descending to his throat; a Vaisya, by water barely taken into his mouth; a Sudra, by water touched with the extremity of his lips."[1] Having concluded this part of the ceremony, and walked in a circle beginning from the south, he proceeds to the pronunciation of the syllable Aum. "A Brahmen, beginning and ending a lecture on the Veda, must always pronounce to himself the syllable Aum; for unless the syllable Aum precedes, his learning will slip away from him; and unless it follow, nothing will be long retained. If he have sitten on culms of cusa grass, with their points toward the east, and be purified by rubbing that holy grass on both his hands, and be further prepared by three suppressions of breath, each equal in time to five short vowels, he may then fitly pronounce Aum. Brahma milked out, as it were, from the three vedas, the letter A, the letter U, and the letter M, which form by their coalition the trillteral monosyllable, together with three mysterious words, earth, sky, heaven."[2] Turning his face towards the east, with his right hand toward the south, and his left hand towards the north, he then sits down, having the cusa grass before him, holding two blades of it on the tips of his left fingers, and placing on them his right hand with the palm turned upwards, and in this sacred position he meditates the gayatri. He then recites the due prayers and texts, and is thus prepared to begin the daily perusal of the Veda.[3]

The sacrament of the manes, which occupies the second place in the above text of Menu, is described at great length in that sacred volume. "Let the Brahmen smear with cow-dung a purified and sequestered piece of ground; and let him with great care select a place with a declivity toward the south. Having duly made an ablution with water, let him place with reverence the invited Brahmens, who have also performed their ablutions, one by one, on allotted seats purified with cusa grass, honouring them with fragrant garlands and sweet odours, and bringing for them water, with cusa grass and tila; then let him pour the oblation of clarified butter on the holy fire, and afterwards proceed to satisfy the manes of his ancestors. Having walked in order from east to south, and thrown into the fire all the ingredients of his oblation, let him sprinkle water on the ground with his right hand. From the remainder of the clarified butter having formed three balls of rice, let him offer them, with fixed attention, in the same manner as the water, his face being turned to the south: Then having offered those balls, after due ceremonies, and with an attentive mind, to the manes of his father, his paternal grandfather, and great grandfather, let him wipe the same hand with the roots of cusa, which he had before used, for the sake of his paternal ancestors in the fourth, fifth, and sixth degrees, who are the partakers of the rice and clarified butter thus wiped off. Having made an ablution, returning toward the north, and thrice suppressing his breath slowly, let him salute the gods of the six seasons, and the Pitris. Whatever water remains in his ewer, let him carry back deliberately near the cakes of rice; and with fixed attention let him smell those cakes, in order as they were offered, and give part of them to the Brahmens. Having poured water, with cusa grass and tila, into the hands of the Brahmens, let him give them the upper part of the cakes, saying Swadha to the manes. Next, having himself brought with both hands a vessel

full of rice, let him, still meditating on the Pitris, place it before the Brahmens without precipitation. Broths, potherbs, and other eatables accompanying the rice, together with milk and curds, clarified butter and honey, let him first place on the ground after he has made an ablution: let him add spiced puddings, and milky messes of various sorts, roots of herbs and ripe fruits, savoury meats and sweet-smelling drinks: then being duly purified, and with perfect presence of mind, let him take up all the dishes one by one, and present them in order to the Brahmens, proclaiming their qualities. Himself being delighted, let him give delight to the Brahmens, and invite them to eat of the provisions by little and little; attracting them often with the dressed rice and other eatables. Let all the dressed food be very hot. Let not a chandala, a town boar, a cock, a dog, a woman in her courses, or an eunuch, see the Brahmens eating."[1] These, with a variety of prayers, and several other observances, are the obsequies to the manes of ancestors.

The oblations to fire, which are a most important part of the duties of the Hindu, are dignified with the title of the sacrament of the gods. I shall here premise the ceremonies attending the consecration of the fire, and the sacramental implements, though to all religious rites these may be regarded as introductory. In order to prepare the ground for the reception of the holy fire, the priest chooses a level spot four cubits square, free from all ceremonial impurities, covered with a shed, and this he smears with cow-dung. Next, having bathed and sipped water, he sits down with his face towards the east, and placing a vessel of water with cusa grass on his left, dropping his right knee, and resting on the span of his left hand, he draws, after an established rule, five consecrated lines, and gathering up the dust from the edges of them, throws it away toward the north-east, saying, "What was herein bad is thrown away." Having, also, sprinkled the lines with water, and the ground being now prepared, he takes a lighted ember out of the vessels wherein he preserves the fire, and throwing it away, cries, "I dismiss far away carnivorous fire: May it go to the realm of Yama, bearing sin hence." Then, placing the fire before him, he exclaims, "Earth! sky! heaven!" and adds, "This other harmless fire only remains here; well knowing its office, may it convey my oblation to the gods." He now bestows upon it a name, conformable to the purpose for which he prefers it, and concludes this part of the ceremony by silently burning a log of wood one span long, smeared with clarified butter. The placing of the superintending priest is the next part of the duty. On very solemn occasions this is a real Brahmen; but in general a substitute is made for him of a bundle of cusa grass. He by whom the sacrifice is performed takes up the vessel of water, and keeping his right side towards the fire, walks round it: then he pours water near it, in an eastern direction, and spreads on it cusa grass: then he crosses, without sitting down, his right knee over his left; then takes up a single blade of grass between the thumb and ring-finger of his left hand; next throws it away towards the south-west, saying, "What was herein bad is cast away:" then he touches the water, resting the sole of his right foot on his left ankle, sprinkles the grass with water, after which he places on it his Brahmen made of cusa, saying to it, "Sit on this seat until thy fee be paid thee;" he then returns round the fire the same way by which he went, and sitting down again with his face towards the east names the earth inaudibly. If no profane word should hitherto have been spoken, for which atonement is requisite, he must next spread leaves of cusa grass on three sides of the fire; he begins with the eastern side, and lays three rows of leaves in such a manner that the tip of the one

shall cover the root of the other; after this he blesses the ten regions of space, and rising a little puts some wood on the fire with a ladleful of clarified butter, while he meditates in silence on Brahma, the lord of creatures: next he takes up two leaves of the grass, and with another cutting off the length of a span, and saying, "Pure leaves be sacred to Vishnu," he throws them into a vessel of copper, or other metal; he then takes up other two leaves, and holding the tips of them between the thumb and ring finger of his right hand, the roots between the thumb and ring finger of his left, he takes up, having the one hand crossed over the other, clarified butter in the curviture of the leaves, and throws some of it three several times into the fire. He then sprinkles the leaves with water, and throws them away; next, having sprinkled the vessel containing the clarified butter, he puts it on the fire and takes it off again three several times, when, having recited the proper prayers with cusa grass in both his hands, the ceremony of hallowing the butter is finished. That of hallowing the wooden ladle is performed by describing three times with the tip of his fore finger and thumb the figure 7 on the inside of it, and the figure 9 on the outside, by sprinkling water, having first dropped on one knee, from the palms of his hands, on the whole southern side of the fire, from west to east; on the western side from south to north, on the northern side, and then all around the fire, reciting prayers and sacred texts. Having next recited an expiatory prayer with cusa grass in both his hands, and having thrown the grass away, he has then finished the consecration of the sacrificial implements. It is only after all this is accomplished that he is prepared to begin the oblation to fire, of which the following is one of that variety of forms which it receives according to the rite intended to succeed. First, the priest burns silently a log of wood, smeared with clarified butter: next, he makes three oblations, by pouring each time a ladleful of clarified butter on the fire, and pronouncing severally the following prayers; "Earth! be this oblation efficacious."—"Sky! be this oblation efficacious."—"Heaven! be this oblation efficacious." On some occasions the oblation is made a fourth time, and he says, "Earth! sky! Heaven! be this oblation efficacious.' An offering of rice, milk, curds, and butter, is next performed, and the oblations accompanied with the names of the three worlds are repeated.1 "In his domestic fire, for dressing the food of all the gods," says the law of Menu, "let a Brahmen make an oblation each day to these following divinities; first to Agni, god of fire, and to the lunar god, severally; then, to both of them at once; next, to the assembled gods; and afterwards to Dhanwantari god of medicine; to Cuhu, goddess of the day, when the new moon is discernible; to Anumati, goddess of the day after the opposition; to Prajapati, or the lord of creatures; to Dyava and Prithivi, goddesses of sky and earth; and lastly, to the fire of the good sacrifice. Having thus, with fixed attention, offered clarified butter in all quarters, proceeding from the east in a southern direction, to Indra, Yamu, Varuna, and the god Soma, let him offer his gift to animated creatures."1

The fourth sacrament, or that of spirits, in the Institutes of Menu, is thus described: "Let him, saying, I salute the marats or winds, throw dressed rice near the door: saying, I salute the water gods, let him throw it in water; and let him throw it on his pestle and mortar, saying, I salute the gods of large trees. Let him do the like in the north-east, or near his pillow, to Sri, the goddess of abundance; in the south-west, or at the foot of his bed, to the propitious goddess Bhadracali; in the centre of his mansion, to Brahma, and his household god; to all the gods assembled, let him throw up his oblation in open air; by day, to the spirits who walk in light; and by night, to

those who walk in darkness; in the building on his housetop, or behind his back, let him cast his oblation for the welfare of all creatures; and what remains let him give to the Pitris with his face toward the south."2

Of those diurnal sacraments, which constitute so great a part of the duty of the Hindus, receiving guests with honour, which is denominated the sacrament of men, is the fifth. This is commonly, by English writers, interpreted "hospitality." But we shall form a very erroneous notion of this sacramental service, if we confound it with the merely human and profane duty of receiving strangers beneficently from motives of humanity. This is a duty purely religious, confined to the twice-born and consecrated classes; and principally contrived for the benefit of the Brahmens; that for them, in all places, and on all occasions, every door may be open, and every table spread. "A Brahmen, coming as a guest, and not received with just honour, takes to himself all the reward of the kousekeeper's former virtue, even though he had been so temperate as to live on the gleanings of harvests, and so pious as to make oblations in five distinct fires."3 A guest, in the Hindu sense, is not every man who may claim, or may stand in need of your hospitalities: A guest, according to the commentator, whom Mr. Colebrooke follows as his guide, is "a spiritual preceptor, a priest, an ascetick, a prince, a bridegroom, a friend."4 "In the house of a Brahmen," says the law of Menu, "a military man is not denominated a guest; nor a man of the commercial or servile cast;"1 so that a Brahmen, to whom are devoted the hospitalities of all the classes, is bound to return them to Brahmens alone. Among the religious ceremonies with which this sacrament is celebrated, a cow is tied on the northern side of the apartment, and a stool and other furniture placed for the guest, when the householder, rising up to bid him welcome, recites the prayer; "May she, who supplies obligations for religious worship, who constantly follows her calf, and who was the milch cow when Yama was the votary, abound with milk, and fulfil our wishes year after year." The guest then sits down on the stool or cushion prepared for him, reciting the text of the Yajurveda, which says; "I step on this for the sake of food and other benefits, on this variously splendid footstool." His host next presents to him a cushion made of twenty leaves of cusa grass, holding it up with both hands, and exclaiming, "the cushion! the cushion! the cushion!" which the guest accepts and places it on the ground under his feet, reciting prayers. This done, a vessel of water is presented to him, the host thrice exclaiming, "Water for ablutions!" Of this the guest declares his acceptance, and looking into the vessel cries, "Generous water! I view thee; return in the form of fertilizing rain from him from whom thou dost proceed." He then takes some of it in the palms of both hands joined together, and throws it on his left foot, saying, "I wash my left foot, and fix prosperity in this realm;" in the same manner on the right foot, with a similar declaration; and lastly, on both feet, saying, "I wash first one and then the other; and lastly, both feet, that the realm may thrive, and intrepidity be gained." With similar formalities is next presented and received, an arghya; that is, a vessel shaped like a boat, or a conch, filled with water, rice, and durva grass; when the guest pouring the water on his head, says, "Thou art the splendour of food; through thee may I become glorious." The host, again presenting water, three times exclaims, "Take water to be sipped!" the guest, accepting it, says, "Thou art glorious, grant me glory!" These ceremonies being finished, the host fills a vessel with honey, curds, and clarified butter, and, covering it with another vessel, presents it to his guest, exclaiming three times, "Take the Madhuparca!" He, receiving, places it on the

ground, and looking into it, says, “Thou art glorious, may I become so:” he tastes it three times, saying, “Thou art the sustenance of the glorious; thou art the nourishment of the splendid; thou art the food of the fortunate; grant me prosperity:” and then silently eats until he be satisfied. When this is done, he sips water; and touching his mouth and other parts of his body with his hand, he says, “May there be speech in my mouth; breath in my nostrils; sight in my eyeballs; hearing in my ears; strength in my arms; firmness in my thighs: may my limbs and members remain unhurt together with my soul.” Presents are then presented to him, suitable to the rank of the parties; and a barber who attends for the purpose, now exclaims, “The cow, the cow.” The guest then pronounces the following text: “Release the cow from the fetters of Varuna. May she subdue my foe. May she destroy the enemies both of my host and me. Dismiss the cow that she may eat grass and drink water.” At this intercession she is released, and thus the guest addresses her; “I have earnestly entreated this prudent person, saying, Kill not the innocent, harmless, cow, who is mother of Rudras, daughter of Vasus, sister of adityas, and the source of ambrosia.”1 Such is the mode in which the ceremonial duty of entertaining guests is celebrated, and such is an idea of the ceremonies which are included in the five daily sacraments of the Hindus.

As the daily ceremonies, however, in their full detail, are sufficient to engross the whole time of the votary; for those on whom the functions of society devolve, some alleviation of the burthen, or rather, in the Hindu notion, some restriction of the privilege, was necessarily devised: and while the sanctity of entire accomplishment is reserved for the holy men who maintain perpetual fires, those who are engaged in the affairs of life are obliged to content themselves with a rite, called Vaiswadeva, in which all the daily sacraments, excepting that of the Veda, are comprised. It consists of oblations to the manes, to the gods, and spirits, and of donations to guests, all out of the food prepared for the daily meal; and is thus performed. Sitting down in a place free from impurities, and setting a vessel containing fire on his right hand, the worshipper hallows the ground by throwing away a lighted piece of cusa grass, while he recites the appropriate text,2 and then places his fire on the consecrated spot, repeating the prayer which is used, when the household and sacrificial fires are lighted by the attrition of wood.3 He next lays cusa grass on the eastern side of the fire, with its tips pointed towards the north, exclaiming, “I praise divine fire, primevally consecrated, the efficient performer of a solemn ceremony, the chief agent of a sacrifice, the most liberal giver of gems.”1 He spreads it on the southern side, with its points towards the east, reciting the commencement of the Yajurveda. 1. “I gather thee for the sake of rain. 2. I pluck thee” (at this he is supposed to break off the branch of a tree) “for the sake of strength. 3. Ye are” (he touches calves with the branch he had pulled off) “like unto air. 4. May the liberal generator of worlds make you” (here he touches, or is supposed to touch, milch-cows with the same branch) “happily reach this most excellent sacrifice.”2 In like manner he lays grass on the two other sides of the fire, on the western side with the tips to the north, crying, “Fire! approach to taste my offering; thou who art praised for the gift of oblations; sit down on this grass, thou, who art the complete performer of the solemn sacrifice;”3 and on the northern side with the tips pointed to the east, saying, “May divine waters be auspicious to us, &c.4 When all these ceremonies are completed, he stirs the fire, and sprinkles water upon it, after which, having his hands smeared with clarified butter, he offers food three several times, repeating, “Earth! sky! heaven!” Five similar oblations are next

performed: one to the regent of fire; one to the god of medicine; one to the assembled deities; one to the lord of created beings; and one to the creator of the universe. Six more oblations are then offered with six prayers, every oblation having its separate prayer. 1. “Fire! thou dost expiate a sin against the gods; may this oblation be efficacious. 2. Thou dost expiate a sin against man. 3. Thou dost expiate a sin against the manes. 4. Thou dost expiate a sin against my own soul. 5. Thou dost expiate repeated sins. 6. Thou dost expiate every sin I have committed, whether wilfully or unintentionally: may this oblation be efficacious.” He next worships the fire, making an oblation with the following prayer; “Fire! seven are thy fuels; seven thy tongues; seven thy holy sages; seven thy beloved abodes; seven ways do seven sacrificers worship thee: thy sources are seven: be content with this clarified butter: may this oblation be efficacious.” As the sacred lamp was lighted for the repulsion of evil spirits, before the oblations to the gods and the manes were presented, it is now extinguished, while recitation is made of the following text; “In solemn acts of religion, whatever fails through the negligence of those who perform the ceremony, may be perfected solely through meditation on Vishnu.” The oblations to spirits are next offered: the performer depositing portions of food in the several places prescribed for it, having previously swept each place with his hand and sprinkled it with water. Near the spot where the vessel of water stands, he makes three offerings, saying, “Salutation to rain! to water! to the earth!” He makes them at both doors of his house to Dhatri, and Vidhatri, or Brahma, the protector and creator. He presents them toward the eight points of the compass, adding salutation to them, and to the regents of them. To Brahm, to the sky, and to the sun, he makes oblations with salutation in the middle of the house. He then offers similar oblations to all the gods; to all beings; to twilight; and to the lord of all beings. After the sacrament of spirits thus performed, the worshipper, shifting the sacramental cord, and looking toward the south, drops upon one knee, and presents an oblation to the manes of ancestors, saying, “Salutation to progenitors: may this ancestral food be acceptable.” Having performed a lustration, he should then present food to his guests. “When he has thus,” says Mr. Colebrooke, “allotted out of the food prepared for his own repast, one portion to the gods, a second to progenitors, a third to all beings, and a fourth to his guests, he and his family may then, and not before, consume the remaining portion of the food.” This ceremony must be regularly performed in the forenoon, by those to whom the full celebration of the five sacraments is impracticable; and by some persons it is repeated again in the evening.[1]

After this tedious though greatly abridged account, of the daily ceremonies of the Hindus, we come to those which are performed at certain great and chosen epochs. On these, however, I shall content myself with some very general notices.

The Brahmans wait not for the period of birth to commence the ceremonis which pertain to each individual. “With auspicious acts,” says the holy text, “prescribed by the Veda, must ceremonies on conception, and so forth, be duly performed, which purify the bodies of the three classes in this life, and qualify them for the next.” Oblations to fire are required during the mother's pregnancy, and holy rites are commanded on the birth of the child. “Before the section of the naval string, a ceremony is ordained on the birth of a male child: he must be made, while sacred texts are pronounced, to taste a little honey and clarified butter from a golden

spoon."[1] The ceremony of giving a name is ordained to be performed on the tenth or twelfth day after the birth: "or on some fortunate day of the moon, at a lucky hour, and under the influence of a star with good qualities."[2] The ceremony of the tonsure, which is one of the distinguishing marks of the first three classes, is a rite of great solemnity, commanded to be performed in the first or third year after birth.[3] But of all the ritual ordinances of the Hindus none are reckoned more essential or important than those relating to the investiture. "In the eighth year from the conception of a Brahmen," says the law of Menu, "in the eleventh from that of a Cshatriya, and in the twelfth from that of a Vaisya, let the father invest the child with the mark of his class: Should a Brahmen, or his father for him, be desirous of his advancement in sacred knowledge, a Cshatriya of extending his power, or a Vaisya of engaging in mercantile business, the investiture may be made in the fifth, sixth, or eighth years respectively. The ceremony of investiture, hallowed by the gayatri, must not be delayed, in the case of a priest, beyond the sixteenth year; nor in that of a soldier, beyond the twenty-second; nor in that of a merchant, beyond the twenty-fourth. After that all youths of these three classes, who have not been invested at the proper time, become vratyas or outcasts, degraded from the gayatri, and contemned by the virtuous. With such impure men let no Brahmen, even in distress for subsistence, ever form a connexion in law, either by the study of the Veda, or by affinity."[4] The investiture, or institution, is usually denominated the second birth; and it is from this ceremony that the three highest classes are denominated the twice-born.[5] It consists chiefly in bestowing upon the object of the rite, a mantle, a girdle, a sacrificial cord, and a staff, with numerous ceremonies, prayers, and holy texts. "Let students of the Veda," says the law of Menu,[1] "wear for their mantles, the hides of black antelopes, of common deer, or of goats, with lower vests of woven sana, of cshuma, and of wool, in the direct order of their classes. The girdle of a priest must be made of munja, in a triple cord, smooth, and soft; that of a warrior must be a bow-string of murva; that of a merchant, a triple thread of sana. The sacrificial thread of a Brahmen must be made of cotton, so as to be put on over his head in three strings; that of a Cshatriya, of sana thread only; that of a Vaisya, of woollen thread.[2] A priest ought by law to carry a staff of Bilva or Palasa: a soldier, of Bata or C'hadira; a merchant, of Venu or Udumbara. The staff of a priest must be of such a length as to reach his hair; that of a soldier to reach his forehead; and that of a merchant to reach his nose. Let all the staves be straight, without fracture, of a handsome appearance, not likely to terrify men, with their bark perfect, unhurt by fire. His girdle, his leathern mantle, his staff, his sacrificial cord, and his ewer, he must throw into the water, when they are worn out or broken, and receive others hallowed by mystical texts. The ceremony of cesanta, or cutting off the hair, is ordained for a priest in the sixteenth year from conception; for a soldier, in the twenty-second; for a merchant, two years later. Such is the revealed law of institution for the twice-born, an institution in which their second birth clearly consists, and which causes their advancement in holiness."

The ceremonies of marriage, which next call for our attention, are extremely numerous. The bridegroom is first of all received by the father of the bride with all the ceremonies of hospitality which we have already described; and during this time the bride is bathed.[3] When these rules are finished, the hand of the bride is placed in that of the bridegroom, both having been previously rubbed with some auspicious drug, and a matron binds them with cusa grass amid the sound of cheerful music. The father

of the bride then bidding the attendant priests begin their acclamations, pours water from a vessel containing tila and cusa grass, upon the hands of the united pair, and uttering the words, "God the existent," and pronouncing the names and designations of the bridegroom, the bride, and himself, says, "I give unto thee this damsel, adorned with jewels, and protected by the lord of creatures." The bridegroom replies, "Well be it." The bridegroom then having received from the father of the bride a piece of gold, and recited an appropriate text, the parties are affianced, and walk forth, while the bridegroom thus addresses the bride; "May the regents of space, may air, the sun, and fire, dispel that anxiety which thou feelest in thy mind, and turn thy heart to me. Be gentle in thy aspect, and loyal to thy husband; be fortunate in cattle, amiable in thy mind, and beautiful in thy person: be mother of valiant sons; be fond of delights; be cheerful; and bring prosperity to our bipeds and quadrupeds."1 A libation of water is afterwards made; and the father of the bride, having meditated the gayatri, ties a knot with the skirts of the mantles of the bridegroom and bride, saying, "Ye must be inseparably united in matters of duty, wealth, and love." The bridegroom next attires the bride with a variety of ceremonies, of which the following are the most remarkable. Going to the principal apartment of the house, he prepares a sacrificial fire, and hallows the implements; when one friend of his bearing a jar of water, walks round the fire, and stops on the south side of it; and another, performing the same ceremony, places himself on the right of the first. The bridegroom then casts four double handfuls of rice, mixed with leaves of Sami, into a flat basket; and placing near it a stone and mullar, which with formality he had previously touched, he causes the bride to be clothed with a new waistcloth and scarf, while he himself recites a variety of prayers. This being done, the bride goes to the western side of the fire, and recites a prayer, while she steps on a mat made of virana grass, and covered with silk. She then sits down on the edge of the mat, and the bridegroom makes six oblations of clarified butter, reciting a prayer with each.1 After this he names the three worlds separately and conjointly, presenting oblations; and makes four or five oblations to fire and to the moon. After these he rises up with the bride, and passing from her left to her right makes her join her hands in a hollow form. The rice, which was previously put in the basket, being then taken up, and the stone which was laid near being placed before the bride, she treads on it with the point of her right foot, while the bridegroom recites this prayer, "Ascend this stone; be firm like this stone; distress my foe, and be not subservient to my enemies." He then pours on her hands a ladleful of clarified butter; another person gives her the rice; two ladlefuls of butter are poured over it; when she separates her hands, and lets fall the rice on the fire, while a holy text is recited. She treads again on the stone, again makes an oblation of rice, again a prayer is recited, again walking is performed round the fire, again four or five oblations are made with similar ceremonies and prayers, when the bridegroom pours two ladlefuls of butter on the edge of the basket, and then rice out of it into the fire, saying, "may this oblation to fire be efficacious." After the ceremony of ascending the stone and throwing the rice into the fire, the bride is conducted to the bridegroom, and by him directed to step successively into seven circles, while seven texts are repeated. This is the most emphatical part of the ritual; for no sooner is the seventh step of the bride performed, than the nuptial bond is complete and irrevocable. The bridegroom then in appropriate texts addresses the bride and the spectators, dismissing them; after which his friend, who stood near the sacrificial fire, bearing a jar of water, advances to the spot where the seventh step was completed, and, while a prayer is recited, pours

water on the head, first of the bridegroom and then of the bride. Upon this, the bridegroom, putting his left hand under the hands of his bride, which are joined in a hollow posture, takes her right hand in his, and recites six holy texts; after which he sits down with her near the fire, and makes oblations, while severally and conjointly he names the three worlds. On the evening of the same day, when the stars begin to appear, the bride sits down on a bull's hide of a red colour, placed with the neck towards the east, and the hair upwards; and the bridegroom, sitting down beside her, makes oblations, naming the three worlds as usual; then six other oblations, pouring each time the remainder of the clarified butter on her head, and reciting prayers.1 After rising up, and contemplating the polar star as an emblem of stability, matrons pour upon them water mixed with leaves, which had been placed upon an altar prepared for that purpose, and the bridegroom again makes oblations with the names of the worlds. He then eats food, prepared without factitious salt, reciting prayers during the meal: and when he has finished, the remainder is given to the bride. During the three subsequent days the married couple must remain in the house of the father of the bride, must abstain from factitious salt, must live chastely and austerely, sleeping on the ground. On the fourth day the bridegroom carries her to his house, reciting texts when he ascends the carriage, and when they come to cross roads. Leading her into his own house he chants a hymn, when matrons hail, and seat her on a bull's hide as before, and the bridegroom recites a prayer. They place next a young child in her lap, putting roots of lotus, or fruits, into his hand; when the bridegroom takes him up, and, preparing a sacrificial fire with all the usual ceremonies, makes eight different oblations, with as many prayers. The bride then salutes her father in law, and the other relations of her husband. The bridegroom prepares another sacrificial fire, and sits down with the bride on his right hand; when with the usual preliminary and concluding oblations to the three worlds, he makes twenty oblations, with as many prayers, throwing the remainder of each portion of the consecrated butter into a jar of water, which is afterwards poured on the head of the bride.

If the ceremonies prescribed for marriage are thus multiplied, trivial, and tiresome, those allotted to funerals are in point of number still more exorbitant and oppressive. After a specimen, however, of the Hindu ceremonies, there is something exceedingly monotonous in the detail of the rest; and hardly any thing is more ungrateful than to be obliged to go through them. The reader is, therefore, spared the task of studying the funeral rites of the Hindus, of which, notwithstanding, he may form a sufficient conception, as, in point of character, they exactly resemble those which have already been described.2

Of the monthly ceremonies, one may suffice to afford an idea of the whole. “From month to month,” says the law of Menu, “on the dark day of the moon, let a twice-born man, having finished the daily sacrament of the Pitris, and his fire being still blazing, perform the solemn sraddha.”3 Of the sraddha's, which are numerous but very similar, the following is exhibited as a specimen. The person who is to perform the ceremony having purified the place by smearing it with cow-dung, raises on it an alter of sand of certain dimensions and form, washes his hands and feet, sips water, and puts a ring of cusa grass on the ring finger of each hand. He then sits down on a cushion of cusa grass, and lights a lamp, reciting a prayer. He next places the utensils and materials in order, sprinkles water on himself and all around, meditates on

Vishnu, surnamed the Lotos-eyed, meditates the gayatri, and after some ceremonies proceeds to invite and to welcome the assembled gods and the manes. Two little cushions, of three blades of cusa grass, he places on one side of the altar for the Viswadevas, and six in front of it for the Pitris, and strewing on them cusa grass, he asks, "Shall I invoke the assembled gods?" *Do so;* is the answer: upon which he exclaims, "Assembled gods! hear my invocation: come and sit down on this holy grass." After scattering barley and meditating a prayer to the gods, he invites the manes of ancestors with similar invocations; and welcomes the gods and manes with oblations of water, &c. in vessels made of leaves. He puts cusa grass into the vessels, and sprinkles them with water, while he recites the prayer, beginning, "May divine waters be auspicious to us;" he next throws barley into the vessels intended for the gods, and tila into those intended for the manes, with a prayer appropriate to each. The vessels are then taken up in succession, a prayer being repeated for each; the cusa grass placed on the vessels is put into the hand of a Brahmen; that which was under them is held in the hand of the person by whom the sraddha is performed; and he pours through it, on the hand of the Brahmen, the water which the vessels contained, then piles up the empty vessels in three sets, and overturns them, saying, while he reverses the first, "Thou art a mansion for ancestors." Taking up food smeared with clarified butter, he next makes two oblations to fire, with two corresponding prayers. The residue of the oblation, the performer having consecrated it by prayers and other ceremonies, having sweetened it with honey and sugar, and having meditated the gayatri with the names of worlds, is distributed among the Brahmens; and when they have eaten till they have acknowledged that they are satisfied, he gives them water to rinse their mouths. He then offers the cakes, consisting of balls or lumps of food, mixed with clarified butter, observing the requisite ceremonies. In the next place he makes six libations of water from the palms of his hands, with the salutation to the seasons, then places with due ceremonies and texts, a thread on each funeral cake, to serve as apparel for the manes. After this he takes up the middle cake and smells it, or his wife, if they are desirous of male offspring, eats it, while they recite a correspondent prayer. He takes up the rest of the cakes, and smelling them one after another, throws them into a vessel; which done, they are given to a mendicant priest, or a cow, or else cast into the water. He then dismisses the manes, reciting a holy text, and having walked round the spot, and recited a prayer, departs.1 "Formal obsequies," says Mr. Colebrooke, "are performed no less than ninety-six times in every year."2

END OF VOL. I.

[1]The difficulty arising from this source of false information was felt by the very first accurate historian.

Thucyd. lib. i. c. k. Other excellent observations to the same purpose are found in the two following chapters.

[1]Il y avoit plus de choses la dessus qu'on ne le croyoit communement, mais elles etoient noyées dans une foule de recueils immenses, en langues Latine, Espagnole, Angloise, et Hollandoise, ou personne ne s'avisoit de les aller chercher; dans une quantité de routiers tres-secs, tres ennuyeux, relatifs à cent autres objets, et dont il seroit presque impossible de rendre la lecture interressente. Les difficultés ne touchent

guère ceux qui ne les essuyent pas. Hist. des Navigation aux Terres Australes, par M. le President de Brosse.

[2]L'on ne sent que trop, says Mr. Gibbon, combien nous sommes portés à mêler nos idées avec celles que nous rapportons. Memoire sur la Monarchie des Medes, Gibbon's Miscel. Works, iii. 61. Ed. 8vo. This infirmity of the human mind, a fact of great importance, both in speculation and in action, the reader, who is not already acquainted with it, will find very elegantly illustrated in one of the chapters of the second volume of the work of Mr. Dugald Stewart, on the Philosophy of the Human Mind. See p. 72, vol: ii. of the present work. Many examples of it will present themselves in the course of this history; for as it is a habit peculiarly congenial to the mental state of the natives, so a combination of circumstances has given it unusual efficacy in the minds of those of our countrymen by whom India has been surveyed.

[1]The idea of a critical history is not very old. The first man who seems to have had a distinct conception of it, says, "Je traiterai mon sujet en critique, suivant la rogle de St. Paul, *Examinez toutes choses, et ne retenez que ce qui est bon*. L'histoire n'est bien souvent qu'un melange confus de faux et de vrai, entassé par des ecrivains mal instruits, credules, ou passionez. C'est au lecteur attentif et judicieux d'en faire le discernement, à l'aide d'une critique, qui ne soit ni trop timide, ni temeraire. Sans le secours de cet art, on erre dans l'histoire, comme un pilote sur le mer, lorsqu'il n'a ni boussole, ni carte marine." Beausobre, Hist. de Manichee, Disc. Prelim. p. 7.

The same writer has also said, what is not foreign to the present purpose, "Une histoire critique ne pouvant être trop bien justifiée, j'ai eu soin de mettre en original, au bas des pages, les passages qui servent de preuve aux faits que j'avance. C'est un ennuyeux travail, mais je l'ai cru necessaire. Si l'on trouve les citations trop amples et trop abondantes, c'est un superflu qui n'a co?té qu'a moi, et le lecteur peut bien m'en pardonner la depense." Id. Ibid. Pref. p. 24.

A great historian of our own has said: "It is the right, it is the duty of a critical historian to collect, to weigh, to select the opinions of his predecessors; and the more diligence he has exerted in the search, the more rationally he may hope to add some improvement to the stock of knowledge, the use of which has been common to all." Gibbon's Miscel. Works, iv. 589.

[1]Even those strictures, which sometimes occur, on institutions purely British, will be all found, I am persuaded, to be not only strictly connected with measures which relate to India, and which have actually grown out of those institutions; but indispensably necessary to convey complete and correct ideas of the Indian policy which the institutions in question contributed mainly to shape. The whole course of our Indian policy having, for example, been directed by the laws of parliamentary influence, how could the one be explained without adducing, as in the last chapter of the fourth volume, and in some other places, the leading principles of the other? The result of all the judicial inquiries, which have been attempted in England, on Indian affairs, depending in a great degree on the state of the law in England, how could those events be sufficiently explained, without adducing, as in the chapter on the trial of Mr. Hastings, those particulars in the state of the law of England, on which the

results in question appeared more remarkably to depend? The importance of this remark will be felt, and, I hope, remembered, when the time for judging of the use and pertinence of those elucidations arrives.

[1]The Indians themselves have a striking apologue to illustrate the superiority of the comprehensive student over the partial observer.

"One day in conversation," says Mr. Ward, "with the Sŭngskritŭ head pŭndit of the College of Fort William, on the subject of God, this man, who is truly learned in his own Shastrŭs, gave the author, from one of their books, the following parable:—In a certain country, there existed a village of blind men, who had heard of an amazing animal called the elephant, of the shape of which, however, they could procure no idea. One day an elephant passed through the place: the villagers crowded to the spot where the animal was standing; and one of them seized his trunk, another his ear, another his tail, another one his legs. After thus endeavouring to gratify their curiosity, they returned into the village, and sitting down together, began to communicate their ideas on the shape of the elephant, to the villagers: the man who had seized his trunk said, he thought this animal must be like the body of the plantain tree; he who had touched his ear was of opinion, that he was like the winnowing fan; the man who had laid hold of his tail said, he thought he must resemble a snake; and he who had caught his leg declared, he must be like a pillar. An old blind man, of some judgment was present, who, though greatly perplexed in attempting to reconcile these jarring notions, at length said—You have all been to examine the animal, and what you report, therefore, cannot be false: I suppose then, that the part resembling the plantain tree must be his trunk; what you thought similar to a fan must be his ear; the part like a snake must be the tail; and that like a pillar must be his leg. In this way, the old man, uniting all their conjectures, made out something of the form of the elephant." A View of the History, Literature, and Religion of the Hindoos. By the Rev W. Ward. Introd. p. lxxxvii. London Ed. 1817.

[1]Aux yeux d'un philosophe, les faits composent la partie la moins interressante de l'histoire. C'est la connoissance de l'homme; la morale, et la politique qu'il y trouve, qui la relevent dans son esprit. Gibbon, Mem. Sur la Monarchie des Medes, Misc. Works, iii. 126. Ed. 8vo.

[1]The following words are not inapplicable, originally applied to a much more limited subject. De quibus partibus singulis, quidam separatim scribere maluerunt, velut onus totius corporis veriti, et sic quoque complures de unaquaque earum libros ediderunt: quas ego omnes ausus contexere, prope infinitum mihi laborem prospicio, et psa cogitatione suscepti muneris fatigor. Sed durandum est quia cœpimus: et si viribus deficiemur, animo tamen perseverandum. Quinct. Inst. Or. lib. 4. Proœm.

[1]No. 1. Appendix to the Fifth Report of the Select Committee of the House of Commons, on the Affairs of the East India Company, in 1810. This passage the Committee have thought of sufficient importance to be incorporated in their Report.

[1]Observations of Lord William Bentinck, printed in the Advertisement, prefixed to the "Description of the Character, &c. of the People of India," by the Abbé J. A.

Dubois, Missionary in the Mysore. If any one should object to the testimony of this Ruler, as that of a man who had not been bred in India, it is to be remembered that the testimony is adduced, as expressing his own opinion, by the translator of that work, whose knowledge of India is not liable to dispute; and given to the world as the opinion of the Court of Directors, to whom the manuscript belonged, and under whose authority and direction, it was both translated and published.

[1]Fifth Report, ut supra, p. 534, 562. “It is a fact,” says another enlightened observer, “which, however singular and unfortunate, is yet founded in truth, that those persons from whom correct information on these subjects might justly be expected, are generally the least able from the peculiar circumstances of their situation, to supply it; I mean the Company's servants.—During the early period of their residence in the East, every hour must be employed, in the acquisition of the languages, in the study of the laws of the country, and the manners of the natives: whilst the latter years of their service are still more unremittingly engrossed, in the discharge of the irksome and arduous duties of their profession.” Considerations on the Present Political State of India. By Alexander Fraser Tytler, late assistant Judge in the Twenty-four Pergunnahs, Bengal Establishment, Preface, p. xii. See other passages to the same purpose, Introduction, p. iv, v, xi; also i. 77, 357, 415. And Mr. Tytler quotes with peculiar approbation the passages already given from the Minute of Lord Teignmouth.

“I must beg you always to bear in mind, than when an English gentleman undertakes to give an account of Indian manners and habits of private life, he labours under many disadvantages. The obstacles which prevent our ever viewing the natives of India in the ir domestic circles are great and insuperable; such as the restrictions of caste on their side, rank and situation on ours, &c. We do not int ermarry with them, as the Portuguese did: nor do we ever mix with them, in the common duties of social life, on terms of equality. What knowledge we have of their domestic arrangements has been gained chiefly by inquiry, &cc.” Letters written in a Mahratta camp, &c. by T. I). Broughton, Esq. p. 3.

See to the same purpose, Sir John Malcolm, Sketch of the Political History of India, &c. p. 449.

After adverting to certain erroneous notions on Indian subjects, Lieutenant Moor, the well-informed author of the “Narrative of the Operations of Captain Little's Detachment,” observes, “Other opinions, equally correct and entertaining, are indulged by the good people of England; which it is vain to oppose, for the party ‘was told so by a gentleman who had been in India; perhaps a voyage or two but these, however respectable in their profession, are surely not the persons to receive information from, on the subject of the political characters of the East; no more (nor indeed much less) than some gentlemen who may have *resided* a few years in India; for we can easily admit the possibility of a person spending many years of his life in the cities of Calcutta, Madras, or Bombay, without knowing much more of the politics, prejudices, &c. of interior states or countries, than if he had never stirred out of London, Dublin, or Edinburgh,” p. 196.

[1]Bayle, Eclaircissemens, sur le Dictionnaire.

[2]Rambler, No. ii.

[1]Some considerable reputations have been acquired, by praising every thing in one's own country. And there are many persons who sincerely insist upon it, that a writer ought always to contrive to put his country in the right: and that it is a proof of his not being a friend to it, if he ever puts it in the wrong. This is a motive which I utterly disclaim. This is the way, not to be a friend to one's country, but an enemy. It is to bring upon it the disgrace of falsehood and misrepresentation, in the first instance; and, next, to afford it all the inducement, in the writer's power, to persevere in mischievous, or in disgraceful courses.

[1.]Anderson's History of Commerce in the reign of Elizabeth, passim. See also Hakluyt's Voyages, ii. 3, 96. Ibid. iii. 690. Guicciardini's Description of the Netherlands. Sir William Temple. Camden, 408.

[2.]Hakluyt, iii. 4. Rymer's Fœdera, xii. 595. Anderson's History of Commerce, published in Macpherson's Annals, ii. 11. Robertson's History of America, iv. 138.

[3.]Hakluyt, iii. 129. Harris's Collection of Voyages, i. 874.

[1.]Hakluyt, ut supra.

[2.]Ibid. 131.

[3.]Hakluyt, i. 226, &c.

[4.]Anderson's History of Commerce in Macpherson, ii. 166.

[1.]Hakluyt. Anderson, ut supra, ii. 145, 158, 159.

[2.]Hakluyt. Anderson, ut supra, ii. 175, 180, 185.

[1.]Anderson, ut supra, ii. 171.

[2.]Purchas, b. iii. sect. 2. Anderson, ii. 210.

[3.]Hakluyt, iii. 440. Harris's Collection of Voyages, i. 14. Camden's Annals, 301, &c.

[1.]Harris is not satisfied with the merit of those productions, which reached not, in his opinion, the worth of the occasion; and seems to be rather indignant that no modern poet has rivalled the glory of Homer, “by displaying in verse the labours of Sir Francis Drake:” i. 20.

[2.]Her Majesty appears to have been exquisitely gracious. The crowd which thronged after her was so great that the bridge, which had been constructed between the vessel and the shore, broke down with the weight, and precipitated 200 persons into the water. As they were all extricated from their perilous situation without injury, the Queen remarked that so extraordinary an escape could be owing only to the Fortune of Sir Francis Drake. Harris, i. 20.

[1.]I am sorry to observe that no great respect for human life seems to have been observed in this proceeding; since, directly implying that the guns had been charged with shot, and levelled at the men, the historian of the voyage jocosely remarks, “that 'tis ten to one if any of the savages were killed; for they are so very nimble that they drop immediately into the water, and dive beyond the reach of all danger, upon the least warning in the world.” Harris's Collect. of Voyages, i. 27.

[1.]Monson's Naval Tracts. Hakluyt. Anderson's Hist. of Com. published in Macpherson's Annals, ix. 169, 198. Rymer's Fœdera.

[1.]This is not a conclusion merely drawn from the circumstances of the case, which however would sufficiently warrant it; but stated on the testimony of Cambden, who related what he heard and saw. Cambden's Annals. Anderson's Hist of Commerce.

[2.]Anderson's Hist. of Commerce in Macpherson's Annals, ii. 201.

[3.]They returned to London in 1591. Anderson, ut supra, ii. 198.

[1.]Harris's Voyages, i. 875.

[2.]This Memorial is preserved in the State Paper Office, and a short account of it has been given us by Mr. Bruce Annals of the East India Company, i. 109.

[1.]Anderson's Hist. of Commerce in Macpherson's Annals, ii. 199. Harris's Voyages, i. 875.

[2.]Anderson, ut supra, ii. 209. Harris's Voyages, i. 920.

[3.]Minutes, &c. (Indian Register Office.) Bruce's Annals, i. 112.

[1.]Minutes of a General Court of Adventurers, preserved in the Indian Register Office. Bruce's Annals, i. 128.

[1.]Bruce's Annals, i. 129–136. Anderson's History of Commerce in Macpherson's Annals, ii. 216. Harris's Collection of Voyages, i. 875.

[1.]Bruce's Annals, i. 146. “But forasmuch,” says Sir William Monson (Naval Tracts, iii. Churchill's Collection of Voyages, 475), “as every innovation commonly finds opposition, from some out of partiality, and from others as enemies to novelty; so this voyage, though at first it carried a great name and hope of profit, by the word India, and example of Holland, yet was it writ against.” He then exhibits the objections, seven in number, and subjoins an answer. The objections were shortly as follows, the answers may be conceived:

1. The trade to India would exhaust the treasure of the nation by the exportation of bullion.
2. It would consume its mariners by an unhealthy navigation.
3. It would consume its ships by the rapid decay produced in the southern seas.

4. It would hinder the vent of our cloth, now exported in exchange for the spices of the foreign merchants.
5. It was a trade of which the returns would be very slow.
6. Malice to the Turkey Company was the cause of it, and jealousy and hatred from the Dutch would be the unhappy effect.
7. It would diminish the Queen's customs by the privilege of exporting bullion duty free.

These objections, with the answers, may also be seen in Anderson's History of Commerce, *ad an*.

[1.]Harris, i. 875. Anderson, ut supra, ii. 217, 218. Bruce's Annals, i. 151, 152.

[1.]Bruce's Annals, i. 152–163.

[1.]Bruce's Annals, i. 164.

[1.]Bruce, i. 165.

[1.]Bruce, i. 166.

[1.]Bruce, i. 171, &c. Sir Thomas Roe's Journal and Letters. Churchill, i. 770–809.

[1.]Churchill, i. 106–108. He gives another account of his endeavours to injure the Dutch, in the following words:— “The 10th, 11th, and 12th, I spent in giving the king and prince advice that a Dutch ship lay before Surat, and would not declare upon what design it came, till a fleet arrived; which was expected with the first fit season. This I improved to fill their heads with jealousies of the designs of the Dutch, and the dangers that might ensue from them; which was well taken: and, being demanded, I gave my advice to prevent coming to a rupture with them, and yet exclude them the trade of India.” Ib. 774.

[2.]Bruce, i. 174, 178.

[1.]Bruce, i. 188.

[1.]Sir Jeremy Sambrooke's Report on East India Trade (MS. in East India Register Office) quoted by Bruce, i. 193.

[1.]Bruce, i. 199.

[1.]Memorial of the Dutch East India Company to King James, and Reply of the London East India Company thereto, in the year 1616, (East India Papers in the State Paper Office) quoted, Bruce, i. 202.

[1.]Rymer's Fœdera, xvii. 170. Bruce, i. 212.

[1.]Bruce, i. 213.

[1.]Bruce, i. 223.

[1.]Bruce i. 237, 238.

[1.]Accounts in the Indian Register Office. Bruce, i. 225, 234, 241.

[1.]The Dutch, in their vindication, stated that the English intrigued with the Portuguese, and underhand assisted the natives in receiving the Portuguese into the islands. See Anderson's History of Commerce, in Macpherson's Annals, ii. 305.

[2]East India Papers in the State Paper Office. Bruce, i. 241.

[1.]The English had not been so long strangers to the torture themselves, that it needed to excite in their breasts any emotions of astonishment. “The rack itself,” says Hume in his History of Elizabeth, v. 457, “though not admitted in the ordinary execution of justice, was frequently used upon any suspicion, by authority of a warrant from a secretary or the Privy Council. Even the Council in the Marches of Wales were empowered, by their very commission, to make use of torture whenever they thought proper. There cannot be a stronger proof how lightly the rack was employed, than the following story; told by Lord Bacon. We shall give it in his own words: ‘The Queen was mightily incensed against Hayward, on account of a book he dedicated to Lord Essex, thinking it a seditious prelude to put into the people's head holdness and faction: [*to our apprehension, says Hume, Hayward's book seems rather to have a contrary tendency; but Queen Elizabeth was very difficult to please on that head*.] She said, she had an opinion that there was treason in it, and asked me if I could not find any places in it, that might be drawn within the case of treason?. .....Another time when the Queen could not be persuaded that it was his writing whose name was to it, but that it had some more mischievous author, she said, with great indignation, that she would have him racked to produce his author.’ ...Thus, continues Hume, “had it not been for Bacon's humanity, or rather his wit, this author, a man of letters, had been put to the rack for a most innocent performance.”—The truth is, that the Company themselves, at this very time, were in the regular habit of perpetrating tortures upon their own countrymen, and even their own servants—of torturing to death by whips or famine. Captain Hamilton (New Account of the East Indies, i. 362,) informs us, that before they were intrusted with the powers of martial law, having no power to punish capitally any but pirates, they made it a rule to whip to death, or starve to death, those of whom they wished to get rid. He produces (Ib. 376) an instance of a deserter at Fort St. George, “whipt,” as he expresses it, “out of this world into the next.” The power too, of executing as for piracy, the same author complains, was made use of to murder many private traders. “That power (he says, Ib. 362.) of executing pirates is so strangely stretched, that if any private trader is injured by the tricks of a Governor, and can find no redress—if the injured person is so hold as to talk of *lex talioni*, he is infallibly declared a pirate.” He gives an account of an attempt of an agent of the Company, and a creature of the Governor of Fort St. George, to swear away his life by perjury at Siam. (lb. ii. 183.)—These parallels are presented, not for the sake of clearing the one party at the expence of the other; but, by showing things as they were, to give the world at last possession of the real state of the case.

[1.]East India Papers in the State Paper Office. Bruce, i. 256.

[1.]Bruce, i. 258.

[1.]Bruce, i. 252.

[2.]Ib. 252, 265, 271.

[3.]East India Papers in the State Paper Office. Bruce, i. 272.

[1.]Bruce, i. 262, 264, 268.

[2.]Bruce, i. 264, 269, 290.

[1.]Bruce, i. 276, 277, 282. Anderson in Macpherson's Annals, ii. 351.

[1.]Bruce, i. 285, 287.

[2.]Ib. i. 278, 293.

[1.]Bruce, 293.

[1.]Bruce, i. 296, 304, 300, 302.

[1.]Papers in the Indian Register Office. Sir Jeremy Sambrooke's Report on the East India Trade, Bruce, i. 306.

[2.]Bruce, i. 306, 320, 323.

[1.]Bruce, i. 306, 320, 324, 327.

[2.]Ib. 325, 334.

[1.]Bruce, i. 329, 387.

[2.]Ib. 342.

[1.]Bruce, i. 345, 349.

[2.]Ib. 349, 350, 353.

[1.]Bruce, 353, 354.

[2.]Ib. i. 355, 361, 362.

[3.]Ib. 363.

[1]Preamble to a subscription for a new joint-stock for trade to the East Indies, 28th January, 1640, (East India Papers in the State Paper Office,) Bruce, i. 364.

[2]Ib.

[1.]See Bruce, i. 371. The quantity was, 607, 522 bags, bought at 2*s*. 1*d*. per pound, total 63,283*l*. 11*s*. 1*d*.; sold at 1*s*. 8*d*. per pound; total 50,626*l*. 17*s*. 1*d*.

[1.]Bruce, i. 379, 380.

[2.]*Piece Goods* is the term which, latterly at least, has been chiefly employed by the Company and their agents to denote the muslins and wove goods of India and China in general.

[3.]Bruce, i. 377, 393.

[4.]Ib. 385.

[1.]Bruce, 389, 390.

[2.]Ib. 407, 412, 423.

[1.]Bruce, i. 423.

[2.]Ib. 434

[1.]Bruce, i. 435, 436.

[2.]Ib. 437, 438.

[3.]Ib. 439, 440.

[4.]Ib. 440.

[5.]Ib. 441.

[1.]If we hear of committees of the several stocks; the bodies of Directors were denominated committees. And if there were committees of the several stocks, how were they constituted? were they committees of Proprietors, or committees of Directors? And were there any managers or Directors besides?

[2.]Bruce, i. 406, 463.

[3.]Ib. 454, 462, 484.

[1.]Bruce, i. 458, 482, 484, 485.

[2.]Ib. 48.

[1.]Bruce, i. 491.

[1.]The reasons on which they supported their request, as stated in their petition, exhibit so just a view of the infirmities of joint-stock management, as compared with that of individuals pursuing their own interests, that they are highly worthy of inspection as a specimen of the talents and knowledge of the men by whom joint-stock was now opposed. See Bruce, i. 518.

[1.]Bruce, i. 492, 493.

[2.]Ib. i. 494.

[1.]Bruce, i. 503.

[1.]Bruce, i. 503, 504.

[1.]Bruce, i. 508.

[2.]Thurloe's State Papers, iii. 80. Anderson says, “The merchants of Amsterdam having heard that the Lord Protector would dissolve the East India Company at London, and declare the navigation and commerce to the Indies to be free and open, were greatly alarmed, considering such a measure as ruinous to their own East India Company.” Anderson's History of Commerce, in Macpherson's Annals, ii. 459. See Bruce, i. 518.

[1.]Bruce, i. 514–516.

[2.]Ib. 522–529.

[1.]Bruce, i. 529.

[1.]Bruce, i. 529, 530.

[2.]Bruce, i. 532.

[3.]Ib.

[4.]Ib. 533.

[1.]Bruce, 539, 540. The state of interest, both in India and England, appears incidentally in the accounts received by the Company from the agents at Surat, in the year 1658–59. These agents, after stating the narrowness of the funds placed at their disposal, recommend to the Directors rather to borrow money in England, which could easily be done at 4 per cent., than leave them to take up money in India at 8 or 9 per cent. Ib. 542.

[2.]Ib. 544.

[3.]Ib. 549—551.

[4.]Ib. 555.

[1.]Bruce, i. 553, 554.

[2.]Ib. 557.

[1.]Anderson's Hist. of Commerce in Macpherson's Annals, ii. 495, 605.

[2.]Bruce, ii. 108, 119, 152, 186.

[1.]Bruce, 110, 138, 157, 158, 174.

[2.]Ib. ii. 130, 159.

[1.]Bruce, ii. 104, 106, 126, 134, 141, 155, 168, 199. Macpherson's Annals, ii. 503.

[2.]Bruce, ii. 132, 161, 184, 198.

[1.]Bruce, 144, 145, 284.

[2.]Ib. ii. 179, 245

[1.]Bruce, i. 560; ii. 110, 131.

[2.]Ib. ii. 107—109.

[1.]Macpherson's Annals, ii. 493.

[2.]Raynal, Hist. Philos. et Polit. des Etabliss. &c. dans les Deux Indes, ii. 183. Ed. 8vo. Geneve, 1781. Bruce, ii. 137, 150, 167. Macpherson's Annals, ii. 516.

[1.]Letters from the Agent and Council of Bantam (in the East India Register Office), Bruce, ii. 163.

[2.]Bruce, ii. 178, from a letter from the President and Council of Surat.

[1.]Sir William Petty, who wrote his celebrated work, entitled Political Arithmetic, in 1676, says; 1. The streets of London showed that city to be double what it was forty years before; great increase was also manifested at Newcastle, Yarmouth, Norwich, Exeter, Portsmouth, and Cowes; and in Ireland, at Dublin, Kingsale, Coleraine, and Londonderry. 2. With respect to shipping, the navy was triple, or quadruple what it was at that time; the shipping of Newcastle was 80,000 tons, and could not then have exceeded a quarter of that amount. 3. The number and splendour of coaches, equipages and furniture, had much increased since that period. 4. The postage of letters had increased from one to twenty. 5. The King's revenue had tripled itself. See too Macpherson's Annals, ii. 580.

[1.]Bruce, ii. 201, 206, 209—224, 227, 230—256, 258, 259—278, 281, 282, 283—293, 296, 297—312, 313—327, 328, 331.

[2.]Ib. ii. 210. The words of this order are curious, “to send home by these ships 100 lb. waight of the best tey that you can gett.”

[3.]Ib. ii. 211.

[4.]Ib. 302.

[5.]Ib. 232, 334.

[1.]Bruce, ii. 337, 342, 366.

[1.]An anonymous author, whom Anderson in his History of Commerce quotes as an authority, says, in 1679, that the Dutch herring and cod fishery employed 8,000 vessels, and 200,000 sailors and fishers, whereby they annually gained five millions sterling; besides their Iceland, Greenland, and Newfoundland fisheries, and the multitude of trades and people employed by them at home. Macpherson's Annals, ii. 596. See in the same work, ii. 547 and 552, a summary of the statements of Child and De Witt. For ampler satisfaction the works themselves must be consulted.

[2.]Anderson's Hist. of Commerce. Macpherson's Annals, ii. 579.

[3.]Bruce, ii. 356, 360, 361—375, 379—392, 393, 395—406, 409, 410—435, 438, 439—446, 451, 453—459, 465, 468.

[1.]Bruce, ii. 367, 466, 396, 404.

[2.]Ib. 405.

[1.]Bruce, ii. 355, 374, 449, 453.

[1.]Bruce ii. 275.

[1.]Bruce, ii. 476, 481—496, 506—528, 531.

[2.]Anderson's Hist. of Commerce Macpherson's Annals, ii. 579

[3.]Supra, p. 95.

[4.]Bruce, ii. 482, 499.

[1.]Bruce, ii. 492

[2.]Ib. 502.

[3.]Ib. 496.

[1.]Bruce, ii. 512. Governor Child is accused by Hamilton of wanton and intolerable oppressions; and that author states some facts which indicate excessive tyranny. New Account of the East Indies, i. 187—199.

[2.]Bruce, ii. 515.

[1.]Bruce, ii. 526, 540, 584, 591. It was debated in the Privy Council, whether the charter of incorporation should be under the King's or the Company's seal. The King asked the Chairman his opinion, who replied, “that no person in India should be employed by immediate commission from his Majesty, because, if they were, they would be prejudicial to our service by their arrogancy, and prejudicial to themselves, because the wind of extraordinary honour in their heads would probably make them so haughty and overbearing, that we should be forced to remove them.” Letter from the Court to the President of Fort St. George, (Ib. 591). Hamilton, ut supra (189—192). Orme's Historical Fragments, 185, 188, 192, 198.

[2.]Mr. Orme is not unwilling to ascribe part of the hardships they experienced to the interlopers, who, seeking protection against the oppressions of the Company, were more sedulous and skilful in their endeavours to please the native governors. Hist. Frag. 185.

[1.]These events occurred under the government of the celebrated imperial deputy Shaista Khan; “to the character of whom (says Mr. Stewart, Hist. of Bengal, 300.) it is exceedingly difficult to do justice. By the Mohammedan historians he is described as the pattern of excellence; but by the English he is vilified as the oppressor of the human race. Facts are strongly on the side of the Mohammedans.”

[2.]Bruce, ii. 558, 569, 578, 594, 608, 620, 630, 639, 641, 646, 650. The lively and intelligent Captain Hamilton represents the conduct of Sir John Child at Surat as exceptionable in the highest degree. But the Captain was an interloper, and though his book is strongly stamped with the marks of veracity, his testimony is to be received with the same caution on the one side as that of the Company on the other. New Account of India, i. 199—228.

[1.]Bruce, ii. 655.

[2.]Ib. iii. 75, 87, 122, 139, 181, 203, 231.

[1.]Bruce, iii. 78.

[2.]Ib. 120.

[3.]See, in Gibbon, viii. 357 to 360, a train of allusions, as usual, to the history of the Armenians; and in his notes a list of its authors.—The principal facts regarding them, as a religious people, are collected with his usual industry and fidelity by Mosheim, Ecclesiast. Hist. iii. 493, 494, 495, and 412, 413.

[1.]Bruce, iii. 88.

[1.]Bruce, iii. 81; Macpherson's Annals, ii. 618; and Adam Smith, Wealth of Nations, iii. 132, who with his usual sagacity brings to view the causes of the principal events in the history of the Company.

[2.]Bruce, iii. 82.

[3.]Macpherson's Annals, ii. 648.

[4.]Bruce, iii. 102.

[1.]Ib. iii. 103. Sir Josiah Child, as chairman of the Court of Directors, wrote to the Governor of Bombay, to spare no severity to crush their countrymen who invaded the ground of the Company's pretensions in India. The Governor replied, by professing his readiness to omit nothing which lay within the sphere of his power to satisfy the wishes of the Company; but the laws of England unhappily would not let him proceed so far as might otherwise be desirable. Sir Josiah wrote back with anger:—"That he expected his orders were to be his rules, and not the laws of England, which were an heap of nonsense, compiled by a few ignorant country gentlemen, who hardly knew how to make laws for the good of their own private families, much less for the regulating of Companies, and foreign commerce." (Hamilton's New Account of India, i. 232.) "I am the more particular," adds Captain Hamilton, "on this account, because I saw and copied both those letters in Anno 1696, while Mr. Vaux [the Governor to whom the letters were addressed] and I were prisoners at Surat, on account of Captain Evory's robbing the Mogul's great ship, called the Gunsway." Bruce, iii. 233.

[1.]Bruce, iii. 133—135. Macpherson's Annals, ii. 649.

[2.]Ib. 142.

[3.]We know not the terms of that contract, nor how a participation in its privileges could be granted to individuals without a breach of faith toward the Armenian merchants.

[1.]Bruce, iii. 167.

[2.]Macpherson's Annals, ii. 652, 662; 10,000*l*. is said to have been traced to the King.

[1.]Bruce, iii. 146, 186. "Sir Nicholas Waite [Consul of the Association] addressed a letter," says Mr. Bruce, "to the Mogul, accusing the London Company of being sharers and abettors of the piracies, from which his subjects and the trade of his dominions had suffered, or, in the Consul's coarse language, *of being thieves and confederates with the pirates*." Ib. 337.

[2.]Anderson's Hist. Macpherson's Annals, ii. 694 Bruce, iii. 252, 253.

[3.]Bruce, iii. 253, Macpherson, ii. 694.

[1.]Bruce, iii. 253. Anderson's History of Commerce; Macpherson, ii. 694, 695.

[1.]Bruce, iii. 253, 254. Anderson's History of Commerce; Macpherson, ii. 695.

[1.]Bruce, iii. 253. Macpherson, ii. 696.

[1.]Statute 9 & 10 W. III. c. 44.

[2.]Macpherson's Annals, ii. 699. Bruce, iii. 257, 258. Preamble to the Stat. 6. A. c. 17.

[3.]Anderson's Hist. of Commerce, Macpherson, ii. 700.

[1.]Bruce, iii. 256, 257. Macpherson, ii. 700. Smith's Wealth of Nations, iii. 133.

[1.]Bruce, iii. 257.

[2.]Ib. 259, 260.

[3.]Ib. 285.

[1.]Bruce, 264, 268, 300

[2.]Ib. iii. 293, 326, 350.

[1.]Bruce, 260 to 370, 374 to 379, 410.

[1.]Bruce, iii. 290, 293, 355.

[1.]Bruce, 124.

[2.]Anderson's Hist. of Commerce, Macpherson, ii. 705.

[1.]Bruce, iii. 424 to 426. Of the subtleties which at this time entered into the policy of the Company, the following is a specimen. Sir Basil Firebrace, or Firebrass, a notorious jobber who had been an interloper, and afterwards joined with the London Company, was now an intriguer for both Companies. At a General Court of the London Company, on the 23d April, 1701, this man stated, that he had a scheme to propose, which he doubted not would accomplish the union desired; but required to know what recompense should be allowed him, if he effected this important end. By an act of the Court, the committee of seven were authorized to negotiate, with Sir Basil, the recompense which he ought to receive: and after repeated conferences with the gentleman, they proposed to the Court of Committees, that if he effected the union, 150,000*l*. of the stock of the Company should be transferred to him on his paying 80*l*. per cent. In other words, he was to receive 20 per cent. on 150,000*l*. or a reward of 30,000*l*. for the success of his intrigues. Ibid. See also Macpherson, ii. 663.

[2.]Bruce, iii. 486 to 491.

[1.]Bruce, iii. 635 to 639; Stat. 6. A. c. 17.

[2.]Ib. 667 to 679. Macpherson, iii. 1, 2.

[1.]Mr. Gibbon remarks, (Hist. Decl. and Fall of the Roman Empire, i. p. 350,) that the wild Irishman, as well as the wild Tartar, can point out the individual son of

Japhet from whose loins his ancestors were lineally descended.—According to Dr. Keating (History of Ireland, 13), the giant Partholanus, who was the son of Seara, the son of Esra, the son of Sru, the son of Framant, the son of Fathacian, the son of Magog, the son of Japhet, the son of Noah, landed on the coast of Munster, the 14th day of May, in the year of the world 1978.—The legends of England are not less instructive. A fourth or sixth son of Japhet named Samothes, having first colonized Gaul, passed over into this island, which was thence named Samothia, about 200 years after the flood; but the Samothians being some ages afterwards subdued by Albion, a giant son of Neptune, he called the island after his own name, and ruled it forty-four years. See the story, with some judicious reflections, in Milton's History of England (Prose Works of Milton, iv. 3. Ed. 1806). “The Athenians boasted that they were as ancient as the sun. The Arcadians pretended they were older than the moon. The Lacedemonians called themselves the sons of the earth, &c. such in general was the madness of the ancients on this subject! They loved to lose themselves in an abyss of ages which seemed to approach eternity.” Goguet, Origin of Laws, v. i. b. l. ch. 1, art. 5. See the authorities there quoted.

[1.]Eusebii Chronicon, p. 5. Syncelli Chronograph. p. 28. Bryant's Ancient Mythology, iv. 127. 8vo. edit.

[2.]Syncelli Chronicon, p. 51. Herodotus informs us, (lib. ii. c. 2,) that the Egyptians considered themselves as the most ancient of mankind, till an experiment made by Psammetichus convinced them that the Phrygians alone preceded them. But the inhabitants of the further Peninsula of India make the boldest incursions into the regions of past times. The Burmans, we are informed by Dr. Buchanan, (As. Res. vi. 181,) believe that the lives of the first inhabitants of their country lasted one *assenchii*, a period of time of which they thus communicate an idea: “If for three years it should rain incessantly over the whole surface of this earth, which is 1,203,400 juzana in diameter, the number of drops of rain falling in such a space and time, although far exceeding human conception, would only equal the number of years contained in one assenchii.”

[3.]Sir William Jones's Discourse on the Chronology of the Hindus, (As. Res. ii. 111, 8vo. Ed.) also that on the Gods of Greece, Italy, and India, (Ibid. i. 221)—See too Mr. Bentley's Remarks on the principal Eras and Dates of the ancient Hindus, (Ibid. v. 315); and the Discourse of Captain F. Wilford on the Chronology of the Hindus, in the same volume, p. 24.—Consult also Mr. Marsden's Discourse on the Chronology of the Hindus, (Phil. Trans. lxxx. 568.) These authors, having all drawn from the same sources, display an appearance of uniformity and certainty in this part of the Hindu system. It is amusing to contemplate the wavering results of their predecessors. Mr. Halhed, in the preface to his Translation of the Code of Gentoo Laws, thus states the number of years, and thus spells the names of the epochs; 1. The Suttee Jogue, 3,200,000 years; 2. The Tirtah Jogue, 2,400,000 years; 3. the Dwapaar Jogue, 1,600,000; 4. the Collee Jogue, 400,000.—Colonel Dow marks the Suttee Jogue at 14,000,000; the Tirtah Jogue at 1,080,000; the Dwapaar Jogue, 72,000; and the Collee Jogue, 36,000 years. (History of Hindostan, i. 2.)—M. Bernier, whose knowledge of India was so extensive and accurate, gives, on the information of the Brahmens of Benares, the Satya yug at 2,500,000 years, the Treta at 1,200,000, the Dwapar at

864,000, and assigns no period to the Cali yug. (Voyages, ii. 160.)—Messrs. Roger and le Gentil, who received their accounts from the Brahmens of the coast of Coromandel, coincide with Sir William Jones, except that they specify no duration for the Cali yug. (Porte Ouverte, p. 179; Mem. de l'Academ. des Sciences pour 1772, tom. ii. part 1. p. 17.)—The account of Anquetil Duperron agrees in every particular with that of Sir W. Jones; Recherches Historiques et Geographiques sur l'Inde, Lettre sur les Antiquités de l'Inde.—The four ages of the Mexicans bear a remarkable resemblance to those of the Hindus, and of so many other nations. "All the nations of Anahuac (says Clavigero, History of Mexico, B. vi. sect. 24,) distinguished four ages of time by as many suns. The first, named Atonatiuh, that is, the sun (or the age) of water, commenced with the creation of the world, and continued until the time at which all mankind perished in a general deluge along with the first sun. The second, Tlaitonatiub, the age of earth, lasted from the deluge until the ruin of the giants, &c. The third, Ehécatonatiuh, the age of air, lasted from the destruction of the giants, till the great whirlwinds, &c. The fourth, Tletonatiuh, commenced at the last-mentioned catastrophe, and is to last till the earth be destroyed by fire."

[1.]The reader will by and bye be prepared to determine for himself how far the tales of the Brahmens deserve exemption from the sentence which four great historians have, in the following passages, pronounced on the fanciful traditions of early nations. "The curiosity," says Mr. Hume, "entertained by all civilized nations, of inquiring into the exploits and adventures of their ancestors, commonly excites a regret that the history of remote ages should always be so much involved in obscurity, uncertainty, and contradiction.? ? ? The fables which are commonly employed to supply the place of true history ought entirely to be disregarded; or, if any exception be admitted to this general rule, it can only be in favour of the ancient Grecian fictions, which are so celebrated and so agreeable, that they will ever be the objects of the attention of mankind." (Hume's History of England, i. ch. 1.)—"Nations," says Robertson, "as well as men, arrive at maturity by degrees, and the events which happened during their infancy or early youth cannot be recollected, and deserve not to be remembered.? ? ? Every thing beyond that short period, to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, bath filled that void with events calculated to display its own antiquity and lustre. And history, which ought to record truth, and teach wisdom, often sets out with retailing fictions and absurdities." (Robertson's History of Scotland, i. b. 1.)—Mr. Gibbon, speaking of a people (the Arabians) who in traditions and antiquity bear some resemblance to the Hindus, says, "I am ignorant, and I am careless, of the blind mythology of the Barbarians." (History of the Decline and Fall of the Roman Empire. ix. 244, 8vo. edit.) Of a people still more remarkably resembling the Hindus, he says, "We may observe, that after an ancient period of fables, and a long interval of darkness, the modern histories of Persia begin to assume an air of truth with the dynasty of the Sassanides." (lb. i. 341.)—"Quæ ante conditam condendamve urbem, poeticis magis decora fabulis quam incorruptis rerum gestarum monumentis traduntur ea nec affirmare nec refellere in animo est." *Livii. Prefat.*

[1.]The coincidence in the tradition respecting Satyavrata and the history of Noah are very remarkable, and will be further noticed hereafter.

[1.]Sir Win. Jones, As. Res. ii. 119, 120, 127.

[2.]Sir Wm. Jones, Ib. 126. He was the son of Surya, (or *Sol*), the son of Casyapa (or *Uranus*), the son of Marichi (or *Light*), the son of Brahma, "which is clearly," says Sir Wm. Jones, "an allegorical pedigree." The Hindu pedigrees and fables, however, being very variable, he is, in the opening of the fourth book of the Gita, called, not the son of the Sun, but the Sun himself. Sir Wm. Jones, Ib. 117. In a celestial pedigree the Hindus agree with other rude nations. There is a curious passage in Plato respecting the genealogy of the Persian kings. They were descended, he says, from Achæmenes, sprung from Perseus the son of Zeus (Jupiter.) Plat. Alcib. i.

[3.]Compare the list of princes in the several yugs, exhibited in the Discourse of Sir Wm. Jones, As. Res. iii. 128 to 136, with the assigned duration of the yugs. The lineage of the lunar branch, who reigned in Pratisht'hana, or Vitora, during exactly the same period, is in all respects similar, excepting that the number of princes, in the first two ages, is in this line fewer by fifteen than in the line of solar princes. From this it has been supposed, that a chasm must exist in the genealogy of those princes; but surely without sufficient reason; since, if we can admit that eighty-five princes in the solar line could outlive the whole third and fourth ages, amounting to 2,160,000 years, we may, without much scruple, allow that seveaty princes in the lunar could extend through the same period.

[1.]The reigns of those princes, therefore, must have been fifty years at an average.

[1.]As. Res. ii. 137 to 142.

[2.]According to the Brahmens, 4911 years of the Cali yug were elapsed in the beginning of April, A. D. 1817, from which deducting 2648, the year of the Cali yug in which the reign of Chandrabija terminated, you have 2263, the number of years which have intervened since that period, and which carry it back to 446 years before Christ.

[3.]As. Res. ii. 142, 3.—We have been likewise presented with a genealogical table of the great Hindu dynasties by Captain Wilford, (As. Res. v. 241,) which he says is faithfully extracted from the Vishnu Purana, the Bhagavat, and other Puranas, and which, on the authority of numerous Mss. which he had collated, and of some learned Pundits of Benares whom he had consulted, he exhibits as the only genuine chronological record of Indian history which had yet come to his knowledge. But this differs in numerous particulars from that of the learned Pundit Radhacant, exhibited by Sir William Jones, and which Sir William says, "that Radhacant had diligently collected from several Puranas." Thus it appears that there is not even a steady and invariable tradition or fiction on this subject: At the same time that the table of Captain Wilford removes none of the great difficulties which appear in that of Sir Wm. Jones. The most remarkable difference is exhibited in the line of the solar princes, whose genealogy Captain Wilford has taken from the Ramayan, as being, he thinks, consistent with the ancestry of Arjuna and Crishna, while that given by Sir William Jones and Radhacant, he says, is not.—The reader may also compare the *Rajuturungu*, a history of the Hindus compiled by Mrityoonjuyu, the head Sanscrit

Pundit in the College of Fort William; translated and published in the first volume of "An Account of the Writings, Religion, and Manners of the Hindus," by Mr. Ward, printed at Serampore, in four volumes 4to. 1811.

[1.]Sir Wm. Jones, As. Res. ii. 142.

[2.]Mr. Halhed seems, in his pref. to Code of Gent. Laws, to be very nearly reconciled to the Hindu chronology: at any rate he thinks the believers in the Jewish accounts of patriarchal longevity have no reason to complain, p. xxxvii. He has since, however, made a confession at second hand, of an alteration in his belief as to the antiquity of the Hindus. See Maurice's Hist. of Hindostan, i. 88.

[1.]See Sir Wm. Jones, Discourse on the Gods of Greece, Italy, and India, As. Res. i. 236. The similarity between the Hindu description of the four yugs, and that of the four ages of the world by the Greeks, cannot escape attention. We shall have occasion to notice many other very striking marks of affinity between their several systems.

[2.]I have followed Mr. Halhed in the number of years (see Preface to Code of Gentoo Laws), though a derivative authority, because his statement is the highest, and by consequence the least unfavourable to the consistency of the Hindu chronology. In the Institutes of Menu, (ch. i. 83,) human life for the Satya yug is stated at 400 years, for the Treta yug at 300, the Dwapar 200, and the Cali yug at 100 years.

[1.]There is a very remarkable coincidence between the number of years specified in this Hindu division of time, and a period marked in a very curious fragment of the Chaldean History. The Cali yug, it appears from the text, amounts to 432,000 years, and the aggregate of the four yugs, which the Hindus call a Maha yug, or great yug, amounts to a period expressed by the same figures, increased by the addition of a cipher, or 4,320,000. Now Berosus informs us, that the first king of Chaldea was Alorus, who reigned ten sari, that a sarus is 3,600 years; that the first ten kings, whose reigns seem to have been accounted a great era, reigned 120 sari, which compose exactly 432,000 years, the Hindu period. See Eusebii Chronic. p. 5, where this fragment of Berosus is preserved; Syncelli Chronograph. p. 28. See also Bryant's Analysis of Ancient Mythology, iii. 95 to 126, for a most learned and ingenious commentary on this interesting fragment.

[2.]A learned author pronounces them inferior even to the legends of the Greeks, as evidence of primeval events. "Oriental learning is now employed in unravelling the mythology of India, and recommending it as containing the seed of primeval history; but hitherto we have seen nothing that should induce us to relinquish the authorities we have been used to respect, or make us prefer the fables of the Hindus or Guebres, to the fables of the Greeks." Vincent, Periplus of the Erithrean Sea, Part i. 9. It may be added, that if the Greeks, the most accomplished people of antiquity, have left us so imperfect an account of the primitive state of their own country, little is to be expected from nations confessedly and remarkably inferior to them.

[1.]That propensity which so universally distinguishes rude nations, and forms so remarkable a characteristic of uncivilized society—of filling the ages that are past

with fabulous events and personages, and of swelling every thing beyond the limits of nature, may be easily accounted for. Every passion and sentiment of a rude people is apt to display itself in wild and extravagant effects. National vanity follows the example of the other passions, and indulges itself, unrestrained by knowledge, in such fictions as the genius of each people inspires. *Datur hæc venia antiquitati, ut nuscendo humana divinis, primordia urbium augustiora faciat*. (Liv. Pref.) Of an accurate record of antecedent events, yielding lessons for the future by the experience of the past, uncultivated minds are not sufficiently capable of reflection to know the value. The real occurrences of life, familiar and insipid, appear too mean and insignificant to deserve to be remembered. They excite no surprise, and gratify no vanity. Every thing, however, which is extraordinary and marvellous, inspires the deepest curiosity and interest. While men are yet too ignorant to have ascertained with any accuracy the boundaries of nature, every thing of this sort meets with a ready belief; it conveys uncommon pleasure; the faculty of inventing is thus encouraged; and fables are plentifully multiplied. It may be regarded as in some degree remarkable, that, distinguished as all rude nations are for this propensity, the people of the East have far surpassed the other races of men in the extravagance of their legends. The Babylonians, the Arabians, the Syrians, the Egyptians, have long been subject to the contempt of Europeans, for their proneness to invent and believe miraculous stories. Lucian deems it a sarcasm, the bitterness of which would be universally felt, when he says of an author, infamous for the incredible stories which he had inserted in his history, that he had attained this perfection in lying, though he had never associated with a Syrian. (Quom. Cons. Hist.) The scanty fragments which have reached us of the histories of those other nations, have left us but little acquainted with the particular fables of which they compose their early history. But our more intimate acquaintance with the people of southern Asia has afforded us an ample assortment of their legendary stories.

[1.]"There is no known history of Hindoostan (that rests on the foundation of Hindu materials or records) extant, before the period of the Mahomedan conquests." Rennel's Memoir, Introduction, xl. The Hindus have no ancient civil history, nor had the Egyptians any work purely historical. Wilford on Egypt and the Nile, As. Res. iii. 296.

[2.]If the authority of a Sanscrit scholar be wanted to confirm this harsh decision, we may adduce that of Captain Wilford, who, in his Discourse on Egypt and the Nile, As. Res. iii. 29, thus expresses himself: "The mythology of the Hindus is often inconsistent and contradictory, and the same tale is related many different ways. Their physiology, astronomy, and history, are involved in allegories and enigmas, which cannot but seem extravagant and ridiculous; nor could any thing render them supportable, but a belief that most of them have a recondite meaning; though many of them had, perhaps, no firmer basis than the heated imagination of deluded fanatics, or of hypocrites interested in the worship of some particular deity. Should a key to their eighteen Puranas exist, it is more than probable that the wards of it would be too intricate, or too stiff with the rust of time, for any useful purpose."

"The Hindu system of geography, chronology, and history, are all equally monstrous and absurd." Wilford on the Chronol. of the Hindus, As. Res. v. 241.

Another Oriental scholar of some eminence, Mr. Scott Waring, says, in his Tour to Sheeraz, p. iv. “that the Hindu mythology and history appear to be buried in impenetrable darkness.”

[1.]Dr. Robertson (Disquis. concerning Anc. India, note viii. p. 301.) says, “that some traditional knowledge of Alexander's invasion of India is still preserved in the northern provinces of the Peninsula, is manifest from several circumstances.” But these circumstances, when he states them, are merely such as this, that a race of Rajahs claim to be descended from Porus, or rather from a prince of a name distantly resembling Porus, which European inquirers *conjecture* may be the same. The other circumstance is, that a tribe or two, on the borders of ancient Bactria, *are said* to represent themselves as the descendants of some Greeks left there by Alexander. The modern Hindus, who make it a point to be ignorant of nothing, pretend, when told of the expedition of Alexander, to be well acquainted with it, and say, “That he fought a great battle with the Emperor of Hindoostan near Delhi, and, though victorious, retired to Persia across the northern mountains: so that the remarkable circumstance of his sailing down the Indus, in which he employed many months, is sunk altogether.” Major Rennel, Memoir, p. xl.

[1.]It affords a confirmation of this, that the Greeks have left us no accounts, in any degree satisfactory, of the manners and institutions of the ancient Persians, with whom they had so extended an intercourse; or of the manners and institutions of the Egyptians, whom they admired, and to whom their philosophers resorted for wisdom.

[1.]Hume's Hist. of England, i. 2.

[2.]Toute homme du bon entendement, sans voir une histoire, peut presque imaginer de quelle humeur fut un peuple, lorsqu’il lit ses anciens statuts et ordonnances; et d'un meme jugement peut tirer en conjecture quelles furent ses loix voyant sa maniere de vivre. Etienne Pasquier, Recherches de la France, liv. iv. ch. 1. The sage President de Goguet, on a subject remarkably similar, thus expresses himself:—“The dates and duration of the reigns of the ancient kings of Egypt are subject to a thousand difficulties, which I shall not attempt to resolve. In effect, it is of little importance to know the number of their dynasties, and the names of their sovereigns. It is far more essential to understand the laws, arts, sciences, and customs of a nation, which all antiquity has regarded as a model of wisdom and virtue. These are the objects I propose to examine, with all the care and exactness I ara capable of.” Origin of Laws, Part I. Book I. ch. i. art. 4.

[1.]There is a remarkable passage in Plato, at the beginning of the third book De Legibus, in which he describes the effects which would be produced on a small number of men, left alone in the world, or some uncultivated part of it. He is describing the situation of a small number of persons left alive by a flood, which had destroyed the rest of mankind.— ?ι τοτε περιφυγντες την φ?οαν σχεδον ορειοι τινες αν ειεν νομεις, εν κορυφαις που σμικρα ζωπυρα του των ανθρωπων γενους δια σεσωμενα.—Και δη τους τοιουτους γε αναγκη που των αλλων απειρευς ειναι τεχνων, και των εν τοις αξεσι προς αλληλους μηχανων.—Ουκουν οργανα τε παντα απντα

απολλυσ?αι, και ει τι τεχνης ην εχομενον σπουδαιας ?υρημενον, η πολιτικης, η και σοφιας τινος ?τεοας, παντα ερρειν ταυτα εν τψ τοτε χροθψφησομεν. (Plat. p. 804.) The Hindus appear to have had similar opinions, though without the reasons.

"We read in the Mahad-himalaya-c'handa, that after a deluge, from which very few of the human race were preserved, men became ignorant and brutal, without arts or sciences, and even without a regular language." Wilford on Egypt and the Nile, As. Res. iii. 394.

There is nothing more remarkable in the traditions of nations, than their agreement respecting the origin of the present inhabitants of the globe. The account of the deluge in the religious books of the Jews may very well be taken as the archetype of the whole. On this subject I willingly content myself with a reference to a book of singular merit, The Analysis of Ancient Mythology, by Jacob Bryant, in which, after making ample allowance for some forced etymologies, and much superstition, the reader will find an extent of learning, a depth of research, and an ingenuity of inference, unrivalled among the inquirers into the early history of the human race. Sir William Jones, who regretted that Mr. Bryant's knowledge of Oriental literature had not enabled him to bring evidence more largely from its stores, and that he had not pursued a plan more strictly analytical, has prosecuted the same inquiry, in a series of Discourses, addressed to the Asiatic Society, on the Hindus, the Arabs, the Tartars, the Persians, the Chinese, &c., and on the Origin and Families of Nations; and by a different plan, and the aid of his Oriental literature, has arrived at the same conclusions.

All inquirers have been struck with the coincidence between the story of Noah, and that of the Hindu primeval sire Satyavrata. We may suspect that there has been a little Brahmemcal forcing to make it so exact as in the following passage:—Mr. Wilford says, "It is related in the Padma-Puran, that Satyavrata, whose miraculous preservation from a general deluge is told at length in the Matsya, had three sons, the eldest of whom was named Jyapeti, or Lord of the Earth. The others were C'harma and Sharma, which last are, in the vulgar dialects, usually pronounced C'ham and Sham, as we frequently hear Kishn for Crishna. The royal patriarch (for such is his character in the Puráns), was particularly fond of Jyapeti, to whom he gave all the regions to the north of Himalaya, in the snowy mountains, which extend from sea to sea, and of which Caucasus is a part. To Sharma he allotted the countries to the south of those mountains: But he cursed C'harma; because when the old Monarch was accidentally inebriated with a strong liquor made of fermented ice, C'harma laughed: and it was in consequence of his father's imprecation that he became a slave to the slaves of his brothers." (As. Res. in. 312, 313.) The following statement by the same enquirer is confirmed by a variety of authorities:—"The first descendants of Swayambhava (another name for Satyavrata) are represented in the Puranas as living in the mountains to the north of India, toward the sources of the Ganges, and downward, as far as Serinagara and Hari-dwar. But the rulers of mankind lived on the summit of Meru, towards the north: where they appear to have established the seat of justice, as the Puranas make frequent mention of the oppressed repairing thither for redress." Wilford on Chron. of Hind., As. Res. v. 260. "The Mexicans," (says Clavigero, Hist. of Mexico, b. vi. sect. 1.) "had a clear tradition, though somewhat

corrupted by fable, of the creation of the world, of the universal deluge, of the confusion of tongues, and of the dispersion of the people; and had actually all these events represented in their pictures (their substitute for writing). They said that when mankind were overwhelmed with the deluge, none were preserved but a man and woman, named Coxcox and Xochiguebzal, who saved themselves in a litttle bark, and landing upon a mountain, called Colhuacan, had there a great many children, who were all born dumb; but that a dove at last, from a lofty tree, imparted to them languages; all, however, differing so much, that they could not understand one another."

[1.]The cautious inquirer will not probably be inclined to carry this era very far back. "The newness of the world," says the judicious Goguet, (vol. iii. dissert. 3,) "is proved by the imperfection of many of the arts in the ancient world, and of all the sciences which depend upon length of time and experience." By the newness of the world, he means the newness of human society. In examining the remains of organized bodies which have been extricated from the bowels of the earth, vegetables are found at the greatest depth; immediately above them small shell-fish, and some of the most imperfect specimens of the animal creation; nearer the surface quadrupeds, and the more perfectly organized animals: lastly man, of whom no remains have ever been found at any considerable depth. The inference is, that compared with the other organized beings on this globe, man is a recent creation. See Parkinson's Organic Remains.

[1]There is scarcely an exception to this rule. Minos often retired into a cave, where he boasted of having familiar conversations with Jupiter: Mneues, the great legislator of Egypt, proclaimed Hermes as the author of his laws: it was by the direction of Apollo that Lycurgus undertook the reformation of Sparta: Zaleucus, the legislator of the Locrians, gave out that he was inspired by Minerva: Zathruspes, among the Arimaspians, pretended that his laws were revealed to him, by one of their divinities: Zamolxis boasted to the Getes of his intimate communications with the goddess Vesta: the pretensions of Numa among the Romans are well known. (See Goguet, Origin of Laws, part II. book I. ch. i. art. 9.) The Druids, among the ancient Britons and Gauls, were at once the legislators, and the confidants of the Divinity. Odin, who was himself a Divinity, and his descendants, who partook of his nature, were the legislators of the Scandinavians. "The legislators of the Scythians," says Mallet (Introd. to Hist. of Denmark, ii. 43,) "represented God himself as the author of the laws which they gave to their fellow-citizens."

[1.]This is a necessary supposition, as the generation to whom the Vedas were first presented must have known that they had no previous acquaintance with them, and could not believe that they had remained familiar to mortals from the period of their first revelation.

[1.]There is an instructive passage in Plato (De Repub. lib. ii.) in which he ascribes the origin of political association and laws, to the division of labour; Γιγνται πολις, ως εγ' μαι, επειδαν τνγχανειμωνκαζοζουκ αυταρκης, αλλα πολλων ενδεης. From this cause, he says, men are obliged to associate, one man affording one accommodation, another another, and all exchanging the accommodations which each can provide, for

the different accommodations provided by the rest. It is curious that, in limiting the simplest form of a political association, he makes it to consist of four or five classes of men. Αλλα μεν πρωτη γε και μιγιςη των, ? της τροφῆς παρασκευη, δευτερα ?ε οικησιως, τριτη εσθητος καιτων τοιουτων. ? ? ? Ειη δ’ αν η’ γε αναγκαιοτατη πολις εκ τ[WW] That sagacious contemplator of the progress of society, Millar, describing the ancient state of the Anglosaxons, remarks, that the people of England were then divided into four great classes, the artificers and tradesmen, husbandmen, those who exercised the honourable profession of arms, and the clergy. He adds, “From the natural course of things it should seem that, in every country where religion has had so much influence as to introduce a great body of ecclesiastics, the people, upon the first advance made in agriculture and in manufactures, are usually distributed into the same number of classes or orders. This distribution is accordingly to be found not only in all the European nations, formed upon the ruins of the Roman empire; but in other ages, and in very distant parts of the globe. The ancient inhabitants of Egypt are said to have been divided into the clergy, the military people, the husbandmen, and the artificers. The establishment of the four great *castes*, in the country of Indostan, is precisely of the same nature.” (Millar's Historical View of the English Government, book I. ch. xi.) In Egypt the people were divided by law in the same hereditary manner as in Hindostan. It is highly worthy of observation that, notwithstanding all the revolutions and changes to which Egypt has been subject, some remains of the division into castes are yet visible. “La distinction par familles se retrouve encore dans les villes; l’exercise des arts et metiers est hereditaire, le fils imite les procedés de son pere, et ne les perfectionne pas.” (Le General Reynier, De l’Egypte, p. 59.) It is worthy of observation that the Colchians and Iberians were also divided into four castes, whose rank and office were hereditary and unchangeable. (Herodot. lib. ii. cap. civ. cv. Strabo, lib. ii. 765. See also Bryant's Ancient Mythology, v. 102, 107.) In some situations this step in civilization, natural and simple as it may appear, is not easily made. How long have the wandering Arabs remained without it? What an improvement would the bare institution of the Hindu classes be upon their condition? and what merit would the legislature have, who should introduce it? The same observation is applicable to the Tartars.

There is a passage in Herodotus which leads us to conclude, that the distinction of castes existed among the Medes, at the commencement of the monarchy. He says (lib. i. cap. ci.) [WW] He says nothing to fix the meaning of the word [WW]. But we know that the [WW] were the priests, and hence there is matter of proof to make us suppose, that the other names, in like manner, express separate castes, or hereditary classes and professions.

The Persian Monarch Jemsheed is said to have divided the Persians into four classes. Malcolm's Hist. of Persia, i. 205.

In like manner among the Peruvians, “Les citoyens,” to use the language of Carli (Lettres sur l'Amerique, let. xiii.) “furent distribués en classes ou tribus. ** Il n’etoit pas permis, ni par mariage, ni par changement d’habitation, de confondre une classe avec l'autre.” In Let. xiv, it is added, “L’education consistoit à apprendre aux enfans rôturiers le metier que chaque père de famille exercoit,” &c. Clavigero, too, respecting the Mexicans, tells us, (Hist. of Mexico, book vii. sect. v.) “The sons in

general learned the trades of their fathers, and embraced their professions," &c.

In Plato's Timæus, (p. 1044, Ed. Ficin. Francof. 1602), is a curious passage, which asserts that the same division of professions, which still existed among the Egyptians, existed, at a period long antecedent, among the Athenians: [WW]

[1]It was in the dark ages that the Romish priesthood usurped so many privileges. Our ancestors were barbarous when the Druids exercised over them an unlimited authority. The soothsayers and priests among the Greeks and Romans lost their influence as knowledge increased. Among the rude inhabitants of Mexico and Peru, the authority of the priest equalled or superseded that of the king, and was united in the same person.

[1]Laws of Menu, ch. i.

[2]Ib. x.

[3]Ib. vii.

[4]Ib. viii. 271, 2. "From his high birth alone, a Brahmen is an object of veneration even to deities; his declarations to mankind are decisive evidence; and the Veda itself confers on him that character." Ib. xi. 85.

[5]Ib. x. 1.

[6]Ib. x. 206.

[1]Laws of Menu, ch. xi. 31, 32, 33.

[2]Ib. ix. 313–319.

[1]Laws of Menu, ch. viii. 380.

[2]Ib. viii.

[3]Ib. vii. 133.

[4]Halhed, Preface to the Code of Gentoo Laws.

[5]The Druids among the ancient Britons, as there was a striking similarity in many of the doctrines which they taught, so possessed many similar privileges and distinctions to those of the Brahmens. Their persons were inviolable; they were exempt from taxes and military service; they exercised the legislative, the judicial, and, with the exception of commanding armies in the field, almost the whole of the executive powers of government. Cæsar, De Bell. Gal. lib. vi. 13, 14. Henry's Hist. of Great Britain, i, 302, 317.

[1]See the Laws of Menu, passim. "The organs of sense and action, reputation, a heavenly mansion, life, a great name, children, cattle, are all destroyed by a sacrifice

offered with trifling presents: let no man therefore sacrifice without liberal gifts." Ib. xi. 40. "Let every man, according to his ability, give wealth to Brahmens detached from the world and learned in scripture; such a giver shall attain heaven after this life." Ib. xi. 6. "Having reckoned up the persons whom the Brahmen is obliged to support, having ascertained his Divine knowledge and moral conduct, let the king allow him a suitable maintenance from his own household; and, having appointed him a maintenance, let the king protect him on all sides, for he gains from the Brahmen whom he protects a sixth part of his virtue." Ib. xi. 22, 23. "Of that king in whose dominions a learned Brahmen is afflicted with hunger, the whole kingdom will in a short time be afflicted with famine." Ib. vii. 114.

The Brahmens are occasionally exhorted to observe some decorum and measure in their pursuit of gifts. Laws of Menu, iv. 186. "Should the king be near his end through some incurable disease, he must bestow on the priests all his riches accumulated from legal fines; and, having duly committed his kingdom to his son, let him seek death in battle; or, if there be no war, by abstaining from food."

"The influence of priestcraft over superstition is no where so visible as in India. All the commerces of life have a strict analogy with the ceremonies of religion; and the Brachman has inculcated such a variety of strange persuasions, that the Gentoo finds himself every hour under the necessity of consulting his spiritual guide. The building of a pagoda, and maintaining within it a set of priests, is believed the best action which human virtue is capable of. Every offence is capable of being expiated by largesses to the Brachmans, prescribed by themselves according to their own measures of avarice and sensuality." Orme, On the Government and People of Indostan, 432.

"Since the Brahmen sprang from the most excellent part, since he was the first born, and since he possesses the Veda, he is by right the chief of this whole creation.

"Him, the Being, who exists of himself, produced in the beginning from his own mouth, that having performed holy rites, he might present clarified butter to the Gods, and cakes of rice to the progenitors of mankind, for the preservation of this world:

"What created being then can surpass him, with whose mouth the Gods of the firmament continually feast on clarified butter, and the manes of ancestors, on hallowed cakes?

"Of created things, the most excellent are those which are animated; of the animated, those which subsist by intelligence; of the intelligent, mankind; and of men, the sacerdotal class;

"Of priests, those eminent in learning: of the learned, those who know their duty; of those who know it, such as perform it virtuously; and of the virtuous, those who seek beatitude from a perfect acquaintance with scriptural doctrine.

"The very birth of Brahmens is a constant incarnation of Dherma, God of Justice; for the Brahmen is born to promote justice, and to procure ultimate happiness.

“When a Brahmen springs to light, he is born above the world, the chief of all creatures, assigned to guard the treasury of duties, religious and civil.

“Whatever exists in the universe is all in effect, though not in form, the wealth of the Brahmen; since the Brahmen is entitled to it all by his primogeniture and eminence of birth.” Laws of Menu, i. 93–100.

[1.]Laws of Menu, ch. viii. The law is laid down somewhat differently in Halhed's Code: when a man finds any thing belonging to another, the magistrate is to be informed, and if the finder is a Brahnen, he keeps the whole; from others a part goes to the magistrate; and from a Sooder all but two twelfths. Halhed's Gentoo Laws, ch. 21, sect. 2.

[2.]Laws of Menu, ch. ii. The mendicity of the priests seems to have been a general instrument of priestly imposture. It was so among the Romans; and no unproductive one. See Apuleius, Metam. l. viii. p. 262. Cicero, in his Book of Laws, proposes to restrain the begging trade of the priests.—Stipem sustulimus, nisi eam quam ad paucos dies propriam Idæ Martis excepimus: Implet enim superstitione auimos, exhaurit domos. Cic. de Legib. 1. ii. 9, 16. The Popish mendicants are a notorious instance. See Middleton's Letter from Rome, in Works of Dr. Conyers Middleton, iii. 116.

[3.]See the Laws of Menu, passim.

[1.]To this observation I know not that any exception can be adduced, which is not resolvable into the influence of a government purely or chiefly military. This, however, is the effect of art, or of forced circumstances, not of nature, or of reason. It is Mandeville, I think, who remarks, that fear is the origin of the admiration which has been generally bestowed upon the profession of arms; and in confirmation of this observes, that it is the most timid sex by whom the military character is the most admired. Mr. Hume has remarked, that it is the most timid sex, also, who are the most devoted to superstition, and the priests.

[2.]Halhed's Code, ch. xv. sect. 2. “If a man of an inferior caste,” says the Gentoo code, “proudly affecting an equality with a person of superior caste, should speak at the same time with him, the magistrate in that case shall punish him to the extent of his abilities.”—Ib.

[1.]See the Laws of Menu, and Halhed's Gentoo Code, passim. The case of theft is an exception to this, the higher classes being punished the most severely.

[1.]See the Laws of Menu, and Halhed's Gentoo Code, passion.

[2.]Laws of Menu, ch. viii. 413.

[3.]Ib. x. 129.

[4.]Ib. viii. 417. If he be distressed for subsistence, says the gloss of Culluca.

[5.]Ib.

[1.]Laws of Menu, ch. viii. 80, 81. “If,” says the Gentoo code, “a man of the Sooder reads the beids of the Shaster, or the Pooran, to a Brahmen, a Chehter, or a Bin, then the magistrate shall heat some bitter oil, and pour it into the aforesaid Sooder's mouth; and if a Sooder listens to the beids of the Shaster, then the oil, heated as before, shall be poured into his ears, and arzeez and wax shall be melted together, and the orifice of his ears shall be stopped up therewith. If a Sooder gets by heart the beids of the Shaster, the magistrate shall put him to death. If a Sooder always performs worship and the jugg, the magistrate shall put him to death. If a Sooder gives much and frequent molestation to a Brahmen, the magistrate shall put him to death.” (Halhed's Code of Gentoo Laws, ch. xxi. sect. 7.) It is among the most barbarous tribes, that we in general find the principle of subordination abused to the greatest excess. Perhaps no instance is equal to that which exhibits itself among the Hindus. “Among the Natchez,” (says Robertson, Hist. Americ. ii. 139,) a powerful tribe now extinct, on the banks of the Mississippi, a difference of rank took place, with which the northern tribes were altogether unacquainted. Some families were reputed noble, and enjoyed hereditary dignity. The body of the people was considered as vile, and formed only for subjection. This distinction was marked by appellations which intimated the high elevation of the one state, and the ignominious depression of the other: the former were called *Respectable;* the latter, the *Stinkards*.”—“To be a servant” (says Millar, Distinction of Ranks, ch. v. sect. 1.) “in these primitive times, was almost universally the same thing as to be a slave. The master assumed an unlimited jurisdiction over his servants, and the privilege of selling them at pleasure. He gave them no wages beside their maintenance; and he allowed them to have no property, but claimed to his own use whatever, by their labour, or by any other means, they happened to acquire.—Thus the practice of domestic slavery appears to have been early established among the nations of antiquity; among the Egyptians, the Phœnicians, the Jews, the Babylonians, the Persians, the Greeks, and the Romans.—The same practice obtains at present among all those tribes of barbarians, in different parts of the world, with which we have any correspondence.”

[1.]Laws of Menu, ch. x. passim. Mr. Colebrooke on the Indian Classes, Asiat. Researches, v. 63.

[1.]Vide Halhed's Code of Gentoo Laws, preface.

[1.]Colebrooke on the Indian Classes, Asiat. Research. v. 53. On this subject, however, that intelligent author tells us, that Sanscrit authorities in some instances disagree. Classes mentioned by one are omitted by another; and texts differ on the professions assigned to some tribes. It is a subject, he adds, in which there is some intricacy.

[1.]“Avoid,” says the Tantra, “the touch of the Chandala, and other abject classes. Whoever associates with them undoubtedly falls from his class; whoever bathes or drinks in wells or pools which they have caused to be made, must be purified by the five productions of kine.” Colebrooke on the Indian Classes, Asiat. Research. v. 53. From this outline of the classification and distribution of the people, as extracted from

the books of the Hindus, some of the most intelligent of our British observers, appeal to the present practice of the people, which they affirm is much more conformable to the laws of human welfare, than the institutions described in the ancient books. Of this, the author is aware: so inconsistent with the laws of human welfare are the institutions described in the Hindu ancient books, that they never *could* have been observed with any accuracy; it is, at the same time, very evident, that the institutions described in the ancient books are the model upon which the present frame of Hindu society has been formed; and when we consider the powerful causes which have operated so long to draw, or rather to force, the Hindus from their inconvenient institutions and customs, the only source of wonder is, that the state of society which they now exhibit should hold so great a resemblance to that which is depicted in their books. The President de Goguet is of opinion, that a division of the people into tribes and hereditary professions similar to that of the Hindus existed in the ancient Assyrian empire, and that it prevailed from the highest antiquity over almost all Asia, (part I. book I. ch. i. art. 3; Herodot. lib. i. cap. 200; Strab. liv. xvi. p. 1082; Diod. lib. ii. p. 142.) Cecrops distributed into four tribes all the inhabitants of Attica. (Pollux, lib. viii. cap. 9. sect. 100; Diodorus Siculus, lib. ii. p. 33.) Theseus afterwards made them three, by uniting, as it should seem, the sacerdotal class with that of the nobles, or magistrates. They consisted then of nobles and priests, labourers or husbandmen, and artificers; and there is no doubt that, like the Egyptians and Indians, they were hereditary. (Plutarch. Vit. Thes.) Aristotle expressly informs us, (Polit. lib. vii. cap. 10.) that in Crete the people were divided by the laws of Minos into classes after the manner of the Egyptians. We have most remarkable proof of a division, the same as that of the Hindus, anciently established among the Persians. In the Zendavesta, translated by Anquetil Duperron, is the following passage: Ormusd said, There are three measures [literally weights, that is, tests, rules] of conduct, four states, and five places of dignity.—The states are: that of the priest; that of the soldier; that of the husbandman, the source of riches; and that of the artizan or labourer." Zendavesta, i. 141. There are sufficient vestiges to prove an ancient establishment of the same sort among the Buddhists of Ceylon, and by consequence to infer it among the other Buddhists over so large a portion of Asia. See a Discourse of Mr. Joinville on the Religion and Manners of the People of Ceylon, Asiat. Research. vii. 430, et seq.

[1.]Laws of Menu, ch. vii. 3.

[2.]Ib. ch. vii.

[1.]Kœmpfer, in his History of Japan, book i. chap. v. says, "The whole empire is governed in general by the Emperor, with an absolute and monarchical power, and so is every province in particular by the prince, who, under the Emperor, enjoys the government thereof."—For the similarity of the institution in the Ottoman government, see Volney's Travels in Syria and Egypt, ii. 376.

[2.]Laws of Menu, ch. vii. 113–117. There is a very remarkable similarity between this mode of subdividing authority among the Hindus, and that adopted by the Incas of Peru. "The Incas," (says Garcilasso de la Vega, part i. book ii. ch. v.) "had one method and rule in their government, as the best means to prevent all mischiefs and disorders; which was this. That of all the people in every place, whether more or less,

a register should be kept, and a division made of ten and ten, over which one of the ten, whom they called the Decurion, was made superior over the other nine; then every five divisions of this nature had a lord over them, to whom was committed the charge and care of fifty; then over two divisions of fifty, another lord, who supervised 100; so five divisions of 100 had a magistrate who commanded 500; the divisions of 100 had a leader over 1000," &c. The highest officer under the Inca was the governor of a province. Each inferior officer accounted for his conduct to the superior next above him. See, further, Acosta, Nat. and Mor. Hist. of the Indies, book vi. ch. xiii.; Carli, Lettres sur l'Amerique, let. xiii. The analogy of the Anglosaxon institution of tythings, or ten families; of hundreds, or ten tythings; and counties, will suggest itself to every imagination.

[1.]Laws of Menu, ch. vii. 118, 119. The first of these provisions, that for the lord of one town, is not accurately ascertained; the two or five plough-lands are sufficiently distinct; but the produce of a village or large town must have been extremely uncertain and ambiguous.

[1.]Laws of Menu, ch. vii. 120–122. A similar officer formed a similar part of the Peruvian establishment. He was denominated *Cucuy Kwc*, which is to say, "Eye of all." Carli, Lettres sur l'Amerique, let. xiii.

[2.]Menu, ut supra, 123, 124.

[3.]Ibid. 54.

[1.]Laws of Menu, ch. vii. 56. Another precept to the king, respecting the mode of consulting with his ministers, is very expressive of the simplicity of the times; "Ascending up the back of a mountain, or going privately to a terrace, a bower, a forest, or a lonely place, without listeners, let him consult with them unobserved." Ib. 147.

[2.]Ib. 58.

[3.]Orme on the Government and People of Indostan, p. 417. The same accurate and intelligent observer immediately adds; "The infantry consists in a multitude of people assembled together without regard to rank and file," &c.

[1.]Laws of Menu, ch. vii. 70.

[2.]Ib. 74.

[3.]Ib. 103.

[1.]Laws of Menu, ch. vii. 89.

[2.]Ib. 88.

[3.]"The forces of the realm must be immediately regulated by the commander in chief." Ib. 65.

[4.]Ib. 113–120.

[1.]Halhed's Gentoo Code, preface.

[2.]Laws of Menu, ch. vii. 14–22.

[3.]Ib ch. viii. 1.

[4.]Ib. ch. viii. 20. To learned and righteous Brahmens the magistrate shall give money, and every token of respect and consideration in the judgment seat, to have them near him; but he shall not retain fewer than ten of such Brahmen. Gentoo Code, ch. iii. sect. 1. The more sacred books of law the men by denomination *holy* were alone permitted to read. Thus the law of Menu (ch. ii. 16.) "He whose life is regulated by holy texts, from his conception even to his funeral pile, has a decided right to study this code, but no other person whatsoever." The more profane commentaries, however, were less confined, and the man versed in these might suffice for the common business of administering justice.

[1.]Laws of Menu, ch. viii. 9. 10. The Gentoo Code, translated by Mr. Halhed, directs, that when the king in person cannot examine a cause, he substitute a learned Brahmen; if a Brahmen cannot be found, a Cshatriya, &c. but in no case a Sudra. Gentoo Code, ch. iii. sect. 1.

[2.]Laws of Menu, ch. viii. 9, 10.

[3.]Gentoo Code, ch. iii. sect. 5.

[4.]Orme on the Government, &c. of Indostan, p. 451.

[1.]This publicity of judicial proceedings is common to rude nations. In the country and days of Job, the judge sat at the gate of the city, ch. ix. ver. 7. Moses alludes to the same practice, Gen. xxiii. 18; and Homer tells us it was the practice in the heroic ages of Greece, Il. lib. xviii. ver. 497.

[1.]Orme on the Government and People of Indostan, p. 444–446. Another of our most instructive travellers, Mr. Foster, in the Dedication prefixed to his Journey from Bengal to England, p. vii., calls Hindustan, "A land whose every principle of government is actuated by a rapacious avarice, whose people never approach the gate of authority without an offering."—This is a subject to which he often adverts; he says again, (i. 7,) "In Asia, the principles of justice, honour, or patriotism, as they confer no substantial benefit, nor tend to elevate the character, are seldom seen to actuate the mind of the subject."

[1.]Laws of Menu, ch. vii. 37.

[2.]Even under a system, where the power of the altar was from the beginning rendered subservient to the power of the sword, the right of interpreting a code of sacred laws is found to confer an important authority. Hear the opinion of a recent, and penetrating observer:—"L'expression vague des preceptes du Koran, seule loi

ecrite dans les pays Musulmans, laisse aux docteurs une grande latitude pour les interpretations, et bien des moyens d'augmenter leur autorité. Quoique cette religion ait peu de dogmes, le fanatisme qu'elle inspire est un instrument que les prêtres savent employer avec succés." De l'Egypte, par le Gen. Reynier, p. 62.

[1.]See what is observed by three great authors, Hume, Blackstone, and Paley, on the influence of the crown in England. See also what is observed by Lord Bolingbroke on the same subject, in his Dissertatior on Parties.

[1.]Examine that important specimen of an original Hindu book of law, the Institutes of Menu. See too the confession of Mr. Colebrooke in the preface to his translation of the Digest of Hindu Law on Contracts and Successions; a work compiled a few years ago, under authority of the English government, by some of the most learned and respectable of the Brahmens.

[1.]Laws of Menu, ch. viii. The division and arrangement of the same subject, in the compilation translated by Mr. Halhed, are very similar, as will appear by the following titles of the chapters:—1. Of lending and borrowing; 2. Division of inheritable property; 3. Of justice; 4. Trust or deposit; 5. Selling a stranger's property; 6. Of shares; 7. Ahenation by gift; 8. Of servitude; 9. Of wages; 10. Of rent or hire; 11. Purchase or sale; 12. Boundaries or limits; 13. Shares in the cultivation of land; 14. Of cities, towns, and of the fines for damaging a crop; 15. Scandalous and bitter expressions; 16. Of assaults; 17. Theft; 18. Violence; 19. Adultery; 20. Of what concerns women; 21. Of sundry articles. In the elaborate Digest on the subject of Contracts and Inheritances, which has been translated by Mr. Colebrooke, the titles of the books, as far as they extend, coincide exactly with the titles in the Institutes of Menu; thus, Book 1. On loans, and their payment; Book 2. On deposits; Book 3. On the nonperformance of agreements; Book 4. On the duties of man and wife. The part of the work which relates to inheritance is included in one book, and is the same with the 17th title enumerated in the Institutes of Menu.

[1.]The Romans, by the ambiguity of their word *jura*, which signified either *rights* or *laws*, were enabled to use, without manifest impropriety, such expressions as, *jura* of persons, and *jura* of things: for though it was absurd to talk of the *rights* of things, things having a right to nothing, yet it was not absurd to talk of the *laws* of things. In their expressions *jura personarum* and *jura rerum*, there was, therefore, only confusion of ideas, and ambiguity. The English lawyers, from two of their characteristic properties, blind imitation, and the incapacity of clearing confused ideas, have adopted the same division; though in their set of phrases, rights of persons, and rights of things, there is not only confusion and ambiguity, but gross absurdity.

[1.]A very odd attempt at a further generalization upon the first nine titles appears in Mr. Colebrooke's Digest. His first book, On Loans, corresponds exactly with the first title in the Institutes of Menu. His second book, On Deposits, is divided into four chapters, which are exactly the 2d, 3d, 4th, and 5th titles in the list of Menu. His third book, which is entitled, "On the Nonperformance of Agreements," is divided into four chapters, and these are the same with the four succeeding titles in the classification of

Menu.—1. Loans, 2. Deposits, 3. Nonperformance of agreements: These, according to the logic of the Digest, are the grand classes of contracts, and the titles which belong to them. The last of the titles, it is evident, cannot belong to any particular class: Nonperformance is incident to all classes of contracts. Either, therefore, this is an improper title altogether, or it ought to stand as the title of the whole subject of contracts: and then Nonperformance of Agreements would include, *loans, deposits*, and every thing else. Under *Deposits* the Digest includes the following sub-titles: 1. Deposits, and other bailments; 2. Sale without ownership; 3. Concerns among partners; 4. Subtraction of gifts: of which the last two have no more to do with *deposits* than they have with *loans*, or any the most remote branch of the subject; and the second is either a part of the first, and ought to have been included under it, as relating to the sale of things deposited, or that also has no connexion with the title. Let us next contemplate the sub-titles included under *Nonperformance of Agreements*. They are, 1. Nonpayment of wages or hire; 2. Nonperformance of agreements, chiefly in association; 3. Rescission of purchase and sale; 4. Disputes between master and herdsman: As if these included all the agreements of which there could be nonperformance. The first and last of them, moreover, are the same thing, or the last is a portion of the first. It is needless to carry the criticism farther.

[1.]It is curious, though some what humbling, to observe how far great men may let authority mislead them. “The articles,” says Dr. Robertson, “of which the Hindu code is composed, are arranged in natural and luminous order.” Disquisition concerning India, Appendix, p. 217.

[1.]Lord Kames, Historical Law Tracts, p. 123, 154. Grotius de Jure Belli ac Pacis, lib. II. cap. ii. 2. Blackstone's Commentaries on the Laws of England, book II. c. i. The annotator on some of the late editions of Blackstone differs from the doctrine in the text. But that writer seems to have mistaken an important circumstance, carefully attended to by the great lawyers quoted above, that when the commodities of the earth began to be appropriated they were not without owners, but the common property of the race at large.

[1.]L. L. Ethel. 10, 12. L. L. Edg. Hickes. Dissert. p. 30.

[3.]Ch. viii. 202.

[1.]A curious enumeration of the cases in which the property of one man is so incorporated with that of another as to be inseparable, is given in the Roman law, under the head of *Accessio:* Inclusio, adferruminatio, intextura, inædificatio, scriptura, pictura, specificatio, commixtio, et confusio.

The English law (a few special cases excepted) gives an absolute right of property to the bona fide purchaser, by whatever means the commodity may have come into the hands of the vendor. If the English law, however, takes care of the purchaser, it must be owned that it is deplorably defective in the care which it takes of the party by whom the commodity is lost.

[2.]Laws of Menu, ch. viii. 222, 223. See also Halhed's Code of Gentoo Laws, ch. xi. and Mr. Colebrooke's Digest of Hindu Law, book III. ch. iii.

[3.]Ib. 401, 402. It is worthy of remark that this was a regulation too among the ancient Britons. Leges Wallicæ, lib. iii. 247. Henry's Hist. Brit. iv. 202.

[1.]Laws of Menu, ch. viii. 224 to 227.

[2.]See Laws of Menu, ch. viii.; Halhed's Gentoo Code, iv.; Colebrooke's Digest, book II. ch. i.; Heineccii Pandect. pars III. lib. xvi. tit. 3, on the subject of deposits, and the importance of this class of transactions in the early days of Rome, with the causes of that importance.

The reader may see one of the few attempts which have been made to let in the light of common sense upon the law of England, in the Essay on Bailments, by Sir William Jones.

[1.]Laws of Menu, ch. viii. 189.

[2.]The language of English law in the case of this contract is defective, and a source of confusion. In the case of other contracts, it has one name for the act of one of the parties, another name for that of the other. Thus, in the case of exchange, one of the parties is said to sell, the other to buy; in that of a loan, one of the parties is said to lend, the other to borrow. In the present case, it often uses but one name for the acts of both parties; he who gives, and he who receives, the use, being both said to hire. The Civilians are saved from this inconvenience by the use of the Latin language; in which the act of the one party is termed *locatio*, that of the other *conductio*. To *let* and to *hiro*, if uniformly employed, would answer the same purpose in English.

[3.]Institut. Justin. lib. in. tit. 25. Locatio et conductio proxima est emptioni et venditioni, iisdemque juris regulis consistit.

[4.]The simplicity of some of the enactments provokes a smile; “If a person hath hired any thing for a stipulated time he shall pay the rent accordingly.” (Gentoo Code, x.) Again, “If a person, having agreed for the rent of the water of a pool, or of the water of a well, or of the water of a river, or of a house, does not pay it, the magistrate shall cause such rent and hire to be paid.” Ibid.

[1.]If a hired servant perform not his work according to agreement, he shall be fined, and forfeit his wages. What he has been prevented by sickness from performing, he is allowed to execute after he is well; but if he leaves unfinished, either by himself or a substitute, any part of the stipulated service, however small, he is deprived of the hire for the whole. One branch of this subject, the obligations between masters, and the servants who tend their cattle, is of so much importance, denoting a state of society approaching the pastoral, as to constitute a whole title of Hindu law. The principal object is to define those injuries accruing to the cattle, and those trespasses committed by them, for which the keeper is responsible. Laws of Menu, ch. viii. 214 to 218, and

229 to 244. Halhed's Gentoo Code, viii, ix. Colebrooke's Digest, book III. ch. ii. and iv.

[1.]Laws of Menu, ch. vii. Halhed's Gentoo Code, ch. i. sect. 2. Colebrooke's Digest, part I. book I. ch. iii.

[2.]Laws of Menu, ch. viii. Colebrooke's Digest, part I. book I. ch. iv. Halhed's Gentoo Code, ch. i. sect. 3.

[3.]It was perfectly familiar to the Jews at the time of their departure from Egypt; Deuteron. ch. xxiii. 20.

[4.]Laws of Menu, viii. 151.

[1.]Halhed, Preface to the Code of Gentoo Laws, p. 53.

[2.]"Thou shalt not lend upon usury to thy brother, usury of money, usury of *victuals*, usury of *any thing that is lent upon usury*. Unto a stranger thou mayest lend upon usury." Deuteron. xxiii. 19, 20.

[1.]The tribes of Burren Sanker, that is, all the mixed classes, pay at the rate of one in sixteen (or rather more than six per cent.) per month. Halhed's Gentoo Code, ch. i. sect. 1.

[2.]It is curious that this too was a law of Egypt, at least in regard to loans upon security. Diod. Sic. lib. i. cap. 79. Goguet's Origin of Laws, part III. book I. ch. iv.

[3.]For the details respecting the law of interest, consult Laws of Menu, ch. viii. 140 to 154. Halhed's Gentoo Code, ch. 1. sect. 1. Colebrooke's Digest, part I. book I. ch. ii.

[1.]This mode of personal seizure had place at an early age among the Egyptians; but they made sufficient advancement to abolish it. A law of king Bocchoris permitted the creditor to seize only the goods of his debtor for payment. Diod. Sic. lib. i. p. 90.

[2.]Colebrooke's Digest, part I. book I. ch. vi. sect. 240, 241.

[1.]For the laws respecting recovery of debt, see Laws of Menu, ch. viii. Halhed's Gentoo Code, ch. i. sect. 5. Colebrooke's Digest, part I. book I. ch. lvi.

[2.]Laws of Menu, viii. 139.

[1.]See an account of the practice of sitting in dherna, by Sir John Shore (Lord Teignmouth), Asiat. Researches, iv. 330 to 332. He tells us that, since the institution of the court of justice at Benares in 1783, the practice has been less frequent, but that even the interference of that court and of the resident had occasionally been unable to check it. He tells us, too, that some of the pundits, when consulted, declared the validity to such claims as are just: others denied its validity, except where the party confirmed the engagement after the coercion is withdrawn. But it is evident that these restrictions are inconsistent with the facts which Lord Teigumouth records, and are

mere attempts of the pundits, according to their usual practice, to interpret their laws into as great a coincidence as possible with the ideas of the great persons by whom the questions are put to them. A regulation was made by the Bengal government in 1795 for preventing this practice. See papers, ordered to be printed by the House of Commons, 3d June, 1813, p. 431. See also Broughton's Mhratta Camp, p. 42.

[1.]"Among barbarians in all parts of the world, persons who belong to the same family are understood to enjoy a community of goods. In those early ages, when men are in a great measure strangers to commerce or the alienation of commodities, the right of *property* is hardly distinguished from the right of *using* or *possessing;* and those persons who have acquired the joint-possession of any subject are apt to be regarded as the joint proprietors of it." Millar on the English government, i. 190.

[2.]The whole too of that Title of law, "Concerns among partners," refers not so much to a joint-stock property, contributed by certain individuals for carrying on any particular business, as to the property of a number of persons, most commonly brothers or other near relations, who agree to live together, and to have all their effects in common. The multitude of the laws proves the frequency of the transactions.—The old law of inheritance among the Romans was altogether founded upon the same ideas. Fundamentum successionis veteris erat conservatio familiarum. Familia enim universitas quædam videbatur, cujus princeps est paterfamilias.—Quum ergo proximi in familia essent liberi vel sui heredes, tanquam vivo patre, quodammodo domini et [WW] legibus xii. tabularum cautum fuerat; SI INTESTATO MORITUR CUI SUUS HERES NEC ESCIT, AGNATUS PROXIMUS FAMILIAM HABETO. Heinec. in lnst. lib iii. tit. i. sect. 690.

[1.]Laws of Menu, ch. ix. 105.

[2.]Colebrooke's Digest, part II. book V. ch. iii. sect. 114.

[3.]Halhed's Gentoo Code, ch. ii. sect. 11. Colebrooke's Digest, part II. book V. ch. ii. Mr. Halhed has remarked that the demand of the prodigal son in the Gospel for his portion, affords proof of a similar state of things among the Jews. The attentive reader will perceive many other strokes of resemblance. All the more cultivated nations of Asia appear to have reached a stage of society nearly the same.

[4.]Colebrooke's Digest, book V. ch. i. sect 2, subsect. 34. Halhed's Gentoo Code, ch. ii. sect. 12.

[1.]Colebrooke's Digest, part II. book V. ch. 3, subsect. 115, 116, ch. i. sect. 2, subsect. 34.

[2.]Laws of Menu, ch. ix. 214.

[3.]"When there are two sacred texts, *apparently inconsistent*, both are held to be law, for both are pronounced by the wise to be valid and reconcileable. Thus in the Veda are these texts: Let the sacrifice be when the sun has arisen, and before it has risen, and when neither sun nor stars can be seen: The sacrifice therefore may be performed at any or all of those times." Ib. ii. 14, 15.

[1.]Laws of Menu, ch. ix. 188.

[2.]Ib. 189.

[3.]Colebrooke's Digest, part II. book V. ch. v. sect 320, 321, 325, 329, 331. In Halhed's Gentoo Code they are thus enumerated; one born an eunuch, blund, deaf, dumb, without hand or foot, or nose, or tongue, or privy member or fundament, and one who has no principle of religion, as well as the victims of various diseases. Gentoo Code, ch. ii. sect 5. The law is thus stated in the Institutes of Menu; eunuchs and outcasts, persons born blind or deaf, madmen, idiots, the dumb, and such as have lost the use of a limb, are excluded from a share of the heritage. But it is just, that the heir who knows his duty should give all of them food and raiment. Laws of Menu, viii. 201, 202.

[4.]Laws of Menu, viii. 149, &c. Halhed's Gentoo Code, ch. ii. sect. 2. Colebrooke's Digest, part II. book V. ch. vii.

[5.]The appearance of accuracy given by minuteness of detail has sometimes been quoted as a proof of refined knowledge; but it is a proof of the very reverse. Henry tells us (Hist. of Britain, i. 320) that the laws of the Druids provided with great care for the equitable division of the effects of the family according to the circumstances of every case. The ancient laws of Wales descend to very long and particular details on this subject, and make provision for every possible case with the most minute exactness. Leges Wallicæ, lib. ii. de mulieribus, cap. i. p. 70. The refinement and niceties of the Mahomedan law of succession are perhaps still more remarkable. See Mahomedan law of succession, Works of Sir William Jones, iii. 467, and the Al Sirajiyyah, with Sir William's Commentary, Ib. 505. In fact, the want of skill to ascend to a general expression, or rule, which would accurately include the different ramifications of the subject, is that which gives occasion to this minuteness of detail.

[1.]Those who are unmarried at the death of the father are directed to receive portions out of their brothers' allotments, Laws of Menu, ix. 118.

[2.]Three persons, a wife, a son, and a slave, are declared by law to have in general no wealth exclusively their own: the wealth which they may earn is regularly acquired for the man to whom they belong." Ib. ch. viii. 416.

[3.]Ib. ch. ix. 192 to 197. Colebrooke's Digest, part II. book V. ch. ix.

[1.]Kames's Historical Law Tracts, i. 162.

[2.]Impressed, when I began to study the history and character of the Hindus, with the loud encomiums I had been accustomed to hear on their attainments, and particularly their laws; which were represented as indicating a high state of civilization; this fact, which is broadly stated by Mr. Halhed, (Preface to the Gentoo Code, p. liii.) very forcibly struck me. Rude as the Arabs were at the time of Mahomed, their ideas of property included the right of devising by will. See Koran, chap. 5.

[3.]Historical Law Tracts, i. 159. How like is this regulation of the Burgundians to the rules among the Hindus for division of property to the sons during the father's life-time?

[1.]Halhed's Gentoo Code, ch. vii.

[1.]Gibbon's History of the Decl. and Fall of the Roman Empire, ch. xliv.

[2.]See the Books of Moses, passim.

[1.]Diod. Sic. lib. i. p. 88.

[2.]Wilkins, Leg. Sax. p. 2. to 20. Mr. Turner, History of the Anglo-saxons, says, book XI. ch. viii. “The most popular of the legal punishments were the pecuniary mulcts. But as the imperfection and inutility of these could not be always disguised—as they were sometimes impunity to the rich, who could afford them, and to the poor who had nothing to pay them with, other punishments were enacted. Among these we find imprisonment, outlawry, banishments, slavery, and transportation. In other cases, we have whipping, branding, the pillory, amputation of limb, mutilation of the nose and ears, and lips, the eyes plucked out, hair torn off, stoning, and hanging. Nations not civilized have barbarous punishments.”

[3.]Charge to the Grand Jury of Calcutta, Dec. 4, 1788, Sir Wm. Jones's Works, iii. 26. Of this feature of their laws, a few examples will impress a lively conception. “The most pernicious of all deceivers,” says the law of Menu, “is a goldsmith who commits frauds; the king shall order him to be cut piecemeal with razors.” Laws of Menu, ch. ix. 292. “Should a wife, proud of her family and the great qualities of her kinsmen, actually violate the duty which she owes to her lord, let the king condemn her to be devoured by dogs in a place much frequented; and let him place the adulterer on an iron bed well heated, under which the executioners shall throw logs continually, till the sinful wretch be there burned to death.” Ib. viii. 371, 372. “If a woman murders her spiritual guide, or her husband, or her son, the magistrate, having cut off her ears, her nose, her hands, and her lips, shall expose her to be killed by cows.” Halhed's Gentoo Code, ch. xxi. sect. 10. “Of robbers, who break a wall or partition, and commit theft in the night, let the prince order the hands to be lopped off, and themselves to be fixed on a sharp stake. Two fingers of a cutpurse, the thumb and the index, let him cause to be amputated on his first conviction; on the second, one hand and one foot; on the third, he shall suffer death.” Laws of Menu, ix. 276, 277. “A thief who, by plundering in his own country, spoils the province, the magistrate shall crucify, and confiscate his goods; if he robs in another kingdom he shall not confiscate his possessions, but shall crucify him. If a man steals any man of a superior caste, the magistrate shall bind the grass beena round his body, and burn him with fire; if he steals a woman of a superior caste, the magistrate shall cause him to be stretched out upon a hot plate of iron, and, having bound the grass beena round his body, shall burn him in the fire. If a man steals an elephant or a horse, excellent in all respects, the magistrate shall cut off his hand, and foot, and buttock, and deprive him of life. If a man steals an elephant or a horse of small account, or a camel or a cow, the magistrate shall cut off from him one hand and one foot. If a man steals a goat or a

sheep, the magistrate shall cut off one of his hands. If a man steals any small animal, exclusive of the cat and the weasel, the magistrate shall cut off half his foot." Halhed's Gentoo Code, ch. xvii. sect. 3. "If a man sets fire to the tillage or plantation of another, or sets fire to a house or to a granary, or to any uninhabited spot where there is much fruit or flowers, the magistrate, having bound that person's body in the grass beena, shall burn him with fire." Ib. xviii. "For boring the nostrils of cows belonging to priests, the offender shall instantly lose half of one foot. Laws of Menu, ch. viii. 325. The same system of mutilation prevailed in Persia. Xenophon, describing the Persian punishments, says, . Xenoph. Cyropæd. lib. i. p. 92. The common mode of hanging is thus described by an eye-witness: "A hook is fixed to one end of the rope, and this hook the executioner forces with all his strength into the flesh below the criminal's chin; he is then hoisted up, and the other end of the rope is made fast to the gallows." Bartolomeo's Travels, book II. ch. v. "If a magistrate has committed a crime, and any person, upon discovery of that crime, should beat and ill-use the magistrate, the magistrate shall thrust an iron spit through him and roast him at the fire." Halhed's Gentoo Code, ch. xvi. sect. 1.

[1.]"The inhuman and unequal principle of retaliation," says Mr. Gibbon, Hist. of Decl. and Fall of the Rom. Emp. ch. xhv.

[1.]Strabo, lib. vi. p. 398. Potter's Antiq. book I. ch. xxvi. Blackstone's Commentaries, book IV. ch. i.

[2.]Diod. Sic. lib. i. p. 88, 89.

[1.]Laws of Menu, ch. viii. 279. In a style characteristically Hindu, the following, among other cases, are specified; when a man spits on another, when he urines on him, and when he breaks wind on him. The penalties I choose not to describe. See the same chapter, 280 to 284.

[2.]Halhed's Code of Gentoo Laws, ch. xvi. sect. 1.

[3.]Ib.

[4.]Ib.

[5.]Laws of Menu, ch. viii. 270 to 273.

[1.]Laws of Menu, ch. viii, 268.

[2.]Ib. 334.

[3.]Ib. 374.

[4.]Ib; ix, 279.

[1.]There is in one passage of Menu, ch. viii. 126, an incidental exhortation to the judge, not to be regardless of the ability of the sufferer in the infliction of corporal or other punishment; and it is impossible but some regard must have been paid to it in

practice: but defined sums are in almost all cases affixed to specific crimes, without the smallest reference to the ability of the payer.

[2.]The *orthodox* judge, Blackstone, as Mr. Gibbon very *significantly* denominates him, (See Hist. Decl. and Fall, &c. ch. xliv. n. 145) is quite an advocate for the superior criminality of an injury to a man of a superior rank. “If a nobleman strikes a peasant,” says he, “all mankind will see, that, if a court of justice awards a return of the blow, it is more than a just compensation. The execution of a needy, decrepid assassin, is a poor satisfaction for the murder of a nobleman, in the bloom of his youth, and full enjoyment of his friends, his honours, and his fortune.” Commentaries on the Laws of England, book IV. ch. i.

[1.]Laws of Menu, ch. viii. 260, 267.

[1.]Code of Gentoo Laws, ch. xv. sect. 2. Vide supra, p. 166.

[2.]Ib. xvi. sect. 1.

[3.]Laws of Menu, ch. viii. 123.

[4.]Ib. 337, 338.

[1.]Laws of Menu, ch. viii. 124, 125.

[2.]Halhed's Gentoo Code, ch. xvii. sect. 3.

[1.]Halhed's Gentoo Code, ch. xvi. sect. 1.

[2.]Preface to the Translation of the Institutes of Menu, Sir Wm. Jones's Works, iii. 62.

[3.]Laws of Menu, ch. viii. 120, 121. Where the language of the text specifies the fine by naming it technically in the order of amercements, I have stated the sum, that the reader might see at a glance the proportions.

[4.]See the Chapter on *Manners*.

[1.]Historical Law Tracts, i. 49, 50.

[1.]See the Article Assault in the Code of Gentoo Laws, ch. xvi. sect. 1. Laws of Menu, ch. viii. 279 to 301.

[2.]See Kames's Historical Law Tracts, i. 63, and the authorities there quoted.

[1.]Supra, p. 218, 219.

[2.]Laws of Menu, ch. viii. 344 to 348. Code of Gentoo Laws, ch. xviii.

[3.]Mr. Halhed makes so curious an apology for this article in his preface to the Code of Gentoo Laws, p. lxiii. that I am tempted to transcribe it: “The nineteenth and twentieth chapters,” says he, “present us a lively picture of Asiatic manners, and in them a strong proof of their originality. To men of liberal and candid sentiments, neither the grossness of the portrait nor the harshness of the colouring, will seem improper or indecent, while they are convinced of the truth of the resemblance; and if this compilation does not exhibit mankind as they might have been, or as they ought to have been, this answer is plain, ‘Because it paints them as they were.’—Vices, as well as fashions, have their spring and their fall, not with individuals only, but in whole nations, when one reigning foible for a while swallows up the rest, and then retires in its turn to make room for the epidemic influence of a newer passion. Wherefore, if any opinions, not reconcileable to our modes of thinking, or any crimes not practised, and so not prohibited among us, should occur in these chapters, they must be imputed to the different effects produced on the human mind by a difference of climates, costoms, and manners, which will constantly give a particular turn and bias to the national vices.—Hence it would be a weak and frivolous argument for censuring the fifth section of this nineteenth chapter, to object that it was levelled at an offence absurd in itself, not likely to be frequent, or supposing it frequent, still to be deemed of trivial consequence; and to make this objection merely in consideration that the offence may not be usual among us, and has certainly never been forbidden by our legislature, such cavils would betray a great ignorance of the general system of human nature, as well as of the common principles of legislation; for penal laws (except for the most ordinary crimes) are not enacted until particular instances of offence have pointed out their absolute necessity; for which reason parricide was not specified among the original institutes of the celebrated lawgiver of Sparta. Hence we may with safety conclude, that the several prohibitions and penalties of this fifth section were subsequent to, and in consequence of, the commission of every species of enormity therein described.”—Mr. Halhed here maintains with very cogent reasons, though rather an unskilful style, that the Hindu morals are certainly as gross as the Hindu laws; that the latter grossness is, in fact, the result of the former.

[1.]Laws of Menu, ch. viii. 356, 357.

[2.]Ib. 352 to 386. Code of Gentoo Laws, ch. xix.

[1.]Laws of Menu, ch. viii. 3.

[2.]Ib. 52.

[3.]Ib.

[4.]“Let him fully consider the nature of truth, the state of the case, and his own person; and next, the witnesses, the place, the mode and the time.” Ib. 45. From these circumstances it is probable that the emendation of the commentator has been added from the more enlarged knowledge of later times.

[1.]Laws of Menu, ch. viii. 60. The same law is stated still more generally and absolutely, in the Gentoo Code, ch. iii. sect. 8.

[2.]Laws of Menu, ch. viii. 77.

[3.]Halhed's Gentoo Code, ch. iii. sect. 8. “If the plaintiff or defendant, at their own option, appoint a single person only, not fraudulently inclined, &c. he may be a witness.”

[4.]Ibid.

[5.]Laws of Menu, ch. viii. 62.

[1.]Laws of Menu, ch. viii, 64 to 67.

[2.]Ib. 68.

[3.]Ib. 69, 70, 71.

[1.]“If,” says Mr. Hume, “the manner of punishing crimes among the Anglosaxons appear singular, the proofs were not less so: and were also the natural result of the situation of those people. Whatever we may imagine concerning the usual truth and sincerity of men who live in a rude and barbarous state, there is much more falsehood, and even perjury, among them, than among civilized nations: Virtue, which is nothing but a more enlarged and more cultivated reason, never flourishes to any degree, nor is founded on steady principles of honour, except where a good education becomes general; and where men are taught the pernicious consequences of vice, treachery, and immorality. Even superstition, though more prevalent among ignorant nations, is but a poor supply for the defects in knowledge and education: Our European ancestors, who employed every moment the expedient of swearing on extraordinary crosses and reliques, were less honourable in all engagements than their posterity, who, from experience, have omitted those ineffectual securities. This general proneness to perjury was much increased by the usual want of discernment in judges, who could not discuss an intricate evidence, and were obliged to number, not weigh, the testimony of witnesses.” History of England, Appendix I.

This subject will, one day, when the papers of Mr. Bentham are produced, be presented to the world, in all the light which full knowledge, a minute analysis, and philosophy, can bestow upon it.

Menu, ch. viii. 72.

[1.]Code of Gentoo Laws, ch iii. sect. 6, p. 107.

[2.]Laws of Menu, ch. viii.

[1.]Laws of Menu, ch. viii. sect. 104.

[2.]Halhed's Gentoo Code, ch. iii. sect. 9.

[3.]Ib. 6.

[4.]We know that grants of land by their princes were made in writing; and sunnuds, pottabs, and other writings, of legal import are numerous in modern times. That so little of them is indicated in the more ancient books of law, implies a ruder period of society; though, doubtless, we cannot be sure of their being as destitute of legal writings as the few, which we possess, of their ancient monuments would give reason to suppose.

[1.]For a full account both of the law and the practice respecting the trial by ordeal, see a discourse "On the Trial by Ordeal among the Hindus, by Ali Ibrahim Khan, chief magistrate at Benares," in the Asiat. Researches, i. 389. See too the Institutes of Menu, ch. viii. 114, 115, 190; Mr. Halhed's Code of Gentoo Laws, ch. iii. sect. 6, ch. ii. sect. 15, ch. xvii. sect. 4, ch xviii., and the Translator's preface, p. 55, 56. Dr. Buchanan informs us of a shocking species of ordeal in use, in some places, in regard to those, "who, having had sexual intercourse with a person of another cast, allege that it was by mistake. If the criminal be a woman, melted lead is poured into her private parts; if it be a man, a red hot iron is thrust up. Should they be innocent it is supposed that they will not be injured." Journey through the Mysore, Canara, and Malabar, under the orders of Marquis Wellesley, i. 307. According to Kœmpfer, the Japanese too use a species of ordeal for the discovery of guilt: History of Japan, ch. v. 236.

[1.]One of the most recent witnesses of the phenomena of Hindu society, who possessed extraordinary means of accurate knowledge, speaks in general upon the administration of justice among the Hindus in the following terms.

"Without any of the judicial forms invented by the spirit of chicanery in Europe; with no advocates, solicitors, or other blood-suckers, now become necessary adjuncts of a court of justice in Europe; the Hindus determine the greater part of their suits of law, by the arbitration of friends, or of the heads of the cast, or, in cases of the very highest importance, by reference to the chiefs of the whole casts of the district assembled to discuss the matter in controversy.—In ordinary questions they generally apply to the chief of the place, who takes upon himself the office of justice of the peace, and accommodates the matter between the parties. When he thinks it more fit, he sends them before their kindred, or arbitrators whom he appoints. He generally follows the last course when the complainants are Brahmans, because persons out of their cast are not supposed capable of properly deciding differences between them. When these methods have been ineffectual to reconcile the parties, or when they refuse to submit to the decision of the arbitrators, they must apply to the magistrates of the district, who decide the controversy without any appeal.

The authority of the Hindu princes as well as that of the vile emissaries whom they keep in the several provinces of their country for the purpose of harassing and oppressing them in their name, being altogether despotic, and knowing no other rule but their own arbitrary will, there is nothing in India that resembles a court of justice. Neither is there a shadow of public right, nor any code of laws by which those who administer justice may be guided. The civil power and the judicial are generally united, and exercised in each district by the collector or receiver of the imposts. This sort of public magistrates are generally known under the name of *Havildar* or

*Thasildar*. They are generally Brahmans. This tribunal, chiefly intended for the collection of the taxes, takes cognizance of all affairs civil and criminal within its bounds, and determines upon all causes." Description of the Character, Manners and Customs of the People of India, by the Abbé J. A. Dubois, Missionary in the Mysore, p. 493.

[1]Laws of Menu, ch. vii. 130.

[1]Laws of Menu, ch. vii. 131, 132.

[2]Ib. 130.

[3]Ib. 127, 128.

[4]Ib. 137, 138.

[1]Laws of Menu, ch. x. 118, 120.

[1]Ayeen Akbery, p. 347.

[2]An ancient Sanscrit poem of the dramatic form, translated by Sir William Jones: See the beginning of the fifth act.

[1]The political economists of Hindustan, and those of the mercantile theory in modern Europe, proceeded on different views.

[2]Halhed's Gentoo Code, ch. xxi. sect. 4. On sales of very small amount, or on those of young heifers, (the cow was a sacred animal) no tax was levied.

[1]Suevorum gens est longe maxima et bellicosissima Germanorum omnium. Ii centum pagos habere dicuntur. ? ? ? Privati et separati agri apud eos nihil est; neque *longius anno* remanere uno in loco, incolendi causa licet: neque multum frumento, sed maximam partem lacte atque pecore vivunt, multumque sunt in venationibus. Cæsar. De Bell. Gal. lib. iv. cap. 1. Among some tribes of negroes on the coast of Africa, each individual must obtain the consent of the chief before he has liberty to cultivate a field, and is only protected in its possession till he has reaped the crop for which he has toiled. Histoire Generale des Voyages, tom. v. ch. vii. sect. 5. "Neque quisquam agri modum certum, aut fines proprios habet: sed magistratus ac principes, in annos singulos, gentibus cognationibusque hominum qui una coierunt quantum et quo loco visum est agri attribuunt; atque anno post, alio transire cogunt." Cæsar. De Bello Gallico, lib. vi. cap. 20.

——— Rigidi Getæ
Immetata quibus jugera liberas
Fruges et Cererem ferunt,
Nec cultura placet longior annua;
Defunctumque laboribus
Æquali recreat sorte vicarius. Hor. lib. iii. Od. 24;

[1]Histoire Generale des Voyages, tom. iv. ch. xiii. p. 203. Modern Universal History, vol. xvii. p. 322. I am induced to transcribe the following passage from Mr. Park; "Concerning property in the soil; it appeared to me that the lands and native woods were considered as belonging to the king, or (where the government was not monarchical) to the state. When any individual of free condition had the means of cultivating more land than he actually possessed, he applied to the chief man of the district, who allowed him an extension of territory, on condition of forfeiture, if the lands were not brought into cultivation by a given period. The condition being fulfilled, the soil become vested in the possessor; and, for aught that appeared to me, descended to his heirs." Travels in Africa, p. 260, 261.

"All the land is said to belong to the king; but if a man chooses to clear a spot and erect a town, he may: the land is free for any of the people. If a stranger, indeed, that is, an European, should wish to settle among them, he must make a present of goods to the king." Correspondence of John Kizell, on the state of the people on the river Sherbro, Appendix to the Sixth Report of the African Institution, p. 133.

[1]Herodot. lib. ii cap. cix. says, that Sesostris, as he was told by the priests, divided all the land of Egypt among the people, and thence raised his revenues, imposing an annual tribute on each portion; και απο τ τας προσοδς ποιησασ?αι, επιταξαντα αποφορην επιτελειν κατ' δνιαυτον. See too, Strabo, lib. xvii. p. 1135. Diod. Sic. lib. i. sect. 2. cap. xxiv.

[2]Volney's Travels in Syria and Egypt, vol. ii. p. 402, et passim. De l'Egypte, par le General Reynier, p. 66. 51.

[3]For information on this point, see Herodot. lib. iii.; lib. iv. cap. xlii.; Sir William Ousely's Translation of Ebn Haukal, an Arabian geographer, who lived in the tenth century, p. 137; Institutes of Timur; Ayeen Akberry; Chardin's Travels.

[4]Gov. Raffles Minute on Java, p. 6; also, p. 79, 108. The distribution of the land among the Peruvians was as follows: One-third part of it was dedicated to, and cultivated for, the gods; that is, the priests. Another third part the Inca reserved for himself, for the maintenance of his court and of his armies. The remaining third he distributed to the people, assigning an established portion to each family. "But no particular man," (says Acosta, Nat. and Mor. Hist. of the Indies, book VI. ch. xv.) "possessed any thing proper to himself of this third portion, neither did the Indians ever possess any, if it were not by special grace from the Inca." Garcilasso de la Vega tells us, (part I. book V. ch. i.) that it was only when there was more land than sufficed for the people, that the Inca and the Sun received their full thirds; when that was not the case, these portions were diminished to augment to the proper proportion that of the people. See too Carh, Lettres sur l'Amerique, let. xv. For great services land was given in full property; Acosta, book VI. ch. xviii: and this is another remarkable coincidence with what existed in Hindustan.

[1]Abbe Grosier Descr. de la Chine; but Mr. Barrow's testimony is the most direct and satisfactory. "The emperor," says he, "is considered as the sole proprietary of the soil, but the tenant is never turned out of possession as long as he continues to pay his rent,

which is calculated at about one-tenth of what his farm is supposed capable of yielding; and though the holder of lands can only be considered as a tenant at will, yet it is his own fault if he should be dispossessed." Barrow's China, p. 397.

[2]Leges Wallicæ, Hoel, cap. 337.

[3]Turner's History of the Anglo-saxons, vol ii. ch. iii.

[4]Laws of Menu, ch. viii. 39. I have here substituted the word *supreme* for the word *paramount*, used by Sir William Jones, which has no meaning but as it relates to the feudal institutions of Europe, and is calculated to convey an erroneous idea.

[1]Laws of Menu, ch. viii. 243.

[2]See a royal grant of land, engraved on a copper plate, bearing date twenty-three years before Christ; and discovered among the ruins at Monguir, translated by Mr. Wilkins, Asiat. Researches, i. 123. "Be it known," says the inscription, (p. 126) "that I have given the abovementioned town of Meseeka, whose limits include the fields where the cattle graze, above and below the surface, with all the lands belonging to it, together with all the Mango and Modhoo trees; all its waters, and all their banks and verdure; all its *rents*, all its tolls and times for crime and rewards for catching thieves. In it there shall be no molestation, no passage for troops," &c. It is here remarkable that the sovereign, as well as the proprietary, rights are given away; so indissolubly were these united in the minds and institutions of the Hindus. In the same manner in another grant of land found at Tanna, and bearing date An. Christi, 1018, the land is given away "with its herbage, wood, and water, and with power of punishing for the ten crimes." Asiat. Researches, i. 364.

[3]"Let a king, *having given land*, or *assigned revenue*, cause his gift to be written for the information of good princes, who will succeed him, either on prepared cloth, or on a plate of copper, sealed above with his signet; having described his ancestors and himself, the dimensions or quantity of the gift, with its metes and bounds, if it be land, and set his own hand to it, and specified the time, let him render his donation firm." See the original, and the translation of Sir William Jones, Asiat. Res. iii. 50.

The Digest of Hindu law, translated by Colebrooke, (i. 460) declares, "By conquest, the earth became the property of the holy Parasu Rama, by gift the property of the sage Casyapa; and, committed by him to Cshatriyas for the sake of protection, became their protective property successively held by powerful conquerors, and not by subjects, cultivating the soil." It further appears, from the same passage, that by agreement with the sovereign, and not otherwise, a tenure of more than one year might be required; but without such agreement, the cultivator might be turned away at the end of every year, if a larger rent was offered by any other. It was highly necessary to quote this passage, though it is affirmed by Col. Wilks, to be a law manufactured by the complaisant Brahmens, who made the Digest, on purpose to suit the opinions of the ruling power, at that time in love with the Zemindarry system. Col. Wilks affirms, that there is nothing whatsoever which the Brahmens cannot make to be law, on a similar occasion. And it is at least certain, that part of what they give as

law has been proved to be at variance with all that appears either of their present or ancient institutions.

“That there were no hereditary estates in India; for that all the land belonged to the king, which he disposed of at pleasure.” Persian authority, quoted by Stewart, Hist. of Bengal, p. 132.

[1]It is proper to adduce the more remarkable instances. The ancient Greeks who visited India expressly inform us, that the kings were the sole proprietors of the soil, and that a fourth part of the produce was usually paid them in kind as the rent or tribute. Strabo, lib. xv. p. 1030. Diod. Sic. lib. ii. p. 53.

“Diodorus, Strabo, the voyagers and travellers of later times, without any exception that has fallen within the scope of my limited reading, the authors of the Lettres Edifiantes, and the European travellers who visited the court of Aurungzebe in the latter part of the seventeenth century, Bernier, Thevenot, Chardin, Tavermer, and I believe, Manouchi, are unanimous in denying the existence of private landed property in India.” Wilks, Hist. Sketches, p. 114.

“In revenue the Emperor doubtless exceeds either Turk or Persian, or any eastern prince, the sums I dare not name, but the reason. All the land is his, no man has a foot.” Sir T. Roe to the Archbishop of Canterbury, Churchill, i. 803.

“Toutes les terres du royaume,” says Bernier, “estant en propre au roi,” &c. Suite de Mem. sur l’Emp. du Grand Mogol, t. ii. p. 10. See also, p. 150, 174, 178: at p. 189, he makes the following remark; “Ces trois etats, Turkie, Persie, et l’Hindoustan, comme ils ont tous osté ce *Mien* et ce *Tien*, a l’egard des fonds de terre et de la propriété des possessions, qui est le fondement de tout ce qu’il y a de beau et de bon dans le monde, ne peuvent qu’ils ne se resemblent de bien prés.” Montesquieu seems to have been fully aware of this important fact.—“Les loix des Indes, *qui donnent les terres aux princes*, et *ôtent aux particuliers l’esprit de propriété*, augmentent les mauvais effets du climat, c’est à dire, la paresse naturelle.” Esp. de Loix, liv. xiv. ch. 6.

“All the lands in India are considered as the property of the king, except some hereditary districts possessed by Hindoo princes.” Dow's Hindostan, preface, p. xiii.

“All the lands in the kingdom,” says Mr. Orme, (Fragments, p. 403) “belong to the king: therefore all the lands in the provinces are subject to the Nabob. With him, or his representatives, farmers agree for the cultivation of such an extent, on reserving to themselves such a proportion of the produce. This proportion is settled according to the difficulty or ease of raising the grain, and seldom exceeds a third.” One-third to the cultivator, and two-thirds to the proprietor, would be accounted a rack-rent in England. Mr. Orme says again, (Ibid. p. 414) “The king, by being proprietor of the lands, sells to his subjects their subsistence, instead of receiving supplies from them.” Mr. Holwell says, (Interesting Historical Events, i. 220), “The rents of the lands are the property of the emperor.” And again, “The tenures of the ryots are irrevocable, as long as they pay the rent; and by the laws of Hindostan, they must be twelve months in arrear before they can be ejected.” Ibid.

[1]A Narrative of a Journey to the Diamond Mines of Sumbhulpoor, in the province of Orissa, by Thomas Motte, Esq. Asiat. Annual Register, i., Miscellaneous Tracts, p. 75. Mr. Motte further informs us that every man at Sumbhulpoor is enrolled as a soldier, and is allowed half a measure of rice in the day for his subsistence, while his wife cultivates the farm. He seems to say that this subsistence is given to him by the wife from the produce of the farm.

[1]Buchanan's Journey through the Mysore, &c. i. 2, 3, 130, 194, 265. “This simple mode of rating lands for half their yearly produce is derived from the remotest antiquity in different parts of Hindostan, and still invariably prevails in such countries as were left unsubdued by the Mahomedans, like Tanjore, where the ancient Indian forms of administration are, for the most part, preserved entire.” British India Analysed, i. 195.

[2]The Missionary Dubois, with his singular opportunities of correct information, says peremptorily; “Creditors can have no hold on the real estate of their debtors, because the Hindus have no property in the soil. The lands which they cultivate are the domain of the prince, who is the sole proprietor. He can resume them at his pleasure, and give them to another to cultivate. Even the huts in which they live, built of mud and covered with thatch, are not their own. All belongs to the prince; and if a man, for any reason whatever, quits his habitation in the village, he can by no means dispose of it to another, although it were constructed by his own hands. The only property they possess is their few cows and buffaloes; and upon these no creditor is allowed to lay his hands: because, if deprived of his cattle, he would be unable to cultivate the land; whence an injury would accrue to the prince.” Description, &c. of the People of India, by the Abbé Dubois, p. 496.

[1]Fifth Report, Commit. 1810, p. 85. See, in “Considerations on the State of India,” by A. Fraser Tytler, i. 113, a description of a village in Bengal, which shows that the Indian continent was pervaded by this institution.

An association of a similar kind existed among the Mexicans. Robertson's America, iii. 283.

Some curious strokes of resemblance appear in the following particulars of the Celtic manners, in the highlands and islands of Scotland. “The peculiarities which strike the native of a commercial country, proceeded in a great measure from the want of money. To the servants and dependants, that were not domestics, were appropriated certain portions of land for their support. Macdonald has a piece of ground yet, called the bard's, or senachie's field. When a beef was killed for the house, particular parts were claimed as fees by the several officers, or workmen. The head belonged to the smith, and the udder of a cow to the piper; the weaver had likewise his particular part; and so many pieces followed these prescriptive claims, that the lard's was at last but little.” Johnson's Hebrides.

[1]Fifth Report, ut supra, p. 723.

[1]Fifth Report, ut supra, p. 81, 82.

[1]By the same rule, the Turkish government would be ranked as excellent. It takes little: but the reason is, there is nothing more which it can take. The ancient assessment on the cultivator in Persia was one-tenth; but in the days of the Indian Emperor Akbar, he was by one means or other made to pay more than a half. Ayeen Akberry, Ed. in 4to. p. 348.

[1]The population in India, through so many ages, must have been kept down by excess of exaction. Even in the richest parts of India one half of the soil has never been under cultivation.

[1]It is remarkable that the king's tenants in *ancient* demesne were, in England, perpetual, on the same condition as the ryots in India. A gleba amoveri non poterint, quamdiu solvere possunt debitas pensiones. Bracton, lib. i. cap. ii.

[1]The following quotations will show how completely these deductions accord with the facts which the late perfect investigation has elicited. Mr. Thackeray, in his general report, remarks, “All this peninsula, except, perhaps, only Canara, Malabar, and a few other provinces, has exhibited, from time immemorial, but one system of land revenue. The land has been considered the property of the Circar [government], and of the ryots. The interest in the soil has been divided between these two; but the ryots have possessed little more interest than that of being hereditary tenants. If any persons have a claim to participate with government in the property of the soil, it is the ryots.” (Fifth Report, ut supra, p. 992.) These ideas, and even the very words, have been adopted, in the Report of the Board of Revenue, Ib. p. 898. “Lands,” says Mr. Place, “cannot be alienated without a written instrument; because both the sovereign and the subject have a mutual property in them. Each, however, may alienate his own, and the other is not affected. The sovereign may part with his interest in them: but the usufructuary right remains with the subject. And all that the latter can sell, mortgage, or give away, is the enjoyment of the profit, after paying what is due to the sovereign.” (Ibid. p. 713.) Mr. Harris, in his report on Tanjore, informs us, “A meerassadar (ryot) disposes of his station in any manner he pleases. He disposes of it, too, and quits, without being bound to give, to any one, notice of his transfer and departure. Like him, his successor superintends its cultivation, and pays its revenue. Government know nothing of his relinquishment; and if they knew of it, they would not care about it here, as in Europe. The proprietorship of the land belongs to government or the landlord; and he who is entrusted with the duty of making it productive, lives upon it and cultivates it, so long as he pays its revenue, and no longer. But this occupation of it, while the superior is satisfied, has been converted by the meerassadar into a right. They have made the right a property; and they retain, sell, lend, give, or mortgage, according to their inclination, the whole or any part of it.” (Ibid. 829.) Even Mr. Hodgson, who is an advocate for raising the revenue through the instrumentality of Zemindars, affirms the rights of the cultivators to be incontestable. “I make,” says he, “the following inductions: 1st. that the cultivators have a right, every where, to pay a fixed tax for the land they occupy; 2dly. that they have the right, universally, to occupy this land, so long as they pay the standard rent; 3dly. that they have the right to sell or transfer, by deed, gift, or otherwise, the land they occupy, subject always to the condition of paying the standard rent; 4thly. that they exercise the right, stated in the third position, wherever the standard rent has not

been increased, so as to absorb all the profit on cultivation, or arable land is sufficiently scarce to be of value in the acquisition." (Ib. 979.)

If the writer means, by saying that the cultivator had a *right* to pay no more than a fixed rent, that it would have been right or good to pay only in that manner, I maintain the same doctrine; but if he means that the cultivator ever *enjoyed* this right, the proposition is far from true. In every other respect I assent to the propositions of Mr. Hodgson. I also agree with him, when he says; "Provided the property in private estates, that is, the standard rent, and no more, be paid by these owners of private estates, I hold it to be a matter of very secondary importance to them, whether the rent is demanded of them by the ancient rajahs or polygars, the officers of Byjnuggur or Bednore government, the rajah coorg, the tehsildars of the Company, or the (to be created) zemindars of the Company." (Ib. 980.) The collector of Tanjore also thinks it not worth inquiring what ownership the sovereign has, provided the usufruct of the ryot is well defined and secured. (Ib. 831.) See Hodgson again to the same effect. (Ib. p. 926.) We are informed by Mr. Park, that in Africa, when a permission to cultivate a spot of ground has been granted by the sovereign, it is not resumed, while the revenue or rent is paid. (Travels, p. 261.) In China, Mr. Barrow assures us, that the cultivator, though in reality a tenant at will, is never dispossessed, but when he fails to discharge the stated engagements. "So accustomed," he adds, "are the Chinese to consider an estate as their own, while they continue to pay the rent, that a Portuguese in Macao had nearly lost his life for endeavouring to raise the rent upon his Chinese tenants. (Travels in China, p. 397.) Dr. Buchanan says, "The ryots or farmers have no property in the ground; but it is not usual to turn any man away, so long as he pays the customary rent. Even in the reign of Tippoo, such an act would have been looked upon as an astonishing grievance." (Journey through Mysore, &c. 1. 124.) "The genius and tendency of all Hindu institutions is, to render offices, as well as property, hereditary." (Wilks's Hist. Sketches, p. 231.) "The king is the general heir of all his subjects; but when there are children to inherit, they are seldom deprived of their father's estate" (Dow's Hindostan, pref. p. xiii.) Η χωρα της πολεως' αλλ' ?εν ?ττον των κεκτημενων ?καζος κυριος εζι των ?μντ. (Dio Chrysostom. Orat. 31. in Rhodiac.) Anquetil Duperron was the first of the Europeans who maintained that the ownership of the land was vested in the ryots. He has written a discourse upon the subject, in his work entitled, *Recherches Historiques et Geographiques sur l'Inde*. He proves what is now acknowledged, that a man might dispose of his farm, and was seldom turned out of it, while he continued to pay his taxes or rent. There is a learned and able chapter, in support of the same opinion, in "Historical Sketches of the South of India, by Col. Wilks."

[1]See a Dissertation on the Principles of Taxation, the most profound, by far, which has yet been given to the world, by David Ricardo, Esq. in his work "On the Principles of Political Economy and Taxation."

[2]Mem. du Sully, liv. xx.

[1]Among the Mexicans, says Dr. Robertson, "Taxes were laid upon land, upon the acquisitions of industry, and upon commodities of every kind exposed to sale in the public markets. These duties were considerable, but not arbitrary or unequal. They

were imposed according to established rules, and each knew what share of the common burden he had to bear." History of America, iii. 295, 229. The political descriptions of this admired historian are, commonly, by far too general, and thence vague. We cannot suppose that the Mexicans were more skilled in the policy of taxation than the Hindus.

[2]"As the use of money was unknown," says Robertson, (Ibid. p. 296,) "all the taxes were paid in kind, and thus not only the natural productions of all the different provinces in the empire, but every species of manufacture, and every work of ingenuity and art, were collected in the public storehouses." It is worthy of remark that the same mode of taxing handicrafts and labourers was adopted in Mexico as in Hindustan; "People of inferior condition (Ibid.), neither possessing land nor engaged in commerce, were bound to the performances of various services. By their stated labour the crown lands were cultivated, public works were carried on, and the various houses which belonged to the emperor were built and kept in repair.

[3]It is remarkable that, in Persia, the use even of coined money was unknown till the time of Darius Hystaspes. The portion of tribute that was paid in gold and silver was received by weight. Herodot. lib. iv. cap. clxvi. Major Rennel, not aware that this was only a portion, and a small portion, of the Persian taxes, *is* exceedingly puzzled to account for the diminutive amount of the Persian revenues, and at last concludes that "the value of money was *incredibly* greater at that time than at present." Rennel's Geography of Herodotus, p. 316.

[4]Ebn Haukal, translated by Sir William Ousely, p. 136. Chardin's Travels in Persia.

[1]Abbé Grosier, p. 76; Barrow's China, p. 499. Mr. Barrow informs us that a vast number of the vessels on the canals and rivers are employed in conveying the taxes to the capital. Ib. p. 508. In those countries on the Euxine Sea which early attained so high a state of civilization as to have a large export trade in grain, even the custom house duties, or the taxes on export and import, were levied in kind. We are informed by Demosthenes, Orat. adv. Leptinem, that Lencon king of Bosphorus, from which Athens derived her principal supplies, levied a duty of one thirtieth in kind upon all the corn shipped in his ports.

[1]A crore is 100 lacs, and a lac is 100,000; so that thirty-three crore of deities is just 330 millions.

[2]Three of these from the Vedas themselves by Mr. Colebrooke, (As. Res. viii. 404, 421, 452); another account, translated from the Puranas by Mr. Halhed, is published in Maurice's History, (i. 407); Mr. Wilford has given us another, derived from the same source, (As. Res. iii. 358.) An account of the creation is prefixed to the Gentoo code translated by Halhed; we have another, in the French translation, entitled Bagavadam, of the Bhagavat. The author of the Ayeen Akbery informs us that no fewer than eighteen opinions respecting the creation were entertained in Hindustan, and presents us three as a specimen, of which the last, taken from the Surya Sidhanta, he says, is the most common. Ayeen Akbery, iii. 6. The most important of all is that which I have referred to in the text, from the Institutes of Menu, ch. i. 5, &c.

[1]See note A. at the end of the volume.

[1]The length of a year of the Creator may be thus computed. A calpa, or grand period, containing the reigns of fourteen Menus, constitutes, Sir William Jones informs us (Asiat. Research. i. 237) one day of Brahma. This period comprises (see an accurate calculation, according to the books of the Hindus, in Mr. Bentley's Remarks on Ancient Eras and Dates, Asiat. Research. v. 316) 4,320,000,000 years; and such is the length of one day of the Creator. A divine year again contains 360 days; and the multiplication of these numbers produces the amount which appears in the text. Mr. Wilford (see Asiat. Research. iii. 382) makes this computation in a manner, and with a result, somewhat different. “One year of mortals,” he says, “is a day and a night of the gods, and 360 of our years is one of theirs: 12,000 of their years, or 4,320,000 of ours, constitute one of their ages, and 2,000 such ages are Brahma's day and night, which must be multiplied by 360 to make one of his years.”

[1]In other words, he was hatched.

[2]Vide the quotation from the Institutes of Menu, in Note A. at the end of the volume.

[3]Asiat. Research. ii. 237 and 232.

[1]See Note B. at the end of the volume.

[1]Asiat. Research. viii. 352.

[2]Ib. 432.

[1]He states that the only practical inference the youth could draw from the accounts delivered by the poets concerning the gods was; to commit all manner of crimes, and out of the fruits of their villainy to offer costly sacrifices and appease the divine powers; α?ικητεον και ?υτεον απο των α?ικηματων De Repub. lib. ii. 593, 6.

[2]Orphic. Fragm. vi. 366. Numerous passages might be produced:

> Ζευς ετιν αιθηο, Ζευς ε γη, Ζεης ?’ ουρανος
> Ζευς τοι τα παντα. Euphorion.
> ?ις θεος εν παντεσσι Orphic. Frag. iv. 363.
> Jane pater, Jane tuens, Dive biceps, biformis,
> O! cate rerum sator; O! principium Deorum.
> Verses from an ancient Choriambic poem, which are
> quoted by Terentianus Maurus de Metris.

Ζευς ? προ τριων Κρυνων. ?υτνς τη ?λων ?ημιουργος Procl. in Platon. Tim. p. 95. It is almost needless to quote Homer's

Ζηνα τι μηιοειτα, Θεων πατε? η?ε και ανδοων

“The Araucanians [the native Indians of Chili] acknowledge a Supreme Being, the

Author of all things, whom they call Pillan, a word derived from *pulh* or *pilli*, the soul, and signifies the supreme essence; they also call him Guenu-pillan, the Spirit of heaven; Buta-gen, the Great Being; Thalcove, the Thunderer; Vilvemyoe, the Creator of all; Vilpepilvoe, the Omnipotent: Mollgelu, the Eternal; Avnolu, the Infinite, &c." Molina, Civil Hist. of Chili, book II. ch. v.

A passage of Empedocles, containing the language of a pure theology, may be seen in Harris's Philos, Arrangements, ch. viii. p. 162.

[1]Cæsar. de Bel. Gal. lib. vi. cap. 13.

[2]See Henry's Hist. of Great Britain, i. 149; and the authorities there adduced.

[3]Regnator omuium Deus: cætera subjecta atque parentia. Tacit. de Mor. Germ. cap. xxxv.

[4]See a translation from the Edda in Mallet's Introduct. Hist. Denmark, i. ch. 5, and ii. p. 7,8.

[5]Plutarch. de Iside et Osiride.

[6]Euseb. Præp. Evang. lib. i. p. 42.

[7]Herodot. lib. iv. cap. 93, 94.

[1]Robertson's Hist. Amer. ii. 197.

[2]"Ces peuples (les Romains) adorent un Dieu supreme et unique, qu'ils appellent toujours *Dieu tres-grand, et tres-bon;* cependant ils ont bâti un temple a une courtisanne nommée Flora, et les bonnes femmes de Rome ont presque toutes chez elles de petits dieus penates hauts de quatre ou cinq pouces; une de ces petites divinités est la deesse de tetous, l'autre celle de fesses; il y a un penat qu'on appelle le *dieu Pet*." Voltaire, Essai sur les Mœurs et l'Esprit de Nations, iv. 373.

[1]Forster's Travels, ii. 256.

[1]Among the similar proofs which might be produced, of sublime theological notions, may be quoted the following remarkable passage from Garcilasso de la Vega (Royal Commentaries, book II. chap. ii.) "Besides the sun, whom they worshipped for the visible God, to whom they offered sacrifice and kept festivals, the *Incas*, who were kings, and the *Amoutas*, who were philosophers, proceeded by the mere light of nature, to the knowledge of the true Almighty God our Lord, Maker of Heaven and Earth, as we shall hereafter prove by their own words and testimonies, which some of them gave of the Divine Majesty, which they called by the name of *Pachacamac*, and is a word compounded of *Pacha*, which is the universe, and *Camac*, which is the soul; and is as much as he that animates the world.? ? ? Being asked who this *Pachacamac* was, they answered that it was he who gave life to the universe; sustained and nourished all things; but because they did not see him they could not know him; and for that reason they erected not temples to him; nor offered sacrifice, howsoever they

worshipped in their hearts and esteemed him for the unknown God." And in book VIII. ch. vii. he gives us the following argument of an Inca, Topac Yupanqui, "Many say that the sun lives, and that he is the maker of all things: now it is necessary that the thing which is the cause of the being of another, should be assistant and operate in the production thereof; now we know that many things receive their beings, during the absence of the sun, and therefore he is not the maker of all things. And that the sun hath not life is evident, for that it always moves in its circle, and yet it is never weary; for if it had life it would require rest, as we do: and were it free, it would visit other parts of the heavens, into which it never inclines out of its own sphere; but, as a thing obliged to a particular station, moves always in the same circle, and is like an arrow which is directed by the hand of the archer." The Mexicans too, as we are informed by Clavigero, Hist. of Mexico, book VI. sect. 1, besides the crowd of their ordinary Deities, believed in "a supreme, absolute, and independent Being, to whom they acknowledged to owe lear and adoration. They represented him in no external form, because they believed him to be invisible; and named him only by the common appellation of God, in their language *Teotl*, a word resembling still more in its meaning than in its pronunciation the *Theos* of the Greeks; but they applied to him certain epithets which were highly expressive of the grandeur and power which they conceived him to possess. They called him *Ipalnemoani*, that is, "He by whom we live:" and *Tloque Nahuaque*, "He who is all in himself." Clavigero adds, "But their knowledge and worship of this Supreme Being was obscured, and in a manner lost, in the crowd of deities invented by their superstition."

[1]This is admitted even by those whom the occasional expressions of the Hindus have most strongly convinced of the sublimity of their sentiments. Mr. Colebrooke says, "There is indeed much disagreement and consequent confusion in the gradation of persons interposed by Hindu theology between the Supreme Being and the created world." Asiat. Research. viii. 442. Even Sir William Jones is constrained to confess that the Hindu "scheme of theology is most obscurely figurative, and consequently liable to dangerous misconception; that it is filled with idle superstitions, abounds with minute and childish formalities, with ceremonies generally absurd and ofter ridiculous." Pref. to Institutes of Menu.

[2]Hume's Essays, ii. 470.

[1]Bagvat-Geeta, p. 51, 52.

[2]Bagavadam, p. 11.

[3]I have merely abridged the account which is given by Sir William Jones in a literal translation from the Bhagavat, Asiat. Res. i. 230.

[1]For an account of this avatar, see an extract from the Mahabarat, Asiat. Research. i. 154; Bartolomeo's Travels, book ii. ch. 7. The peculiar description of the boar is taken from a translation by Mr. Halhed, of a passage in the Puranas, published in Maurice's Hindustan, i. 407.

[1]It is a passage translated from the Mahabarat, by Mr. Wilkins, in one of the notes to his translation of the Bagvat-Geeta, p. 145, 146, note 76.

[2]A name of Vishnu.

[3]Dew, written otherwise dewa, or deva, is a general name for a superior spirit.

[4]By twisting the serpent about the mountain, like a rope, and purlling it out first towards the one end, and then towards the other; which affords us a description of their real mode of churning. A piece of wood so formed as best to agitate the milk, was placed upright in the vessel, and a rope being twisted round it which two persons pulled alternately, one at the one end, and the other at the other, it was whirled round, and thus produced the agitation required.

[1]Asiat. Research. i. 154.

[1]A name of Vishnu.

[1]Asiat. Research. i. 187.

[2]This is spelt Emuney in the French translation.

[1]Bagavadam, p. 60. This indeed was but a trifle; for with his 16,000 or 17,000 wives he could perform the same feat. See Halhed's translation of the Bhagavat, in Maurice's Hind. vol. ii.

[2]He means, the provinces where he then resided, Bengal, &c.

[3]Asiat. Research. i. 260.

[4]Ib. i. 261. He sometimes, however, met with severe repulses. “Calijun, a prince who resided in the western parts of India, was very near defeating his ambitious projects. Indeed, Crishna was nearly overcome and subdued, after seventeen bloody battles; and according to the express words of the Puranas, he was forced to have recourse to treachery, by which means Calijun was totally defeated in the eighteenth engagement.” Wilford, on Chron. of Hindus, Asiat. Research. v. 288.

[1]Bagavadan, p. 313. “The whole history of Chrisna,” (says Anquetil Duperron, in his Observations on the Bhagavat, in the Recherches Historiques et Geographiques sur l’Inde) “is a mere tissue of Greek and Roman obscenities, covered with a veil of spirituality, which, among the fanatics of all descriptions, conceals the most abominable enormities.” Speaking of a temple of Vishnu, at Satymangalam, in the Mysore, Dr. Buchanan says, “The rath, or chariot, belonging to it is very large, and richly carved. The figures on it, representing the amounts of that god, in the form of Crishna, are the most indecent that I have ever seen.” Buchanan's Journey through Mysore, &c. ii. 237.

[2]A name of Vishnu.

[3]Another name of Vishnu, vide supra, p. 306.

[4]Asiat. Research. ii. 121.

[5]"As to Buddha," says Sir William Jones, (Disc. on the Gods of Greece, Italy, and India) "he seems to have been a reformer of the doctrines contained in the Vedas; and, though his good nature led him to censure these ancient books, because they enjoyed the sacrifices of cattle, yet he is admitted as the ninth avatar, even by the Brahmens of Casi."

[1]A controversy has been started, whether the religion of Buddha was derived from that of Brahma, or that of Brahma from the religion of Buddha. There seems little chance that data will ever be obtained, to prove either the one or the other. Clemens Alexandrinus would lead us to believe, that the religion of Buddha, in his time, must have been in high repute: Εισι δε των Ινδων, says he, (Strom. lib. i. p. 359) ?ι τοις Βουττα πενιθομενοι παραγγελμασι, ?ν δι ?περβολην σεμνοτητος ?ς Θεον τετιμηκασι (See also Hieronym. Cont. Jovian. lib. i. cap. 26.) This divinity was not confined to the Asiatics. There was a Butus, or Buto of Egypt, a Battus of Cyrene, and a Bœotus of Greece. (See Bryant's Analysis of Ancient Mythology, iii. 170.) One of the primitive authors of the sect of Manicheans took the name of Buddas; another that of Manes; both of them names identical with the names of gods and sacred beings among the Hindus. Beausobre Hist. de Manichse, liv. i. ch. i.

[2]Asiat. Research. i. 236. See also Ward's View, &c. of the Hindus, (i. 3. London Ed.) for an account of the ten avatars.

[3]Asiat. Research. iii. 374.

[4]One of the Puranas.

[5]This means literally the goddess.

[1]Bagavadam, p. 96, et seq.

[2]Ib. 178.

[3]One of the names of his wife.

[4]A general name of the inferior gods.

[5]One of the devas.

[1]See this story as extracted from the Puranas, Asiat. Research. iii. 402.

[2]Ib. vi. 474.

[1]Mr. Paterson, in his Discourse on the Origin of the Hindu Religion, delineates a terrible picture of this Hindu controversy. The people separated, he tell us, "into sects, each selecting one of the triad, the particular object of their devotion, in preference to

and exclusive of the others: the followers of Vishnu and Siva invented new symbols, each, to ascribe to their respective divinity the attribute of creation. This contention for pre-eminence ended in the total suppression of the worship of Brahma, and the temporary submission of Vishnu to the superiority of Siva; but this did not last long; the sects raised crusades against each other; hordes of armed fanatics, under the titles of Sanyasis and Vairagis, enlisted themselves as champions of their respective faith; the former devoted their lives in support of the superiority of Siva; and the latter were no less zealous for the rights of Vishnu: alternate victory and defeat marked the progress of a religious war, which for ages continued to harass the earth, and inflame mankind against each other." Asiat. Research. viii. 45, 46. Dr. Buchanan informs us, "That the worshippers of the two gods (Vishnu and Siva,) who are of different sects, are very apt to fall into disputes, occasioning abusive language and followed by violence; so that the collectors have sometimes been obliged to have recourse to the fear of the bayonet, to prevent the controversy from producing bad effects." Buchanan's Journey through Mysore, &c. i. 13. The missionary Dubois observes, that "we see the two sects striving to exalt the respective deities whom they worship, and to revile those of their opponents....The followers of Vishnu vehemently insist that he is far superior to Siva, and is alone worthy of all honour....The disciples of Siva, on the contrary, no less obstinately affirm that Vishnu is nothing, and has never done any act, but tricks so base as to provoke shame and indignation," &c. Description, &c. of the People of India, p. 58. See too the Missionary Ward, View, &c. of the Hindoos. Lond. Ed. Introd. p. 27.

The preface to (*Bhagavadam*) the French translation of the Bhagavat, by M. D'Obsonville, says, "The Indians are divided into two orthodox sects, which, however, violently oppose one another; the one asserting the supremacy of Vishnu, the other of Siva. ? ? The Puranas," it says, "differ in their interpretations of the Vedas, some of them giving the supremacy to Brahma, some to Vishnu, and some to Siva. These books are, properly speaking, pieces of controversial theology. The Brahmens, who composed them, disputing to which of their three gods the supremacy belongs, support the pretensions of each by an enormous mass of mythological legends, and mystical opinions, in favour of the God whom the author adopts. All are equally supported by the authority of the Vedas."

Mr. Colebrooke, describing the different sects of the Hindus, informs us that "Sancara Acharya, the celebrated commentator on the Veda, contended for the attributes of Siva, and founded or confirmed the sect of Saivas, who worship Mahadeva as the Supreme Being, and deny the independent existence of Vishnu and other Deities. Madhava Acharya and Vallabha Acharya have in like manner established the sect of Vaishnavas who adore Vishnu as God. The Suras (less numerous than the two sects above mentioned) worship the sun, and acknowledge no other divinity. The Ganahatyas adore Ganesa, as uniting in his person all the attributes of the Deity." Note A. on the Religious Ceremonies of the Hindus. Asiat. Research. vii.

[1]The Oupnekhat, of which an ancient version into the Persian language has been found. Anquetil Duperron published first some specimens of a translation from this in the Recherches Historiques et Geographiques sur l'Inde, and has since published a

translation of the whole in Latin. There is a translation of it likewise among the late Mr. Allein's manuscripts in the British Museum.

[2]One of the many names of Siva, or Mahadeva.

[3]Oupnekhat, ix.

[1]Bagavadam, p. 8, 9.

[2]Bhagvat-Geeta, p. 94: see similar strings of praises, Ibid. pp. 84 to 88; pp. 78, 79; p. 70. At p. 80 he is denominated, "The father and the mother of this world;" which affords another curious coincidence with the phraseology of other religions. The Orphic verses περι φυσεως make Jupiter the "father and mother of all things:"

> Παντων μεν συ πατηρ, μητηρ, &c.—Hymn ix. ver. 18.

Valerius Soramus calls Jupiter "the father and mother of the gods:"

> Jupiter omnipotens, regum Rex ipse, Deùmque
> Progenitor, Genetrixque Deúm; Deus unus et idem.

Apud Augustin. de Civitat. Dei, lib. iv. cap. xi. et lib. vii. cap. ix. Synesius uses similar language:

> Συ πατηθ ση δ' εσσι μητηο,
> Συ δ' αρσην, συ δε θηλυς. —Synes. Hymn. iii.

Even Martial, in a sort of a Hymn, or eulogy upon Mercury, beginning.

> Hermes Martia seculi voluptas,
> Hermes omnibus eruditus armis;
> &c. &c., ends thus,

*Hermes omnia solus, et ter unus*—Mart. Ep. lib. iv. cp. 23.

"De Deo, ejusque cultu, ita Chaldæos tradidisse referunt; I. *Esse Deum omnium regem, parentemque, cujus providentia universorum ordo atque ornatus factus est*.—Bruckeri Hist. Crit. Philosophiæ, lib. ii. cap. ii. sect. 18.

[1]Another name for Siva.

[2]Asiat. Research. i. 284, 285.

[3]Institutes of Menu, ch. ix. 45.

[1]Deo, quem summum maximumque venerantur, Adad nomen dederunt. Ejus nominis interpretatio significat *unus*. Macrob. Satur. lib. i. cap. 23. This reduplication Mr. Bryant, with good reason, supposes to be a superlative, but is wrong in supposing it an ordinal, i. 29.

[2]Αδα ?δονη· και ?πο Βαβυλωνιων ? Ηρα Hesychius, ad verb. The Greeks gave it, for a feminine application, a feminine termination.

[3]Zechariah, ch. xii. ver. 11. "As the mourning of Adad Rimmon, in the valley of Megiddon."

[4]Analysis of Ancient Mythology, i. 29.

[5]?ις Ζευς, ις Αϊδης ?λιος εις Διονυσος ?ις θεος ον παντεσσι. —Orph. Frag. iv. p. 364.

[6]

> Πλτων, Περσεφονη, Δημητη?, Κυπρις, Ερωτες
> Τριτωνες, Νηρευς, Τηθυς, και Κυανοχαιτης,
> ?ρμησθ' ?φαιςος τε κλυτος, Παν, Ζευς τε, και ?ρη
> Αρτεμις, ηδ' Εκαεργος Απολλων, ?ις θεος εςε—Hermesianax.

[7]Orphic. Fragm. vi. 366.

[8]Την ΜΟΝΑΔΑ τς ανδρας ονομαζειν Απολλωνα —Plutarch, Isis et Osiris, 354.

[9]Orat. iv. p. 150. See note 2, in page 317, where Mercury is denominated the *Thrice-one*.

[1]"The belief of One God," says he, "and of a future state of reward and punishment, is entire and universal among them." Park's Travels in Africa, p. 273.

[2]Sir W. Jones says, (Discourse on the Gods of Greece, Italy, and India,) "It must always be remembered, that the learned Indians, as they are instructed by their own books, in truth acknowledge only one supreme being, whom they call Brahme, or the *Great One*, in the neuter gender: they believe his essence to be infinitely removed from the comprehension of any mind but his own; and they suppose him to manifest his power by the operation of his divine spirit; whom they name Vishnu, the *Pervader*, in the masculine gender, whence he is often denominated the first male. ? ? ? ? ? When they consider the Divine Power exerted in creating, or in giving existence to that which existed not before, they call the Deity Brahma, in the masculine gender also; and when they view him in the light of *Destroyer*, or rather *changer* of forms, they give him a thousand names, of which Siva, Isa or Iswara, Rudra, Hara, Sambhu, and Mahadeva, or Mahesa, are the most common." Mr. Wilford (Asiat. Research. iii. 370) says that Brahma, Vishnu, and Mahadeva, "are only the principal forms, in which the Brahmens teach the people to adore Brahm, or the great one."

[1]Vide supra, p. 316.

[2]Bhagvat-Geeta, p. 84. The term Para Brahme, or Great Brahme, is applied, not once, but many times to Crishna, in the Bhagavat. See Halhed's translation in Maurice's Hindostan, ii. 342, 351, 354, 360, 375, 377, 379, 380, 417, 444. “The Sri Vaishnavam Brahmens,” says Dr. Buchanan (Journey through Mysore, &c. i. 144), “worship Vishnu and the gods of his family only, and all over the Decan are almost exclusively the officiating priests in the temples of these deities. They allege Brahma to be a son of Vishnu, and Siva the son of Brahma. Vishnu they consider as the same with Para Brahmă” (thus Dr. Buchanan spells it instead of Brahme) “or the supreme Being.” Yet of this supreme Being, this Para Brahma, they believe as follows; “One of the Asuras, or demous, named Tripura, possessed a city, the inhabitants of which were very troublesome to the inhabitants of Brahma Loka, the heaven of Brahma, who attempted in vain to take the place; it being destined not to fall, so long as the women who resided in it should preserve their chastity. The angels at length offered up their prayers to Vishnu, who took upon himself the form of a most beautiful young man, and became Budha Avatara. Entering then into the city, he danced naked before the women, and inspired them with loose desires, so that the fortress soon fell a prey to the angels.” Ibid. Even Vach, the daughter of Ambhrina, is decorated with all the attributes of divinity. Mr. Colebrooke gives us the following literal version of a hymn in one of the Vedas, which Vach, he informs us, “speaks in praise of herself as the *supreme and universal soul*“[the title which, it is pretended, exclusively belongs to Brahme]—“I range with the Rudras, with the Vasus, with the Adityas, and with the Viswadevas. I uphold both the sun and the ocean [metra and varuna], the firmament, and fire, &c. ? ? Me who am the queen, the conferrer of wealth, the possessor of knowledge, and first of such as merit worship, the gods render, universally, present everywhere, and pervader of all beings. He, who eats food through me, as he, who sees, who hears, or who breathes, through me, yet knows me not, is lost; hear then the faith which I pronounce. Even I declare *this Self*, who is worshipped by gods and men. I make strong whom I choose; I make him Brahme, holy and wise. For Rudra I bend the bow, to slay the demon, foe of Brahma: for the people I make war on their foes; and I pervade heaven and earth. I bore the father on the head of this universal mind; and my origin is in the midst of the ocean: and therefore do I pervade all beings, and touch this heaven with my form. Originating all beings, I pass like the breeze; I am above this heaven, beyond this earth; and what is the Great One, that am I.” Asiat. Research. viii. 402, 403. Mr. Colebrooke says that Vach signifies speech, and that she is personified as the active power of Brahma, proceeding from him. Ibid. There is a curious passage, descriptive of the universal soul, translated from the Vedas by Mr. Colebrooke. Several persons “deeply conversant with holy writ, and possessed of great dwellings, meeting together engaged in this disquisition; what is our soul? and who is Brahme?” Going together for information to a profound sage, they addressed him thus; “Thou well knowest the universal soul, communicate that knowledge unto us.” The sage asked each of them, “whom he worshipped as the soul.” The first answered, “the heaven.” But the sage replied, that this was only the head of the soul. The second declared that he worshipped “the sun as the soul.” But the sage told him, this was only the eye of the soul. The third said that he worshipped “air as the soul;” and the sage answered, that this was only the breath of the soul. The fourth declared that he worshipped “the ethereal element as the soul.” But the sage replied that this was only the trunk of the soul. The fifth answered, that he worshipped “water as the soul.” But the sage rejoined that this was only the abdomen of the soul.

The sixth informed him that he worshipped "earth as the soul." But the sage declared that this was only the feet of the soul. The sage next proceeds to deliver his own explanation; and utters a jargon, which has not even a semblance of meaning. "He thus addressed them collectively: You consider this universal soul, as it were an individual being; and you partake of distinct enjoyments. But he who worships as the universal soul, that which is known by its manifested portions, and is inferred from consciousness, enjoys nourishment in all worlds, in all beings, in all souls: his head is splendid like that of this universal soul; his eye is similarly varied; his breath is equally diffused; his trunk is no less abundant; his abdomen is alike full; and his feet are the earth; his breast is the altar; his hair is the sacred grass; his heart the household fire; his mind the consecrated flame; and his mouth the oblation."

[1]Ib. p. 107.

[1]Asiat. Research. v. 349.

[2]An extract from a Sanscrit commentary by Mr. Colebrooke, Asiat. Research. v. 352.

[3]Asiat. Res. viii. 417.

[4]Ib. 456.

[5]Extract from the Vedas by Mr. Colebrooke, Asiat. Research. viii. 455, 456.

[1]Bhagvat-Geeta, p. 131, 132.

[2]Sir W. Jones seems to have found proofs of a pure theism almost every where. Speaking of the Arabs, he says, "The religion of the poets, at least, seems to have been pure theism; and this we may know with certainty, because we have Arabian verses of unsuspected antiquity, which contain pious and elevated sentiments on the goodness and justice, the power and omnipotence, of Allah, or *the God*. If an inscription said to have been found on marble in Yemen be authentic, the ancient inhabitants of that country preserved the religion of Eber, and professed a belief in miracles, and a future state." (As. Res. ii. 8.) Did Sir W. not know that the wildest religions abound most in miracles, and that no religion is without a belief of a future state? Did it want an inscription in Yemen to prove to us this? Sir W. finds proofs of a pure theism as easily among the Persians as among the Arabs. "The primeval religion of Iran," he says, "if we rely on the authorities adduced by Mohsani Fani, was that which Newton calls the oldest (and it may be justly called the noblest) of all religions: A firm belief that one supreme God made the world by his power, and continually governed it by his providence; a pious fear, love, and adoration of him; a due reverence for parents and aged persons; a fraternal affection for the whole human race, and a compassionate tenderness even for the brute creation." Yet under Hushang, who, it would appear, was the author of this primeval religion, he tells us, that the popular worship of the Iranians was purely Sabian. (Ibid. p. 58.) At the same time he assures us, that during his supposed Mahabadian dynasty, when this Hushangism and Sabianism existed, a Brahmenical system prevailed, "which we can

hardly," he says, "doubt was the first corruption of the oldest and purest religion." (Ibid. p. 59.) By this account three different religions must have all been the prevalent religions of Persia, at one and the same time. Unless (which is not a theory with slight presumptions in its favour) we conclude that all three were originally one and the same.—Even on the most so-ber-minded and judicious men, the lofty language of a mean superstition is calculated to impose. The industrious and intelligent Harris, in his account of the travels of William de Rubruquis, states it as his opinion, "after all the pains that he had been able to take, in order to obtain some sort of certainty on this head," that the religion of the Tartars includes these three points: "First,—that there is one God, the fountain of being, the creator of all things, the ruler of all things, and the sole object of Divine worship. Secondly,—That all men in general are his creatures, and therefore ought to consider each other as brethren descended from one common parent, and alike entitled to all the blessings he bestows; and that therefore it is great impiety to abuse those blessings, or to injure each other. Thirdly,—That in as much as the common reason of mankind hath taught them to establish property, it is necessary that it should be preserved, and that it is therefore the duty of every man to be content with his own." (See Harris's Collection of Voyages, vol. i.) Les Moskaniens m'ont tous assurés unanimement, qui'ils n'avoient jamais eu d'idoles, ni de divinités subalternes, mais qui'ils sacrifioient uniquement à un être suprême et invisible. Pallas, Voyage, i. 126.

[1]Gibbon's Hist. of the Decl. and Fall of the Rom. Emp. iv. 71.

[2]The Hindu ideas are so extremely loose, vague, and uncertain, that they are materials unspeakably convenient for workmanship of this description. "The Hindu religion," says an Oriental scholar of some eminence, "is so pliant, *that there is scarcely an opinion it will not countenance*. A Tour to Shiraz by Edward Scott Waring, Esq. p. 3, note.

[3]Gibbon's Hist. of the Decl. and Fall of the Rom. Emp. i. 52.

[4]Besides the invincible reasons afforded by the circumstances of the case, the artful pretences and evasions of the Brahmens are evidence enough. Mr. Wilford, having stated the general opinion, that the three principal gods of Egypt resolve themselves into one, namely, the sun, says, "The case was nearly the same in ancient India; but there is no subject on which the modern Brahmens are more reserved; for when they are closely interrogated on the title of Deva or God, which their most sacred books give to the sun, they avoid a direct answer, have recourse to evasions, and often contradict one another and themselves. They confess, however, unanimously, that the sun is an emblem or image of the three great divinities jointly and individually; that is of Brahme, or the supreme one." Asiat. Res. iii. 372.

[1]Bryant's Analysis of Ancient Mythology, iii. 104, 105.

[1]Mr. Halhed very judiciously condemns the project to allegorize and refine upon the Hindu mythology. "Many conjectural doctrines," says he, "have been circulated by the learned and ingenious of Europe upon the mythology of the Gentoos; and they have unanimously endeavoured to construe the extravagant fables with which it

abounds into sublime and mystical symbols of the most refined morality. This mode of reasoning, however common, is not quite candid or equitable, because it sets out with supposing in those people a deficiency of faith with respect to the authenticity of their own scriptures, which, although our better information may convince us to be altogether false and erroneous, yet are by them literally esteemed as the immediate revelations of the Almighty. ? ? ? It may possibly be owing to this vanity of reconciling every other mode of worship to some kind of conformity with our own, that allegorical constructions and forced allusions to a mystic morality have been constantly foisted in upon the plain and literal context of every Pagan mythology. ? ? ? The institution of a religion has been in every country the first step towards an emersion from savage barbarism. ? ?The vulgar and illiterate have always understood the mythology of their country in its literal sense; and there was a time to every nation, when the highest rank in it was equally vulgar and illiterate with the lowest. ? ? ? A Hindu esteems the astonishing miracles attributed to a Brihma, a Raam, or a Kishen, as facts of the most indubitable authenticity, and the relation of them as most strictly historical." Preface to Code of Gentoo Laws, p. xiii. xiv. On the religion of ancient nations, Voltaire says with justice, On pourrit faire des volumes sur ce sujet; mais tous ces volumes se reduisent a deux mots, c'est que le gros du genre humain a été et sera tres long-temps insensé et imbecile; et que peut-etre les plus insensés de tous ont été ceux qui ont voulu trouver un sens à ces fables absurdes, et mettre de la raison dans la folie. Voltaire, Philosophie de l'Histoire, Œuvres Completes, à Gotha, 1785, tom. xvi. p. 22. Mr. Wilkins, reprobating some other attempts at refinement on the Hindu text, says "he has seen a comment, by a zealous Persian, upon the wanton odes of their favourite poet Hafiz, wherein every obscene allusion is sublimated into a divine mystery, and the host and the tavern are as ingeniously metamorphosed into their prophet and his holy temple." Bhagvat-Geeta, note 114.

[1]Even Mr. Maurice says; "The Hindu notions of the mundane system are altogether the most monstrous that ever were adopted by any beings, who boast the light of reason; and, in truth, very little reconcileable with those sublime ideas we have been taught to entertain of the profound learning and renowned sagacity of the ancient Brahmens." Maurice, Hist. of Hindost. i. 490. I have met with nothing in Sanscrit literature in any degree to be compared with the following reflection of a Peruvian Inca, "If the heaven be so glorious, which is the throne and seat of the Pachacamac, how much more powerful, glittering, and resplendent must his person and Majesty be, who was the maker and creator of them all. Other sayings of his were these, *If I were to adore any of these terrestrial things, it should certainly be a wise and discreet man, whose excellencies surpass all earthly creatures*." Garcilasso de la Vega, Royal Commentaries of Peru, book iv. ch. 19. There is a passage which I have read since this was written, (which however may well be suspected of flowing at a recent date from a foreign source) translated by Mr. Ward, from a work by Chirunjeevu, in which the inference that a God exists because the universe exists, is very distinctly expressed. Ward's View, &c. ii. 302. Lond. Ed.

[1]In my researches concerning the religious ideas of the Hindus, I was much struck with the title of a chapter or lecture in the Bhagvat-Geeta, "Display of the Divine Nature in the form of the universe." I seized it with eagerness! Here, I thought, will undoubtedly be found some reflections on the wisdom and order of the universe: I met

with only the following monstrous exhibition: “Behold,” says Vishnu, in the form of Crishna, to Arjoon, “behold things wonderful, never seen before. Behold in this my body the whole world animate and inanimate, and all things. else thou hast a mind to see. But as thou art unable to see with these thy natural eyes, I will give thee a heavenly eye, with which behold my divine connection.”—After this Arjoon declares, “I behold, O god! within thy breast, the dews assembled, and every specific tribe of beings. I see Brahma, that deity sitting on his lotus-throne; all the Reeshees [saints] and heavenly Ooragas [serpents]. I see thyself, on all sides, of infinite shape, formed with abundant arms, and bellies, and mouths, and eyes; but I can neither discover thy beginning, thy middle, nor again thy end, O universal lord, form of the universe! I see thee with a crown, and armed with club and chacra, [the martial weapon of Crishna, a sort of discus or quoit.] a mass of glory, darting refulgent beams around. I see thee, difficult to be seen, shining on all sides with light immeasurable, like the ardent fire or glorious sun. Thou art the supreme being, incorruptible, worthy to be known! Thou art prime supporter of the universal orb! Thou art the never-failing and eternal guardian of religion! Thou art from all beginning, and I esteem the Pooroosh [literally *man*, but here meant to express the vital soul]. I see thee without beginning, without middle, and without end; of valour infinite; of arms innumerable; the sun and moon thy eyes, thy mouth a flaming fire, and the whole world shining with thy reflected glory! The space between the heavens and the earth is possessed by thee alone, and every point around: the three regions of the universe, O mighty spirit! behold the wonders of thy awful countenance with troubled minds. Of the celestial bands, some I see fly to thee for refuge; whilst some, afraid, with joined hands sing forth thy praise. The Maharshees, holy bands, hail thee, and glorify thy name with adorating praises. The Roodras, the Adityas, the Vasoos, and all those beings the world esteemeth good; Asween and Koomar, the Maroots and Ooshmapas; the Gandharos and the Yakshas, with the holy tribes of Soors, all stand gazing on thee, and all alike amazed. The winds, alike with me, are terrified to behold thy wondrous form gigantic; with many mouths and eyes; with many arms, and legs, and breasts; with many bellies, and with rows of dreadful teeth! Thus, as I see thee, touching the heavens, and shining with such glory, of such various hues, with widely opened mouths and bright expanded eyes, I am disturbed within me; my resolution faileth me, O Vishnu! and I find no rest! Having beholden thy dreadful teeth, and gazed on the countenance, emblem of time's last fire, I know not which way I turn! I find no peace! Have mercy, then, O god of gods! thou mansion of the universe! The sons of Dhreetarashtra, now, with all those rulers of the land, Bheeshma, Drona the son of Soot, and even the fronts of our army, seem to be precipitating themselves hastily into thy mouth, discovering such frightful rows of teeth! whilst some appear to stick between thy teeth with their bodies sorely mangled. As the rapid streams of full-flowing rivers roll on to meet the ocean's bed; even so these heroes of the human race rush on towards thy flaming mouths. As troops of insects, with increasing speed, seek their own destruction in the flaming fire; even so these people, with swelling fury, seek their own destruction. Thou involvest and swallowest them altogether, even unto the last, with thy flaming mouths; whilst the whole world is filled with thy glory, as thy awful beams, O Vishnu, shine forth on all sides!” Bhagvat-Geeta, p. 90, &c. Such is “the Display of the Divine Nature in the form of the universe!”

[1]In the grant of land, translated from a plate of copper, (Asiat. Res. iii. 45.) among the praises of the sovereign, by whom the donation is made, it is said, “The gods had apprehensions in the beginning of time, that the glory of so great a monarch would leave them without marks of distinction; thence it was, that Purari assumed a third eye in his forehead; Pedmacsha, four arms; Atmabhu, four faces; that Cali held a cimeter in her hand; Rama, a lotos flower; and Vani, a lyre.” Sir William Jones, in the note says; “The six names in the text are appellations of the gods Mahadeva, Vishnu, Brahma, and the goddesses Durga, Lacshmi, Seraswati.” So that the three supreme deities, with their wives, were afraid of being eclipsed by an earthly king, and were obliged to assume new distinctions (of a very ingenious and imposing sort!) to prevent so lamentable an occurrence.

[1]On the Gods of Greece, &c. Asiat. Research. i. 267.

[1]Asiat. Research. i. 272.

[2]Ib. viii. 397.

[3]Vide supra, p. 323.

[4]Asiat. Research. viii. 431, 432.

[1]Asiat. Research. ii. 400.

[2]Sir William Jones's Works, vi. 417.

[1]This particular passage it is, which is pointed out by Mr. Colebrooke as the gayatri.

[2]Asiat. Research. viii. 400.

[3]Ib. 397.

[4]Nations, not behind the Hindus in civilization (the most enthusiastic of their admirers, being judges) agree in these ideas. “Les nations savantes de l’Orient,” says Dupuis, (Origine de tous les Cultes, i. 4.) “les Egyptiens et les Pheniciens, deux peuples qui ont le plus influé sur les opinions religieuses du reste de l'univers, ne connoissoient d'autres dieux, chefs de l'administration du monde, que le soleil, la lune, les astres, et le ciel qui les renferme, et ne chantoient que la nature dans leurs hymnes et leurs theogonies.” The following is a curious passage: “Eutychius, apres avoir pris le Sabiisme en Chaldee, De la, dit il, il est passé en Egypte, de l’Egypte il fut porté chez les Francs, c’est a dire en Europe, d’ou il s’etendit dans tous les ports de la Mediterranée. Et, comme le culte du Soleil et des Etoiles, la veneration des ancestres, l’erection des statues, la consecration des arbres, constituerent d'abord l’essence du Sabiisme, et que cette espece de religion, toute bizarre qu’elle est, se trouva assez vite repandue dans toutes les parties du monde alors connu, et l’infecta jusqu’ à l’Inde, jusqu’ à la Chine; de sorte que ces vastes empires ont toujours esté pleins de statues adoreés, et ont toujours donné la creance la plus folle aux visions de l'astrologie judiciaire, preuve incontestable de Sabiisme, puisque ç’en est le fond, et le premier dogme; la conclusion est simple, que soit par tradition, soit par imitation et identité

d'idees, le monde presqu' entier s'est vu, et se voit encore Sabien." Ib. 25. Memoires de l'Academie des Inscriptions, &c. xii. 25.

[1]Adad, the name of the chief Assyrian deity, was held by ten Syrian kings in succession. Nicol. Damasc. ap. Josephum, Antiq. lib. vii. cap. 5. Even among Christians, kings and great men have received all the general titles of the deity, *lord, majesty, highness, excellence, grace*.

[2]Asiat. Research. viii. 398, note.

[1]Anquetil Duperron, Zendavesta, ii. 344.

[1]Bhagvat-Geeta, p. 87.

[2]Ib. p. 93.

[3]Institutes of Menu, ch. i. 24.

[4]A passage translated from the Veda by Mr. Colebrooke, Asiat. Research. vii. 251.

[5]Hetopadesa, book I., Sir William Jones's Works, vi. 7. A personification, and mysterious deification of some very abstract idea, as Time, or Space, is by no means unnatural to rude nations. It is remarkable that the Scandinavians had a notion of some mysterious power, superior to their gods; for after the great catastrophe, in which Odin, Thor, and the other deities, lose their lives, "comes forth The Powerful, The Valiant, He Who Governs All Things, from his lofty abodes, to render divine justice. In his palace the just will inhabit, and enjoy delights for evermore." (See extracts from the Edda, the Sacred book of the Scandinavians, in Mallet's Introduct. to the Hist. of Denmark, vol. i. ch. vi.) That historian observes in a style which almost appears to be copied by those to whom we owe the specimens of the Hindu religion, that a capital point among the Scythians was, the pre-eminence of "One only, all-powerful and perfect being, over all the other intelligences with which universal nature was peopled." The Scandinavians, then, were on a level with all that is even claimed for the Hindus. But these same Scandinavians draw terrible pictures of this perfect One; describing him as a being who even delights in the shedding of human blood; yet they call him, the Father and creator of men, and say, that "he liveth and governeth during the ages; he directeth every thing which is high, and every thing which is low; whatever is great, and whatever is small; he hath made the heaven, the air, and man who is to live for ever; and before the heaven or the earth existed, this god lived already with the giants." Ibid. But what this god was, whether matter, or space, or time, the Scandinavian monuments are too imperfect to determine.

[1]Bernier, one of the most intelligent and faithful of all travellers, who spent a number of years in great favour at the court of Aurengzebe, formed an opinion of the religion of the Hindus, with which respect was little connected; for one of his Letters he thus entitles, "Lettre, &c. touchant les superstitions, etranges façons de faire, et doctrine des Indous ou Gentils de l'Hindoustan. D'ou l'on verra qu'il n'y a opinions si ridicules et si extravagantes dont l'esprit de l'homme ne soit capable." (Bernier, Suite des Memoires sur l'Empire du Grand Mogol, i. 119.) He appears to have seen

more completely through the vague language of the Brahmens respecting the divinity, (a language so figurative, and loose, that if a man is heartily inclined, he may give it any interpretation,) than more recent and more credulous visitors. After giving a very distinct account of the more common notions entertained of the three deities, Brahma, Vishnu, and Siva, he says, Touchant ces trois Estres j'ai vu des Missionaires Européens qui pretendent que les Gentils ont quelque idée du mystere de la Trinité, et qui diseut qu'il est expressement portè dans leurs livres que ce sont trois Personnes un seul Dieu; pour moy j'ai fait assez discourir les Pendets sur cette matiere, *mais ils s'expliquent si pauvrement que je n'ai jamais pu comprendre nettement leur sentiment;* j'en ai meme vu quelques-uns qui disent que se sont trois veritables creatures tres parfaites qu'ils appellent Deutas; comme nos anciens idolatres n'ont à mon avis jamais bien expliqué ce qu'ils entendoient par ces mots de Genius, et de Numina, qui est, je pense, le même que Deuta chez les Indiens; il est vrai que j'en ai vu d'autres, et des plus sçavans, qui disoient que ces trois Etres n'estoient effectivement qu'un meme dieu consideré en trois façons, a sçavoir, en tant qu'il est Producteur, Conservateur, et Destructeur des choses, mais ils ne disoient rien des trois personnes distinctes en un seul Dieu. Ibid. p. 173.—"The history of these gods" (says Mr. Orme, Hist. of the Milit. Trans. &c. in Indostan, i. 3,) "is a heap of the greatest absurdities. It is Eswara twisting off the neck of Brahma; it is the Sun who gets his teeth knocked out, and the Moon who has her face beat black and blue at a feast, at which the gods quarrel and fight with the spirit of a mob." In the Zendavesta, as translated by Anquetil Duperron, many passages are as expressive to the full of just ideas of the Divine Nature as any in the Vedas. The absurdities too, with which they are mixed, are certainly not greater, they are many degrees less, than those with which the sublime phrases in the Vedas are mingled. The ancient magi, we are told, had a most sublime theology.—Nunquam adorabant solem: et mox addiderunt, se non adhibere aliquam adorationem soli, aut lunæ, aut planetis, sed tantum erga solem se convertere inter orandum. Hyde, p. 5. Je vois, ma sœur, says the Guebre in Montesquieu, (Lettres Persanes, Let. lxvii) que vous avez appris parmi les musulmuns à calomnier notre sainte religion. Nous n'adorons ni les astres ni les elemens; et nos peres ne les ont jamais adorés.....Ils leurs ont seulement rendu un culte religieux, mais inferieur, comme à des ouvrages et des manifestations de la divinité. Beausobre, with his usual critical sagacity, said, in regard to the pictures drawn by Hyde, Pococke, and Prideaux, of the religious system of the magi, Rien de plus beau, rien de plus orthodoxe que ce systême. Je crains seulement qu'il ne le soit un peu trop pour ces tems-la. Hist. de Manich. lib. ii. ch. ii. Voltaire thus expresses himself; "On ne peut lire deux pages de l'abominable fatras attribué à ce Zoroastre, sans avoir pitié de la nature humaine. Nostradamus et le medecin des urines sont des gens raisonables en comparison de cet energumene. Et cependant on parle de lui, et on ne parlera encore." He had however remarked a little before, that the book contained good precepts of morality, and asked, "Comment se pourraitil que Zoroastre eut joint tant d'enormes fadaises à cet beau precepte de s'abstenir dans les duutes si on fera bien ou mal?" Dictionuaire Philosophique, Mot Zoroastre.

[1]See Note C. at the end of the volume.

[1]That one campaign in the court is better than two in the field, has passed into a proverb under the monarchies of modern Europe.

[1]The performance (e. g.) of the five daily sacraments, of which no one, not even that which is falsely rendered hospitality, has, properly speaking, any reference to the duties of humanity. A few general precepts respecting the acquisition of the means of subsistence, in the modes prescribed to the different orders of the Hindus, are in fact of the ceremonial and religious cast. Laws of Menu, ch. iii. and iv. where the duties of the householder are described.

[2]Laws of Menu, ch. xi. 236, &c.

[3]Ibid. ch. vi. 75.

[4]Asiat. Res. v. 371.

[1]Institutes of Menu, ch. v. 58.

[2]Ib. 85, 87.

[3]Ib. 73.

[4]Ib. 87.

[1]The Hindus, among whom the idea of delicacy, in regard either to physical or moral objects, appears never to have taken rise, describe these occasions of purification, in the plainest, or in other words the grossest terms. There is a long series of precepts about voiding the excrements, (Laws of Menu, ch. iv. 45 to 52): And for purification afterwards, "Let each man," says the law, "sprinkle the cavities of his body, and taste water in due form when he has discharged urine or feces: First, let him thrice taste water; then twice let him wipe his mouth, but a woman or servile man may once respectively make that ablution;" (Ibid. ch. v. 138, 139.) "Having vomited, or been purged, let him bathe and taste clarified butter: for him who has been connected with a woman, bathing is ordained by law;" (Ibid. 144.) In one instance there is a curious contrariety: It is declared, (Ibid. 108.) "A woman whose thoughts have been impure is purified by her monthly discharge." Yet this same peculiarity of the female constitution is a cause of impurity; from which she is separated by bathing. Ibid. 66.

[2]Laws of Menu, ch. v. 134, 135.

[3]Ibid. 143.

[4]Ibid. xi. 200.

[1]Laws of Menu, ch. v. 124.

[2]Ibid. 115, 118.

[1]Solon asks Cræsus why he interrogates him about human happiness— Ω Κροισε, επιςαμενον με το θειον παν εον φ?ονερον και ταραχωδες;Herodot. lib. i. cap. xxxii.

[2]"Tis evident we must receive a greater or less satisfaction or uneasiness from reflecting on our own condition and circumstances, in proportion as they appear more or less fortunate or unhappy; in proportion to the degrees of riches and power, and merit, and reputation, which we think ourselves possessed of. Now, as we seldom judge of objects from their intrinsic value, but form our notions of them from a comparison with other objects; it follows, that according as we observe a greater or less share of happiness or misery in others, we must make an estimate of our own, and feel a consequent pain or pleasure. The misery of another gives us a more lively idea of our happiness, and his happiness of our misery. The former, therefore, produces delight; and the latter uneasiness." Hume's Treatise of Human Nature, ii. 174. If this principle have a real existence in human nature; and if the rude mind invariably fashion the divine mind after itself, the belief, so wonderfully common, that the Divine being is delighted with the self-inflicted torment of his worshippers, is sufficiently accounted for.

[1]Institutes of Menu, ch. xi. 46.

[2]Ib. 48 to 54.

[1]Institutes of Menu, ch. xi. 91, 92.

[2]Ibid. 97

[3]Ibid. 132.

[4]Ibid. 153.

[5]Ibid. 165, 213.

[6]See the Institutes of Menu, ch. xi. 171 to 179, where every species of sexual abomination is dehberately specified.

[1]Institutes of Menu, ch. xi. 198. "When a twice-born man performs the penance prajapati, he must for three days eat only in the morning; for three days only in the evening; for three days food unasked, but presented to him; and for three more days, nothing." Ibid. 212.

[2]Ibid. 216.

[3]Ibid. 221.

[4]Ibid. 214.

[5]Ibid. 262.

[6]C'est une superstition tres dangereuse que le pardon des crimes attaché a certaines ceremonies. . . . . Vous pensez que Dieu oubliera votre homicide, si vous vous baignez dans un fleuve, si vous immolez une brehis noire, et si on prononce sur vous des paroles. Un second homicide vous sera donc pardonné au meme prix, et ainsi un

troisieme, et cent meurtres ne vous couteront que cent brebis noires et cent ablutions! Faites mieux, miserables humains, point de meurtres, et point de brebis noires. Voltaire, Diction. Philos, au mot Superstition.

[1]Institutes of Menu, ch. vi. 3 to 8, and 16 to 32. There is a certain stage in the progress from extreme barbarity to some degree of intellectual improvement, in which worship by self-inflicted torments seems naturally to suggest itself. Thus, the priests and people of Mexico come next, perhaps, to the Hindus, though certainly at a prodigious distance behind them, in the devotion of pain and suffering. “It makes one shudder,” (says Clavigero, book vi. sect. 22.) “to read the austerities which they exercised on themselves. They mangled their flesh, as if it had been insensible, and let their blood run in such profusion, that it appeared to be a superfluous fluid of the body.” Their fastings, watchings, and other efforts of abstinence, were pushed to the greatest extremities. Ibid.

[1]See a curious description in the Asiat. Res. v. 49, of a fakeer, seea at Benares by Mr. Duncan, who had used this bed for 35 years.

[2]See Fryer's Travels, pp. 102, 103.—Sonnerat's Voyage, i. 121, 149, 153, 176.—Hamilton's Voyage to the East Indies, i. 274.—Voyage de Tavernier, iv. 118. Mr. Richardson, in his Arabic and Persian Dictionary, under the work Fakeer, says, “Every invention of perverted ingenuity is exhausted in deforming and distorting nature.” And Mr. Wilkins (Note 113, subjoined to his translation of the Bhagvat-Geeta) says, “The word zeal, in the vulgar acceptation, signifies the voluntary infliction of pain, the modes of doing which, as practised to this day by the zealots of India, are as various as they are horrible and astonishing.” Bernier who describes most of the penances alluded to in the text, mentions their standing on their hands, with the head down and the feet up; “D'autres qui se tenoient les heures entieres sur leurs mains sans branler, la tete en bas et les pieds en haut, et ainsi de je ne scai combien d'autres sortes de postures tellement contraintes et tellement difficiles, que nous n'avons de bateleurs qui les pussent imiter; et tout cala, ce semble, par devotion comme j'ai dit, et par motif de religion, ou on n’en scauroit seulement decouvrir l’ombre.” Lettre des Gentils de l’Hindoustan, p. 153, 154.

[1]Sacontala, Act vii. in Sir William Jones's Works. One of the Mahommedan travellers, whose voyages are described by Renaudot, says of these recluses, “They for the most part stand motionless as statues with their faces always turned to the sun. I formerly saw one in the posture here described, and returning to India about sixteen years afterwards, I found him in the very same attitude, and was astonished he had not lost his eyesight by the intense heat of the sun.” Renaudot's ancient Account of India and China, p. 32. Bernier describes them thus; “On en voit quantité de tout nuds assis ou couchés les jours et les nuits surtes cendres, et assex ordinairement dessous quelques uns de ces grands arbres, qui sont sur les bords des Talabs ou reservoirs, ou bien daus des galeries qui sont autour de leur Deuras on temples d’idoles. . . . . Il n’y a Megere d’enfer si horrible a voir que ces gens-la tout nuds avec leur peau noire, ces grands cheveux, ces fuseauz des bras dans la posture que j'ai dit, et ces longues ongles entortilles. Lettres des Gentils de l’Hindoustan,” p. 151. Orme accounts in part at least, and that very satisfactorily, for these astonishing efforts of patience and self-

denial. “The many temporal advantages which the Brahmens derive from their spiritual authority, and the impossibility of being admitted into their tribe, have perhaps given rise to that number of Joguees and Facquires, who torture themselves with such various and astonishing penances, only to gain the same veneration which a Brahmen derives from his birth.” Orme's Hist. Milit. Trans. Indostan, i. 4.

[1]Bhagvat-Geeta, p. 60, 63.

[2]Ibid. p. 67.

[3]Ibid. p. 76.

[4]It is agreed among the Sanscrit scholars that the Puranas are modern, compared with the Vedas and other ancient monuments of the Hindus. Mr. Colebrooke is of opinion that the worship of heroes is altogether unknown to the author of the Vedas; though it was evidently part of the popular belief at the time the Puranas were composed. A sacrifice, therefore, enjoined in the Puranas, must have prevailed at a pretty late period.

[5]See a translation of what is denominated “The Sanguinary chapter” of the Calica Purana, by Mr. Blaquiere, Asiat. Res. v. 371., and Wilkins's Hetopadesa, note 249, and p. 211. In the Bhawishya Purana, it is declared that the head of a slaughtered man gives Durga a thousand times more satisfaction than that of a buffalo. This sacrifice however is forbidden in the Brahma and the Bhagawat Puranas. Asiat. Res. iii. p. 260.

[1]An instance of this, in which an old woman was the victim, was attempted at Benares, so late as the year 1788. See the account by Lord Teignmouth, Asiat. Res. v. 333.

[2]Papers, relating to East India affairs, ordered by the House of Commons to be printed, June 3, 1813, p. 427.

[3]A distinct description of this human sacrifice, performed at the feas of Juggernaut, is to be found in the voyage, (i. 121) of Sonnerat, who was an eye-witness. It is also described by that faithful traveller Bernier, Lettre sur les Gentils de l’Hindoustan, p. 128. It attracted in a peculiar degree the attention of the Rev. Dr. Buchanan: see his work, entitled, Christian Researches in Asia. The Missionaries have given us several descriptions, published in the Transactions of the Missionary Societies.

[1]Such was the instance witnessed by one of the Arabian travellers of Renaudot. See Ancient Relations, p. 80.

[2]Orme, on the Government and People of Indostan, p. 434.

[3]See Richardson's Dictionary at the word Fakeer.

[4]The place where the Jumna and the Ganges meet, is a spot of peculiar sanctity. “Some of the victims of superstition,” says Dr. Tennant, “annually drown themselves at the junction of the streams; and this being the most acceptable of all offerings, it is

performed with much solemnity. The rapidity with which the victim sinks, is regarded as a token of his favourable acceptance by the god of the river. To secure the good inclination of the deity, they carry out the devoted person to the middle of the stream, after having fastened pots of earth to his feet. The surrounding multitude on the banks are devoutly contemplating the ceremony, and applauding the constancy of the victim, who, animated by their admiration, and the strength of his own faith, keeps a steady and resolute countenance, till he arrives at the spot, when he springs from the boat, and is instantly swallowed up, amidst universal acclamations." Indian Recreations, ii. 250.

[1]The Brahmens are always audacious enough to form a peremptory opinion. We have seen, before, that they never hesitated to assign a fixed number to the veins and arteries of the human body, though they are totally unacquainted with dissection. They here assign, with perfect confidence, a determinate number to the hairs on the human body.

[2]Sanscrit text, quoted by Mr. Colebrooke, in his discourse on the duties of a faithful Hindu wife, Asiat. Res. iv. 208. The custom of burning wives on the funeral piles of their husbands, was common to the Hindus with the northern nations. See Jamieson's Scottish Dictionary, ad verb. *Bayle-Fire*.—The principal among the wives of a Scandinavian chief accompanied him to the funeral pile. Mallet. Introd. Hist. Denmark, vol. i. c. 13.—The Scandinavians did not scruple to expose their children. Ibid.—Robertson, who informs us that the wives of the chiefs of the Natchez, an American tribe, were burnt along with them at their death, says that the custom arose from the excessive veneration in which they were held, as brothers of the sun, and representatives of the deity; and that from this impulse, the wives, as well as the domestics who shared the same fate, welcomed death with exultation. Hist. of America, ii. 140.

[3]Asiat. Res. iv. 210. See the whole of that discourse, where a number of authorities are collected. The circumstances of the transaction can be so easily conceived; that, horrid as they are, I have not thought proper to describe them. The prayers and ceremonies are exactly of the usual character. See an account by Bernier, of several cases of which he was an eye-witness, (Lettre sur les Gentils de l'Hindoustain, p. 131); and a variety of cases in the works of the Missionaries, Ward, and Dubois.

[1]Institutes of Menu, ch. vi. 91, 92.

[2]Ibid. ch. xii. 3, 5, 6, 7.

[1]Institutes of Menu, ch. iv. 202.

[2]Ibid. 170 to 177.

[1]Discourse on the Philosophy of the Asiatics, Asiat. Res. iv. 166.

[2]Discourse on the Tartars, Asiat. Res. ii. 33.

[3]Few states of society are more low and degraded than that of the Mussulmans in modern Egypt. Hear what is said of their ethics: “On remarque chez les principaux chefs de la religion, nommés en Egypte cheiks de la loi, l'astuce commune à tous les prêtres, qui, pour mieux dominer, cherchent à s’emparer de l’esprit des hommes. Leur conversation est remplie de belles sentences morales, et de grandes images poetiques qu’ils pillent dans les livres Arabes, c’est tout leur savoir; ou ne doit pas chercher en eux d'autres connoissances sur la politique, les sciences, &c.; ils n’en soupçonnent pas plus l’existence que l'utilité.” (De l’Egypte par le Gen. Reynier, p. 63.) Voltaire remarks, with that felicity with which he sometimes touches an important truth; “La religion de ce Siamois nous prouve que jamais legislateur n’enseigna une mauvaise morale. Voyez, lecteur, que celle de Brama, de Zoroastre, de Numa, de Thaut, de Pythagore, de Mahomet, et meme du poisson Oannes, est absolument la même. J'ai dit souvent qu’on jeterait des pierres à un homme qui viendrait prècher une morale relâchée.” Dictionnaire Philosophique, au mot Sammonocodom.

Garcilasso de la Vega gives us a list of the moral sayings of a celebrated Inca of ancient Peru, named Pachacatec, of which the following are a specimen:

“Better is it, that thou shouldst be envied by others for being good, than that thou shouldst envy others because thou art bad.

Envy is a cancer, which eats and gnaws into the bowels of the envious.

Drunkenness, anger, and folly, are equally mischievous; differing only in this, that the two first are transient and mutable, but the third permanent and continuing.

Adulterers, who take away the good reputation and honesty of another family, are disturbers of the common peace and quiet, and are as bad as thieves and robbers, and therefore to be condemned to the gallows without mercy.

A truly noble and courageous spirit is best tried by that patience which he shows in the times of adversity.

Impatience is the character of a poor and degenerate spirit, and of one that is ill taught and educated.” Royal Commentaries, book IV. ch. xxxvi.

[1]Institutes of Menu, ch. iv. 204.

[2]Ib. v. 52.

[3]Ib. ii. 77, 82.

[4]Ib. xii. 83.

[5]Ib. vi. 70, 71.

[1]Bhagvat-Geeta, p. 102.

[2]Institutes of Menu, ch. vi. 81.

[3]See a fanciful account of the origin of this worship by Mr. Paterson, Asiat. Res. viii. 54. His description of the moral effects of this superstition is more to our purpose: "It is probable," says he, "that the idea of obscenity was not originally attached to these symbols; and, it is likely, that the inventors themselves might not have foreseen the disorders which this worship would occasion amongst mankind. Profligacy eagerly embraces what flatters its propensities, and ignorance follows blindly wherever example excites: it is therefore no wonder that a general corruption of manners should ensue, increasing in proportion as the distance of time involved the original meaning of the symbol in darkness and obhvion. Obscene mirth became the principal feature of the popular superstition, and was, even in after times, extended to, and intermingled with, gloomy rites and bloody sacrifices. An heterogeneous mixture which appears totally irreconcileable, unless by tracing the steps which led to it. It will appear that the ingrafting of a new symbol, upon the old superstition, occasioned this strange medley. The sect of Vishnu was not wholly free from the propensity of the times to obscene rites; it had been united in interest with that of Siva, in their league against the sect of Brahma, as was expressed by an image, called Har-Heri, half Siva, and half Vishnu. This union seems to have continued till the time when an emblem of an abstract idea, having been erected into an object of worship, introduced a revolution in religion, which had a violent and extended effect upon the manners and opinions of mankind. It was then that a gloomy superstition arose, which spread its baneful influence with rapidity amongst mankind; which degraded the Deity into an implacable tyrant; which filled its votaries with imaginary terrors; which prescribed dreadful rites; and exacted penances, mortifications, and expiatory sacrifices." (Ibid. p. 55.) See also a picture of these religious immoralities by Bernier, Lettre sur les Gentils, pp. 129, 130. But the writer who, above all others, has furnished superabundant evidence of the immoral influence of the Hindu religion, and the deep depravity which it is calculated to produce, is Mr. Ward, in his "View of the History, Literature, and Religion of the Hindoos." From the facts which he records in great detail, the following are the results: "The characters of the gods, and the licentiousness which prevails at their festivals, and abounds in their popular works, with the enervating nature of the climate, have made the Hindoos the most effeminate and corrupt people on earth. I have, in the course of this work, exhibited so many proofs of this fact, that I will not again disgust the reader by going into the subject. Suffice it to say, that fidelity to marriage vows is almost unknown among the Hindoos; the intercourse of the sexes approaches very near to that of the irrational animals. . . . But to know the Hindoo idolatry, as it is, a person must wade through the filth of the thirty-six pooranŭs, and other popular books—he must read and hear the modern popular poems and songs—he must follow the Bramnŭn through his midnight orgies, before the image of Kalēē, and other goddesses; or he must accompany him to the nightly revels, the jatras, and listen to the filthy dialogues which are rehearsed respecting Krishnŭ and the daughters of the milkmen; or he must watch him, at midnight, choking with the mud and waters of the Ganges a wealthy relation, while in the delirium of a fever; or, at the same hour, while murdering an unfaithful wife, or a supposed domestic enemy; or he must look at the Bramhŭn hurrying the trembling half-dead widow round the funeral pile, and throwing her like a log of wood by the side of the dead body of her husband, tying her and then holding her down with

bamboo levers, till the fire has deprived her of the power of rising and running away . . . . . This system of heathenism communicates no purifying knowledge of the divine perfections, supplies no one motive to holiness while living, no comfort to the afflicted, no hope to the dying; but, on the contrary, excites to every vice, and hardens its followers in the most flagrant crimes." (Introductory Remarks, pp. 94, 95.)

[1]Edward's Hist. of the West Indies, ii. 77. 4to. Ed.

[2]Bryant's Analysis of Ancient Mythology, i. 323.

[3]Lucian, De Syria Dea.

[1]The priests of Egypt, says Herodotus, account it unholy to kill any thing which has life, saving what they use in sacrifice; Herod. Hist. lib. 1. cap. 140: and Porphyry informs us that it was not till a late period of their history that animal sacrifices were introduced. De Abstin. lib. ii. et iv.

[2]Ab hoc antiqui manus ita abstinere voluerunt, ut capite saux erint, si quis occidisset. Varro. De Re Rustica, lib. ii. cap. 5.

[3]See the satisfactory proofs adduced in the very learned and instructive, though erroneous work, of Dupuis, Origine de tous les Cultes. liv. iii. ch. viii.

[4]"Although the killing an animal of this" (the ox) "kind is by all Hindus considered as a kind of murder, I know no creature whose sufferings equal those of the labouring cattle of Hindustan." (Buchanan, Journey, &c. i. 167.) See also Ward on the Hindus, Introd. p. xliii. An hospital for the sick poor, says Dr. Tennant, was never known in India, before the establishment of the British; though there were for dogs, cats, &c. (Indian Recreations, i. 73.) The authors of the Universal History inform us gravely, on the authority of Ovington, that the Hindus have a care for the preservation of fleas, bugs, and other vermin, which suck the blood of man: for in a hospital near Surat, built for their reception, a poor man is hired now and then to rest all night upon the *kot* or bed where the vermin are put; and lest their stinging should force him to take his flight before morning, he is tied down to the place, and there lies for them to glut themselves with human gore." (Modern Univ. Hist. vi. 262.) Anquetil Duperron, who describes a temple near Surat, full of those sacred animals, adds: "La vue de l'hopital des animaux, entretenu par des etres raisonables avec tout l'ordre, le soin, le zele meme que l'on pourroit exiger d'eux, s'il etoit question de leur semblable, et cela meme dans un pays, ou il n'y a d'etablissemens publics, ni pour les malades, ni pour les vieillards; la vu d'un pareil hopital auroit de quoi etonner, si l'on ne sçavoit pas que la nature se plait aux disparates en Asie comme en Europe. (Voyages aux Indes Orient. Disc. Prelim. Zendavesta, i. ccclxii.) "The Gentoos, though they will not kill their neat, make no conscience to work them to death, allowing them hardly food to keep them alive. Neither are they less inhuman towards their sick, a woman being brought to die among the tombs in my sight." Fryer's Travels, ch. v. sect. 3. See to the same purpose, the Abbé Dubois, p. 132; Ward on the Hindoos, Introd. p. lv. It is worth observing that Milton, the universality of whose knowledge is not the least remarkable particular of his wonderful mind, was acquainted with the disgusting

superstition of letting the vermin devour the man: “Like the vermin,” says he, “of an Indian Catharist, which his fond religion forbids him to molest.” Tetrachordon, Milton's Prose Works, ii. 122, 8vo. Edit. Tenderness to animals was a part of the religion of Zoroaster. We are informed in the Sadda, that he obtained from God a view of the regions of infernal torment, where he saw a number of kings, and among the rest one without a foot. He begged to know the reason, and God said to him; “that wicked king never performed but one good action in his life. He saw, as he was going to the chase, a dromedary tied at too great a distance from its provender, endeavouring to eat, but unable to reach it: he pushed the provender towards it with his foot. I have placed that foot in heaven; all the rest of him is here.” Voltaire, Essai sur les Mœurs et l’Esprit de Nations, ch. v. The following, Porphyry tells us, (De Abstin. lib. iv. p. 431) were laws of Triptolemus, 1. To honour our parents; 2. To offer nothing to the gods but the fruits of the earth; 3. Never to hurt animals. “The inhabitants of Miniana,” (a place not far from Sego, in the heart of Africa) “eat their enemies, and strangers, if they die in the country. They eat the flesh of horses. But such is their veneration for the cow, that she is never killed.” Park's last Mission to Africa, p. 166.

Mr. Richardson (see his Dissertation on Eastern Manners, p. 16) denies the authenticity of the fragments of the Zendavesta collected by Anquetil Duperron, on account of “the uncommon stupidity,” as he is pleased to express it, “of the work itself.” Yet it is in a strain remarkably resembling that of the Vedas; the same sublime praises bestowed upon the Divinity; superstitions equally gross; discourses equally childish. We must not however on this account question the authenticity of the Vedas and the Puranas, though we must renounce the vulgar belief of the great wisdom of the Brahmens. In truth, the stupidity, as Mr. Richardson calls it, of the Zendavesta, and its remarkable similarity to the sacred books of the Hindus, is the most striking proof of its authenticity. There is the strongest reason to conclude that the ancient Magi, and the ancient Brahmens, were people very much upon a level; and that the fame of Zoroaster for wisdom is no better founded than that of the Indian sages. There is a radical difference, he says, between the language of the Zendavesta, and the modern Persian (Ibid.) But the same is the case with the Sanscrit, which Sir William Jones thinks, from this circumstance, can never have been vernacular in Hindustan. (See Disc. on the Hindus, Asiat. Researches, i. 422.) The language, he says, of the Zendavesta has many words, which a modern Persian could not pronounce, but there are many words in the German language which an Englishman or Frenchman cannot pronounce, though the German is the basis of the languages of both. The Zendavesta, he says, contains Arabic words; but it contains Arabic only as the Greek contains Sanscrit. In fact, the identities which can be traced in all languages is one of the most remarkable circumstances in the history of speech. Of the Vedas, a man who had unrivalled opportunities of information informs us, “They contain nothing important or rational. In fact, they have nothing but their antiquity to recommend them. As to any thing further, they include all the absurdities of Hindu paganism, not only such as it has originally been, but also the pitiful details of fables which are at present current in the country, relating to the fantastical austerities of the Hindu hermits, to the metamorphoses of Vishnu, or the abominations of the lingam. The fourth of them, called Atharvana-veda, is the most dangerous of all for a people so entirely sunk in superstition, because it teaches the art of magic, or the method of injuring men by the use of witchcraft and incantation.” (Description, &c. of the people of India, by the

Abbé Dubois, p. 102.) Even the *gayatri*, the most holy of all holy things, is an assemblage, says the Abbé, of unmeaning terms, "unintelligible to the Brahmens themselves. I have never met with any one who could give me a tolerable explication of it." Ib. p. 79.

[1]Dupuis, Origine de tous les Cultres, tom. ii. par. 2, p. 181; where the reader will find authorities to prove the antiquity and diffusion of this peculiar doctrine. See too the learned Beausobre, Hist. de Manich. tom. ii. liv. vii. ch. 5, sect. 4. For its existence among the Mexicans, see Clavigero, book vi. sect. 1.

[1]Institutes of Menu, ch. xii. 24, 40 to 51.

[2]Ib. 54 to 58.

[3]Ib. 71, 72.

[1]Institutes of Menu, ch. xii. 125.

[1]"To this," he says, "may be added, what must have forced itself on the observation of every thoughtful observer, that, in the absence of the religious principle, no outward terrors, especially those which are invisible and future, not even bodily sufferings, are sufficient to make men virtuous. Painful experience proves, that even in a Christian country, if the religious principle does not exist, the excellence and the rewards of virtue, and the dishonour and misery attending vice, may be held up to men for ever, without making a single convert." Ward, "View, &c. of the Hindoos," Introd. p. lxxxiv. Here, however, Mr. Ward ought to have explained what he meant by the "religious principle," by which different persons mean very different things. This was the more necessary, that, having taken away all efficacy from the doctrine of future rewards and punishments, he strips religion of all power over the lives and actions of men, except in so far as good effects may be expected from the "religious principle," which, whatever else it may not be, is at any rate, in his estimation, not the expectation of future rewards and punishments.

[1]See Laws of Menu, ch. ii. iii. and vi.

[2]See the account of this æra, p. 257 of this volume.

[3]Institutes of Menu, ch. ii. 173.

[4]Ib. ch. ii. 191.

[5]"Let him carry water-pots, flowers, cow-dung, fresh earth, and cusa grass, as much as may be useful to his preceptor." Ibid. 182.

[6]"The subsistence of a student by begging is held equal to fasting in religious merit." Ibid. 218. There are numerous precepts respecting the niceties of begging. Ibid. 48 to 50, and 183 to 190.

[1]Institutes of Menu, ch. ii. 109, 112.

[2]Ibid. 69.

[3]Ibid. 70.

[4]When the student is going to read the Veda, he must perform an ablution, as the law ordains, with his face to the north; and at the beginning and end of each lesson, he must clasp both the feet of his preceptor, and read with both his hands closed. “In the presence of his preceptor let him always eat less; and wear a coarser mantle, with worse appendages: let him rise before, and go to rest after his tutor. Let him not answer his teacher's orders, or converse with him, reclining on a bed; nor sitting, nor eating, nor standing, nor with an averted face: But let him both *answer and converse*, if his preceptor sit, standing up; if he stand, advancing toward him; if he advance, meeting him; if he run, hastening after him; if his face be averted, going round to front him, *from left to right*; if he be at a little distance, approaching him; if reclined, bending to him; and if he stand ever so far off, running toward him. When his teacher is nigh, let his couch or his bench be always placed low; when his preceptor's eye can observe him, let him not sit carelessly at his ease. Let him never pronounce the mere name of his tutor, even in his absence; by censuring his preceptor, though justly, he will be born an ass. He must not serve his tutor by the intervention of another, while himself stands aloof; nor must he attend him in a passion, nor when a woman is near: from a carriage or raised seat he must descend to salute his heavenly director. Let him not sit with his preceptor to the leeward, or to the windward of him; nor let him say any thing which the venerable man cannot hear.” Institutes of Menu, ch. ii. 70, 71, and 194 to 199, and 201 to 203. Even to the sons and wives of the preceptor must numerous tokens of profound respect be shown, Ibid. 207 to 218. For his general conduct “these following rules,” says Menu, “must a Brahmachari, *or student in theology*, observe, while he dwells with his preceptor; keeping all his members under control, for the sake of increasing his habitual devotion. Day by day, having bathed and being purified, let him offer fresh water to the gods, the sages, and the manes; let him show respect to the images of the deities, and bring wood for the oblation to fire. Let him abstain from honey, from fleshmeat, from perfumes, from chaplets of flowers, from sweet vegetable juices, from women, from all sweet substances turned acid, and from injury to animated beings; from unguents for his limbs, and from black powder for his eyes, from wearing sandals and carrying an umbrella, from sensual desire, from wrath, from covetousness, from dancing, and from vocal and instrumental music; from gaming, from disputes, from detraction, and from falsehood, from embracing or wantonly looking at women, and from disservice to other men. Let him sleep constantly alone.” Next are forbidden several acts of sensual impurity which are too gross to be described; and the holy text thus again proceeds; “Let him carry water-pots, flowers, cow-dung, fresh earth and cusa grass, as much as may be useful to his preceptor. Having brought logs of wood from a distance, let him place them in the open air; and with them let him make an oblation to fire, without remissness, both evening and morning. Let the scholar, when commanded by his preceptor, and even when he has received no command, always exert himself in reading. Let not the sun ever rise or set while he lies asleep in the village.” Institutes of Menu, ch. ii. 175 to 183, 186, 191, 219.

[1]Institutes of Menu, ch. iii. 1.

[2]Ibid. ii. 243, 244.

[3]Ib. 247, 248. The following modes of living are pointed out to the Brahmen; 1. lawful gleaning and gathering; 2. what is given unasked; 3. what is asked as alms; 4. tillage; 5. traffic and money lending: even by these two last, when distressed, he may live; but service for hire is named dog-living, which he must always avoid, iv. 4, 5, 6. His hair, nails, and beard being clipped; his passions subdued; his mantle white; his body pure; let him diligently occupy himself in reading the Veda. Let him carry a staff of Venu, an ewer with water in it, an handful of cusa grass, or a copy of the Veda: with a pair of bright golden rings in his ears. He must not gaze on the sun, whether rising or setting, or eclipsed, or reflected in water, or advanced to the middle of the sky. Over a string to which a calf is tied, let him not step; nor let him run while it rains; nor let him look on his own image in water: this is a settled rule. By a mound of earth, by a cow, by an idol, by a Brahmen, by a pot of clarified butter or of honey, by a place where four ways meet, and by large trees well known in the district, let him pass with his right hand toward them, 35, 36, 37, 38, 39.

Let him neither eat with his wife, nor look at her eating, nor sneezing, or yawning, or sitting carelessly at her ease, 43.

Some precepts are ludicrous, “Let him not eat his food, wearing only a single cloth, nor let him bathe quite naked; nor let him eject urine or feces in the highway, nor on ashes, nor where kinc are grazing, nor on tilled ground, nor in water, nor on wood raised for burning, nor, *unless he be in great need*, on a mountain, nor on the ruins of a temple, nor at any time on a nest of white ants, nor in ditches with living creatures in them, nor walking, nor standing, nor on the bank of a river, nor on the summit of a mountain: nor let him ever eject them, looking at *things moved by* the wind, or at fire, or at a priest, or at the sun, or at water, or at cattle: But let him void his excrements, having covered the earth with wood, pot-herbs, *dry* leaves and grass, or the like, carefully suppressing his utterance, wrapping up his breast and his head: By day let him void them with his face to the north; by night, with his face to the south; at sunrise and sunset, in the same manner as by day; In the shade or darkness, whether by day or by night, let a Brahmen ease nature with his face turned as he pleases; and in places where he fears injury to life *from wild beasts or from reptiles*,” 45 to 51.

“Let not a man, desirous to enjoy long life, stand upon hair, nor upon ashes, bones, or potsherds, nor upon seeds of cotton, nor upon husks of grain,” 78.

An infinite number of things relative to food are to be attended to, 207 to 225.

[1]A man is nevertheless forbidden to marry before his elder brother. Ibid. 172. But if among several brothers of the whole blood, one have a son born, Menu pronounces them all fathers of a male child, by means of that son. Ibid. 182. There is a singular importance attached to the having of a son: “By a son a man obtains victory over all people; by a son's son he enjoys immortality; and afterwards by a son of that grandson he reaches the solar abode.” Ibid. 137. Kinsmen, as among the Jews, were allowed to raise up seed to one another. Not only was a widow, left without children, permitted to conceive by a kinsman of her husband; but even before his death, if he was

supposed to be attacked by an incurable disease. Ibid. ix. 59, 162, 164. A daughter, too, when a man had no sons, might be appointed for the same purpose. Ibid. 127. In Egypt, in the same manner, a widow left without children cohabited with the brother of the deceased. Recherches Philosoph, sur les Egyptiens et les Chinois, i. 70.

[1]Institutes of Menu, ch. iii. 27 to 34. The crimes implied in the last two cases must have been frequent to make them be distinguished formally in books of sacred law as two species of marriage.

[2]Ibid. 12, 13.

[1]Institutes of Menu, ch. iii. 6 to 10.

[2]This important subject is amply and philosophically illustrated by Professor Millar, in his Inquiry into the Distinction of Ranks, ch. i.

[1]Histoire Generale des Voyages, tom. v. liv. x. ch. iii.

[2]Ibid. tom. vi. liv. xiii. ch. iii. sect. 2, and tom. iv. liv. vii. ch. xiii. sect. 1.

[3]See Inquiry into the Distinction of Ranks, ch. i. sect. 1. They were admitted to inheritance among the Jews plainly as a novelty; and an institution unknown to their neighbours. Numbers, ch. xxvii.

[4]See the authorities quoted by Millar, Distinction of Ranks, ch. i. sect. 1; and Goguet, Origin of Laws, i. 25, 26.

[1]Institutes of Menu, ch. ix. 2.

[2]Ibid. 3, 6.

[3]Ibid. v. 147, 148.

[1]Institutes of Menu, ch. v. 154, 155.

[2]Ibid. ix. 78.

[3]Ibid. 46.

[4]Ibid. ch. viii. 299, 300. Beating their wives is a common discipline. See Buchanan's Journey, i. 247, 249.

[1]Institutes of Menu, ix. 16, 17.

[2]Wilkins' Hotopadesa, p. 54.

[3]Ibid. p. 78. In Halhed's Code of Gentoo Laws, the character of women is depicted in terms which, were they not strong evidence to an important point, delicacy would forbid to be transcribed: "A woman," says the law, "is never no more than fire is

satisfied with burning fuel, or the main ocean with receiving the rivers, or the empire of death with the dying of men and animals: in these cases therefore a woman is not to be relied on." (Gentoo Code; ch. xx.) "Women have six qualities; the first an inordinate desire for jewels and fine furniture, handsome clothes, and nice victuals; the second, immoderate lust; the third, violent anger; the fourth, deep resentment; the fifth, another person's good appears evil in their eyes; the sixth, they commit bad actions." (Ibid.) Six faults are likewise ascribed to women, in the Institutes of Menu, but they are differently stated; "Drinking spirituous liquors, associating with evil persons, absence from her husband, rambling abroad, unseasonable sleep, and dwelling in the house of another, are six faults which bring infamy on a married woman. Such women examine not beauty, nor pay attention to age; whether their lover be handsome or ugly, they think it enough that he is a man, and pursue their pleasures. Through their passion for men, their mutable temper, their want of settled affection, and their perverse nature (let them be guarded in this world ever so well,) they soon become alienated from their husbands." Institutes of Menu, ch. ix. 13, 14, 15.

[1]See Institutes of Menu, quoted in note 1, p. 386.

[2]Institutes of Menu, ch. ix. 18, 19.

[3]Halhed's Gentoo code, ch. iii. sect. 8.

[4]See ch. iv. p. 214; Menu, ch. iv. 43.

[5]The Hindu women, says Mr. Forster, (Travels, i. 59,) are debarred the use of letters. The Hindus hold the invariable language, that acquired accomplishments are not necessary to the domestic classes of the female sex.

[6]"The husband and wife never eat together; for the Indians consider it as indecent, and contrary to that respect which is due to the former." Bartolomeo's Travels, book i. ch. 7. Sonnerat says, "The women are ugly, slovenly, and disgusting. The husband does not permit them to eat with him. They are honourable slaves, for whom some regard is entertained." Voy. liv. iii. ch. i. "So indelicate are the men with respect to the women," says Mr. Motte, speaking of the province of Sumbhulpoor, "that I have been introduced and obliged to show respect to a man of consequence in the morning, whose wife has in the afternoon brought a load of wood of her own cutting, as much as she could stagger under, and sold it me for a penny." Motte's Journey to Orissa, Asiatic Annual Register, i. 76. In another part of the same Journey, p. 67, Mr. Motte says, "I was first struck with the sight of women ploughing, while their female children drove the oxen; but this is the practice through the whole mountainous country, while the men, strolling through the forests with a spear and hatchet, plunder every thing they can master. This abuse of the fair sex is characteristic of a barbarous people."

The Hindus are quite accustomed to beat their wives. Buchanan, Travels in Mysore, &c. i. 247, 249. Women in Karnata carry out the dung to the fields, in baskets on their heads. Ibid. 135, 42. The Abbé Dubois describes the following, as the common, the

standard condition of conjugal life: “the young wife, beaten by her husband, and harassed by her mother-in-law, who treats her as a slave, finding no remedy for ill usage but in flying to her father's house—recalled by fair promises of kinder treatment—the word broken—recourse had to the same remedy—but at last the children which she brings into the world, and other circumstances, compelling her to do her best, by remaining in her husband's house, with the show of being contented with her lot. . . . . The object for which a Hindu marries is not to gain a companion to aid him in enduring the evils of life, but a slave to bear children, and be subservient to his rule.” Description, &c. of the People of India, p. 145.

[1]Halhed's Gentoo code, ch. xx.

[2]See above, p. 386. Even after the death of her husband, if she did not sacrifice herself to his manes, she was held inviolably bound to his memory; and, besides other penances and mortifications of the severest kind, was expressly forbidden to accept of a second husband. Institutes of Menu, ch. v. 157, 158, 162, 163. The same mark of bondage and inferiority was imposed on the Athenian women during the barbarous times of Greece. Goguet, Origin of Laws, ii. 59. Mr. Richardson, who is one of the most nervous in assertion, and the most feeble in proof, of all oriental enthusiasts, maintains that the women enjoyed high consideration among the Arabians and Persians, nay among the very Tartars; so generally was civilization diffused in Asia. In proof, he tells us that the Arabian women “had a right by the laws to the enjoyment of independent property, by inheritance, by gift, by marriage settlement, or by any other mode of acquisition.” The evidence he adduces of these rights is three Arabian words; which signify *a marriage portion, paraphernalia in the disposal of the wife, a marriage settlement*. (See Richardson's Dissertations on the Languages, Literature, and Manners of Eastern Nations, pp. 198, 331, 479.) But surely a language may possess three words, of the signification which he assigns, and yet the women of the people who use it be in a state of melancholy degradation. In the times of Homer, though a wife was actually purchased from her father, still the father gave with her a dower. Iliad. lib. ix. ver. 147, 148. If the Tartars carry their women with them in their wars, and even consult them, “the north American tribes,” says Mr. Millar, “are often accustomed to admit their women into their public councils, and even to allow them the privilege of being first called to give their opinion upon every subject of deliberation. . . . . Yet,” as he adds immediately after, “there is no country in the world where the female sex are in general more neglected and despised.” See Distinction of Ranks, ch. i sect. 2. From insulated expressions, or facts, no general conclusion can safely be drawn.

[1]Wilkins’ Hetopadesa, p. 248.

[2]Institutes of Menu, ch. iii. 55, 57.

[3]Ib. 59.

[1]“Let no father who knows the law receive a gratuity, however small, for giving his daughter in marriage; since the man who through avarice takes a gratuity for that purpose, is a seller of his offspring.” Institutes of Menu, ch. iii. 51.

[2]Ibid. 53.

[3]Ibid. ch. ix. 93.

[4]Ibid. viii. 204. Our travellers find direct and avowed purchase still in practice in many parts of India. See Buchanan's Journey through Mysore, &c. i. 247, 249. “To marry, or to buy a wife, are synonymous terms in this country. Almost every parent makes his daughter an article of traffic. This practice of purchasing the young women whom they are to marry, is the inexhaustible source of disputes and litigation, particularly amongst the poorer people. These, after the marriage is solemnized, not finding it convenient to pay the stipulated sum, the father-in-law commences an action,” &c. Description, &c. of the Hindus, by the Abbé Dubois, p. 137. “Apud plerasque tamen gentes dotem maritus uxori, non uxor marito offerebat. Ista sane consuetudo viguit inter Germanos, teste Tacito (*de Mor. Germ*. cap. 18)—Assyrios, teste Æliano, (*Hist. Var*. iv. 1)—Babylomos, teste Herodot. (i. 196)—et Armenios, ceu patet ex *Nou*. xxi. Heineccii Antiquit. Roman. lib. ii. tit. viii. sect. 2.

[1]Institutes of Menu, ch. v. 152. The commentator Culiuca, after the words *first gift*, by his usual plan, of trying to graft the ideas of a recent period, improved a little by external intercourse, upon the original text, has foisted in the words, *or troth plighted*, as if that was a gift, or, as if, had that been meant, the legislator would not have rather said *troth plighted*, than *first gift*. See what I have observed on the interpolating practices of Culluca, Note A. at the end of the volume, p. 429.

[2]Ibid. ch. ix. 88, 90, 93.

[3]Mr. Forster declares himself to have been at one time of opinion, that the Hindoos had secluded their women from the public view that they might not be exposed to the intemperance of the Mahometan conquerors; but after perceiving, says he, the usage adopted among the sequestered mountaineers, and also among the various independent Mahrattah states, I am induced to think that the exclusion of women from society prevailed in India before the period of the Afgan, or Tartar invasions. Forster's Travels, i. 310.

[1]See a translation of part of the Bhagavat by Mr. Halhed, in Maurice's Hist. of Hindostan, ii. 438.

[2]See Sacontala in Sir William Jones's Works, vi. The rajah of Beejanuggur's harem was kept so close, that not even the nearest relations of the women received in it were ever again permitted to see them. Ferishta's Deccan, by Scott, i. 83. Nor is this mentioned as any thing unusual.

[3]Institutes of Menu, ch. viii. 374 to 385.

[1]Such is the account which Dr. Buchanan received from a number of the most respectable Nairs themselves, whom he assembled for the purpose of inquiring into their manners. See his Journey through Mysore, &c. ii. 411, 412. It was a practice, the continuance of which was highly convenient for the Brahmens, whose power among

the inhabitants of that coast was peculiarly great. Ibid. 425. See also Mr. Thackeray's Report, Fifth Report of the Committee on India Affairs, 1810, p. 802.

[1]The reader will find some observations, but evidently incorrect, taken from an Arabian author, by Mr. Duncan, Asiat. Research. v. 12, 13, 14. Dr. Buchanan too makes some remarks, on the modes of the Brahmens. Journey, ut supra, ii. 425; and mentions certain diversities between the manners of the Nairs themselves in the south, and in the north of Malabar, Ibid. 513. See too Bartolomeo's Travels, book ii. ch. ii. and Anquetil Duperron, Zendavesta, Discours Preliminaire, p. cxcvi. Vestiges of the same order of affairs are very widely diffused. Cecrops first instituted marriage among the Greeks; Menes among the Egyptians. Among the Lycians, and even among the ancient inhabitants of Attica, children took their names from their mother, and not from their father. The domestic community of women among the Celtic inhabitants of Britain was a diversity, to which something very similar is said to exist among some of the castes on the coast of Malabar. “There is in the province of Madura,” says the Abbé Dubois, p. 3, “a cast called the Totiyars, in which, brothers, uncles, and nephews, and other kindred, when married, enjoy the wives in common.” Indications of the same state are preserved by the Roman lawyers. In the island of Formosa, where the women contract a marriage for any stipulated period, the husband, during the time of the contract, passes into the family of the wife; a custom, likewise, found among the people called Moxos in Peru. In the Ladrone islands the wife is mistress of the family, turns off the husband when she chooses, and retains the children and property. In the ancient Median empire we are told that the women had several husbands; and the same is the case in some cantons of the Iroquois in North America. See the authorities quoted by Millar, Distinction of Ranks, ch. i. sect. 2. where this part of the subject is illustrated with the usual sagacity of that eminent author. See too Goguet's Origin of Laws, book i. ch. i. art. 1. We are told by Herodotus, that the Massagetæ had their women in common; and a man, when he desired to be private, hung up his quiver at the door of the waggon or travelling tent. Herodot. i. 216. A people in Africa, whom he calls Nasamones, were in like manner without the rite of marriage, and a staff stuck in the ground before the tent was the signal of retirement. Ibid. iv. 172. The reader will probably not be surprised to hear, that the tradition of the casual intercourse of the sexes was preserved among the Indians of Peru. “In short,” (says Garcilasso de la Vega, Royal Commentaries, book i. ch. vii.) “they were altogether savage,” (meaning the inhabitants in their ancient state) “making use of their women as they accidentally met, understanding no property or single enjoyment of them.”—A woman, not married to an individual, but common to all the brothers of a family, is described as the custom of Tibet. See Turner's Embassy.

[1]Dr. Henry, in his chapter on the manners of the Anglo-Saxons, says, “It would be easy to produce many examples of rudeness and indelicacy, that were established by law, and practised, even in courts of justice, (if they were not unbecoming the purity which history ought to preserve) which would hardly be believed in the present age.” Henry's Hist. of Great Britain, iv. 344. He then quotes the following specimen in a note: Si mulier stuprata lege cum viro agere velit, et si vir factum pernegaverit, mulier, membro virili sinistrâ prehenso, et dextrâ reliquils sanctorum impositâ, juret super illas, quod is, per vim, se isto membro vitiaverit. Leges Wallicæ, p. 85.

[2]Naked fakeers travel in pilgrimage about the country, and swarm around the principal temples. It is customary for the women to kiss, and as it were to adore, their secret, or rather public parts.

[3]See the whole Section in Halhed's Gentoo Code, De digito in pudendum muliebre inserendo, or the various passages de concubitu virili, vel etiam concubitu bestiah.

[4]Wilkins' Hetopadesa, note 82.

[1]A Tour to Sheerez, by Edward Scott Waring, Esq. p. 62. He further says; "The same may be observed of the inhabitants of India, nor will the plea, that the false delicacy of refinement, which disqualifies us from judging of the language of nature, exempt them from censure. If the nakedness of a prostitute be more disgusting than that of an Indian, it must be allowed that their language is infinitely chaster and more refined. There are certain images which must always create disgust and aversion; and although they are familiar in the East, it is by no means evident that they are the images of nature. There may be a refinement on grossness of vice as well as an excess of delicacy, and it does not follow that the one is natural, and the other unnatural. Ibid. See the Missionaries, Ward and Dubois, passim.

[1]Dr. Forster, in a note to Father Paulini's (Bartolomeo) Travels, remarks a great similarity, in many respects, between the manners of the Hindus and those of the Otaheitans.

[2]Ferguson's Essay on Civil Society, part ii. sect. 2. "The Russians" (says Mr. Forster, Travels, ii. 296) "observe to their superiors an extreme submission, and their deportment is blended with a suavity of address and language, which is not warranted by their appearance, or the opinions generally formed of them." The common people in Russia, says Lord Macartney (Account of Russia by Lord Macartney, in Barrow's Life of that Lord, ii. 30) "are handsome in their persons, easy and unaffected in their behaviour; and though free and manly in their carriage, are obedient and submissive to their superiors, and of a civility and politeness to their equals, which is scarcely to be paralleled." The following passage is from a work entitled "Travels into the Crimea, [and] a History of the Embassy from St. Petersburgh to Constantinople in 1793, by a Secretary of the Russian Embassy." "In the course of my rambles I have had frequent occasions of experiencing the politeness of the Turks, which proves to me that this nation is extremely well-disposed and inclined to oblige, and that the climate alone is the cause of the idleness and indifference with which they are reproached. The Turk, when offended, or provoked to jealousy, becomes terrible, and nothing but the blood of his adversary can calm the passion which transports him. During my excursions in the environs of Constantinople I was frequently a witness of the obliging and hospitable propensities of this people. The first Turk 1 applied to when I wanted directions in regard to the road I was to take, always offered himself as a guide, and with the same readiness presented to me a part of his food or refreshment." "The more the Turks are known, the more they are beloved for their cordiality, their frankness, and their excessive kindness to strangers. I am not afraid to assert, that, in many respects, they may serve as models to my countrymen." Pp. 201, 237.

[1]It would be easy to produce many testimonies to the propensity of the natives to adulation. Bernier, who speaks of it in the strongest terms, gives us the following amusing instance: “Un Pendet Brahmen que j'avois fait mettre an service de mon Agah, se voulut meler, en entrant, de faire son panegyrique; et, apres l'avoir comparé aux plus grands conquerans qui furent jamais, et lui avoir dit cent grossieres et impertinentes flatteries, concluoit enfin serieusement par celle-cy: Lorsque vous mettez le pied dans l’estrier, Seigneur, et que vous marchez à cheval avec votre cavalerie, la terre tremble sous vos pas, les huit elephans qui la supportent sur leurs tetes ne poavant soutenir ce grand effort. Je ne pus me tenir de rire la dessus, et je tachois de dire serieusement à mon Agah, qui ne pouvoit aussi s’en tenir, qu’il seroit done fort a-propos qu’il ne montat a cheval que fort rarement pour empescher les tremblemens de terre qui causent souvent de si grands malheurs; Aussi est-ce pour cela meme, me repondit-il sans hesiter, que je m’en fais ordinairement porter en paleky.” Bernier, Suite des Memoires sur l’Empire de Grand Mogol, i. 12.

[1]For a strong testimony to the extent to which dissimulation pervades the Hindu character, see Orme, on the Government and People of Hindustan, p. 428. “L’Indien qui vit sous ce gouvernment en suit les impressions. Obligé de ramper il devient fourbe.” Anquetil Duperron, Voy. aux Indes Orien. Zendav. i. ccclxii.

[2]Sir Wm. Jones's Charge to the Grand Jury at Calcutta, June 10, 1787.

[3]Id. June 10, 1785.

[4]Id. 1787.—“La facilité que le peuple de l’Orient ont à mentir,” is given by P. Paulini, as the cause of the trial by ordeal, so common in Hindustan. Voyage aux Indes Orient. par le P. Paulini, (the French edition of Bartolomeo) ii. 103. Mr. Orme says, “The Gentoos are infamous for the want of generosity and gratitude in all the commerces of friendship; they are a tricking, deceitful people, in all their dealings.” (On the Government and People of Hindustan, p. 434.)

Dr. Buchanan ridicules the expression of Sir William Jones, when he talks of the *simple* Pandits: a race whose chief characteristic is deceit and cunning. (As. Res. vi. 185.)

“‘What is a Brahman,’ I was one day asked, in a jocular way, by one of that cast with whom I was intimately acquainted: ‘He is an ant's nest of lies and impostures.’ It is not possible to describe them better in so few words. All Hindus are expert in disguising the truth; but there is nothing in which the cast of Brahmans so much surpasses them all as in the art of lying. It has taken so deep a root among them, that so far from blushing when detected in it, many of them make it their boast.” Dubois, p. 177. On their propensity to adulation, see the same author, p. 178. On the fraud and perjury of the Hindus, consult Ward, ut supra, Introd. lix. and xciii.

[1]Buchanan's Journey through Mysore, &c. i. 167.

[1]Indian Recreations, ii. 329.

[2]Stavorinus' Voyage, 1768 to 1771; Wilcock's Translation, London, 1798, p. 153. Dr. Tennant explains more fully, that only species of assistance which, according to Stavorinus, a Hindu receives even from his relations. "When a sick person's life is despaired of, he is carried by his relations to the bank of the river; and there, exposed to the storm, or the intense heat of the sun, he is permitted, or rather forced, to resign his breath. His mouth, nose, and ears, are closely stopped with the mud of the river; large vessels of water are kept pouring upon him; and it is amidst the agonies of disease, and the convulsive struggles of suffocation, that the miserable Hindoo bids adieu to his relations, and to his present existence." (Indian Recreations, i. 108.) Describing the apathy with which, during a famine, the Hindus beheld one another perishing of hunger, Stavorinus says, "In the town of Chinsuiah itself, a poor sick Bengalese, who had laid himself down in the street, without any assistance being offered to him by any body, was attacked in the night by the jackals, and though he had strength enough to cry out for help, no one would leave his own abode to deliver the poor wretch, who was found in the morning half-devoured and dead." Stavorinus, ut supra, p. 153. It is highly worthy of attention, that the same inhumanity, hard-heartedness, and the greatest insensibility to the feelings of others, is described, as the character of the Chinese. (See Barrow's China, p. 164.)

[1]Le Couteur's Letters from India, London, 1790, p. 320. When the exactions of government press hard, Dr. Tennant says, "the ryuts, (husbandmen) driven to despair, are forced to take up robbery for a subsistence; and when once accustomed to this wandering and irregular life it becomes ever after impossible to reclaim them to industry, or to any sense of moral duty. We had yesterday a melancholy example of the daring profligacy of which they are capable: An officer who rode out only a mile beyond the piquets, was attacked by a party of five horsemen; in the midst of a friendly conversation, one stabbed him in the breast with a spear, which brought him to the ground; then the others robbed him of his watch, his horse, and every article of his clothing. In this naked state he arrived at the piquet, covered with blood; and had he not been able to walk thus far, he must have fared worse than the man who, 'between Jerusalem and Jericho fell among thieves,' since here there is no one 'good samaritan' to pity the unfortunate." (Indian Recreations. ii. 375.)

Buchanan, ut supra, i. 53; ii. 201, 202; iii. 300. Destitute persons, or persons in a famine, become the property of those who feed them. (Tennant's Ind. Recr. i. 131.)

[1]See a celebrated passage of the Mahabarat, translated by Mr. Halhed, in Maurice's Indian Hist. ii. 468.

[2]Wilkins' Hetopadesa, p. 131.

[3]Gentoo Code, ch. xxi. sect. 10.

[4]Grant on the Hindus, p. 54. Printed by order of the House of Commons, 1812.

[5]Gentoo Code, ch. xxi. sect 10. A very intelligent servant of the East India Company, speaking of the Hindus in a situation where they had hardly ever been exposed to the influence of strangers, Sumbhulpoor, says, "The men are low in

stature, but well-made, lazy, treacherous, and cruel. But to these ill qualities of the tiger, the Almighty has also, in his mercy, added the cowardice of that animal; for had they an insensibility of danger, equal to their inclination for mischeif, the rest of mankind would unite to hunt them down." (Motte's Journey to Orissa, Asiat. An. Reg. i. 76.) "Pestilence or beasts of prey," says Dr. Buchanan, "are gentle in comparison with Hindu robbers, who, in order to discover concealed property, put to the torture all those who fall into their hands." (Travels through Mysore, &c. iii. 206.)

[1]Remarquez que les tems les plus superstitieux ont toujours été ceux des plus horribles crimes. (Voltaire, Diction. Philos. Article Superstition.)

[2]La lacheté accompagne ordinairement la mollesse. Aussi l'Indien est-il foible et timide. (Anquetil Duperron Voyage aux Indes Orien. Zendav. p. cxvii.) This timidity admits of degrees. It is in its greatest perfection in Bengal. In the upper provinces, both the corporeal and the mental frame are more hardy. Those of the race who are habituated to the dangers of war acquire, of course, more or less of insensibility to them. Still the feature is not only real, but prominent.

[1]Orme, on the Government and People of Indostan, p. 443.—In the committee of the House of Commons, 1781, on the petition of John Touchet, &c., Charles W. Boughton Rouse, Esqr. testified that "there cannot be a race of men upon earth more litigious and clamorous than the inhabitants of Dacca." Mr. Park takes notice of the passion of the negroes in Africa for law suits, and adds: "If I may judge from their harangues which I frequently attended, I believe that in the forensic qualifications of procrastination and cavil, and the arts of confounding and perplexing a cause, they are not always surpassed by the ahlest pleaders in Europe." Park's Travels in Africa, p. 20. Dr. Robertson was sadly mistaken, when he considered the litigious subtlety of the Hindus as a sign of high civilization. See Robertson's Historic. Disq. concerning India, p. 217. Travellers have remarked that no where is this subtlety carried higher than among the wildest of the Irish.

[1]Tenanut's Indian Recreations, i. 123. The following character drawn by a missionary, a man who knew them well, unites most of the particulars which I have hitherto described of the character of this remarkable people. Les Indous sont agiles, adroits, d'un caractere doux, d'un esprit penetrant; ils aiment les phrases et les locutions pittoresques; ils parlent avec elegance, font de longs discours, se decident, dans leurs affaires, avec une lenteur extrême, examinent attentivement, et conçoivent avec facilité; ils sont modestes dans leurs discourse, inconstans dans leurs paroles, faciles a promettre et difficiles à tenir leurs promesses, importuns dans leurs demandes, et ingrats après qu'ils les out obtenu; humble et soumis quand ils craignent, orgueilleux et hautains quand ils sont les plus forts; paisibles et dissimulés quand ils ne peuvent se venger, implacables et vindicatifs des que l'occasion s'en presente. J'ai vu beaucoup de familles se ruiner par des procés devant les tribunaux, seulement par esprit de vengeance." (Voyage aux Indes Orientales, par le P. Paulini, i. 293.) "Their utmost feuds," says Fryer, "are determined by the dint of the tongue; to scold lustily, and to pull one another's puckeries or turbats off, being proverbially termed a banyan fight. Nevertheless they are implacable till a secret and sure revenge fall upon their adversary, either by maliciously plotting against their life, by clancular

dealings; or estate, by unlawful and unjust extortions." (Fryer's Travels, let. iii. ch. iii.)

[1]Orme, on the Effeminacy of the Inhabitants of Indostan, p. 461 to 465. Stavorinus' Voyages, p. 407. There is however considerable variety, as in the stature, so in the strength of the Hindus; and the one, as might be expected, follows the other. The following is a striking and important fact: "In Indostan, the common people of all sorts are a diminutive race, in comparison with those of higher casts and better fortunes; and yield still more to them in all the advantages of physiognomy. There is not a handsomer race in the universe, than the Banians of Guzerat: the Haramcores whose business is to remove all kinds of filth; and the buryers and burners of dead bodies are as remarkably ugly." Orme, ut supra, p. 463. There cannot be a more convincing proof, that a state of extreme oppression, even of stunted subsistence, has at all times been the wretched lot of the labouring classes in Hindustan.

[2]Orme, on the Government and People of Indostan, p. 470. Forster's Travels, i. 40. The demand of the American tribes for food was very like that of the Hindus, in point of quantity. Roberson's Hist. of America, ii. 63. The contrivances of the American Indians for food were far more ingenious; and productive of more variety, than those of the Hindus, Ibid. p. 118. It would appear from Sacontala, that anciently much scruple was not used in eating flesh. Madhavya, complaining of the hardships he sustained in the hunting party of the king, says, "Are we hungry? We must greedily devour lean venison, and that commonly roasted to a stick."

[1]Orme, on the Effeminacy of the Inhab. of Indostan, ubi supra.

[1]Tennant's Indian Recreations, i. 15, 55, 102, 215. Forster's Travels, i. 193. "L'Indien est naturellement doux, mais d'une douceur de nonchalance et de paresse." Anq. Duperron, Zendavesta, Disc. Prelim. p. cxvii.

[2]The Birmans, robust and active, present a striking contrast with the feeble indolence of the Hindus. Vide Syme's Embassy to Ava. "Having witnessed," says Mr. Forster, "the robust activity of the people of this country (Northern Persia) and Afghanistan, I am induced to think, that the human body may sustain the most laborious services, without the aid of animal food. The Afghan, whose sole aliment is bread, curdled milk and water, inhabiting a climate which often produces in one day, extreme heat and cold, shall undergo as much fatigue, and exert as much strength, as the porter of London, who copiously feeds on fleshmeat, and ale; nor is he subject to the like acute and obstinate disorders. It is a well known fact, that the Arabs of the shore of the Red Sea, who live, with little exception, on dates and lemons, carry burthens of such an extraordinary weight, that its specific mention to an European ear would seem romance." Forster's Travels, ii. 142, 143.

[1]There is a curious passage, quoted by Volney, (Travels in Syria, ch. xl.) from Hippocrates, in his Treatise de Aere, Locis, et Aquis. "As to the effeminacy and indolence of the Asiatics, says the ancient, if they are less warlike and more gentle in their manners than the Europeans, no doubt the nature of their climate, more temperate than ours, contributes greatly to this difference. But we must not forget

their governments which are all despotic, and subject every thing to the arbitrary will of their kings. Men who are not permitted the enjoyment of their natural rights, but whose passions are perpetually under the guidance of their masters, will never be found courageous in battle. To them the risks and advantages of war are by no means equal. But let them combat in their own cause, and reap the reward of their victory, or feel the shame of their defeat, they will no longer be deficient in courage." Volney remarks that the sluggishness and apathy visible among the Hindus, negroes, &c, is approached, if not equalled, by what is witnessed in Russia, Poland, Hungary, &c. Ibid. "The lower classes of people in India, says Dr. Buchanan, are like children; and except in the more considerable places, where they meet with uncommon encouragement to industry from Europeans, are generally in such a state of apathy, that without the orders of Government, they will hardly do any thing." Buchanan's Journey through Mysore, &c. i. 270. "If we contemplate a savage nation in any part of the globe, a supine indolence and a carelessness of futurity, will be found to constitute their general character." Gibbon, i. 356.

[1]Tennant's Indian Recreations, i. 367.

[2]Gentoo Code, chap. i. sect. 1. "So relaxed are the principles even of the richer natives, that actions have been brought by an opulent Hindu for money advanced solely to support a common gaming-house, in the profits of which he had a considerable share; and the transaction was avowed by him with as much confidence, as if it had been perfectly justifiable by our laws and his own." Charge to the Grand Jury of Calcutta, Dec. 4, 1788. Gaming is remarked as a strong characteristic of the Chinese. See Barrow's Life of Lord Macartney, ii. 415. Travels in China, p. 157. It is a remarkable passion among the Malays. See Marsden's Sumatra.

[1]Turner's Hist. of the Anglo Saxons, book viii. ch. vii.

[2]See Barrow, and other travellers. Bell's Travels, ii. 30.

[3]Clavigero, Hist. of Mexico, book vii. sect. 46.

[1]Gentoo Code, p. 118.

[2]Tennant's Indian Recreations, i. 367.

[3]Story-telling is a common amusement among the negroes of Africa. "These stories," says Mr. Parke, bear some resemblance to those in the Arabian Nights' Entertainments; but, in general, are of a more ludicrous cast." Park's Travels in Africa, p. 31.

[4]Tennant's Indian Recreations, i. 367, and other travellers. Hunting, which delights other men chiefly in their ignorant and uncivilized state, seems to delight kings in all states.

[1]Dr. Buchanan, who bears strong testimony to the prevalence of this disposition among the Hindus, says, the Nairs are a sort of an exception. He ascribes this

peculiarity to the peculiar form given among them to the association of the sexes. Journey through Mysore, &c. ii. 411.

[2]The following acute observation of Helvetius goes far to account for it. “Ce que j’observe, c’est qu’il est des pays ou le desir d’immenses richesses devient raisonnable. Ce sont ceux ou les taxes sont arbitraires, et par consequent les possessions incertaines, ou les renversemens de fortune sont frequens; ou, comme en Orient, le prince peut impunément s’emparer des proprietés de ses sujets.—Dans ce pays, si l’on desire les tresors de Ambouleasant, c’est que toujours exposé à les perdre, on espere au moms tirer des debris d'une grande fortune de quoi subsister soi et sa famille. Partout ou la loi sans force ne peut proteger le foible contre le puissant, on puet regarder l’opulence comme un moyen de se soustraire aux injustices, aux vexations du fort, au mepris enfin, compagnon de la foiblesse. On desire donc une grande fortune comme une protectrice et un bouclier contre les oppresseurs.” De l’Homme, sect. viii. chap. v.

[3]Orme, on the Government and People of Indostan, p. 431.—“L’Indien qui vit sous ce gouvernement en suit les impressions. Obligé de ramper, il devient fourbe. ? ? ? Il se permet l'usure et la fraude dans le commerce.” Anquet Duperron, Zendavesta, Disc. Prelim. p. cxvii.—“The chief pleasure of the Gentiles or Banyans is to cheat one another, conceiving therein the highest felicity.” Frayer's Travels, let. iii. chap. iii.

[1]Wilkins’ Hetopadesa, p. 63. The last of these maxims is not less expressive of that want of generosity, which is so strong a feature of the Hindu character. In the ethics, however, of the Hindus, as well as their jurisprudence and theology, contradiction is endless. In the same page with the foregoing is the following maxim; He who, in opposition to his own happiness, delighteth in the accumulation of riches, carrieth burthens for others, and is the vehicle of trouble.” Ibid.

[2]Tennant's Indian Recreations, ii. 232. Lord's Banyan Religion, chap. xxii. The same or a similar mode of transacting bargains is followed in Persia. Chardin, Voyage en Perse, iii. 122. “The merchants, besides being frequently very dexterous in the addition and subtraction of large sums by memory, have a singular method of numeration, by putting their hands into each other's sleeve, and there, touching one another with this or that finger, or with such a particular joint of it, will transact affairs of the greatest value, without speaking to one another, or letting the standers by into the secret.” Shaw's Travels in Barbary, p. 267.

[1]Sonnerat, Voyages, liv. iii. chap. 1.

[2]Sonnerat, Ibid.; Fryer's Travels, let. iv. chap. 6.

[3]P. Paulini, Voy. Indes Orient. liv. i. ch. 7. Fryer, who represents the houses of the Moors, or Musselmen, at Surat, as not deficient even in a sort of magnificence, says, humourously, that “the Banyans” (Hindu merchants, often extremely rich) “for the most part live in humble cells or sheds, crowding three or four families together into an hovel, with goats, cows, and calves, all chamber fellows, that they are almost poisoned with vermin and nastiness; so stupid, that, notwithstanding chints, fleas, and

musketoes, torment them every minute, dare not presume to scratch when it itches, lest some relation should be un-tenanted from its miserable abode." Fryer's Travels, let. iii. chap. i.

[1]Forester's Travels, i. 32. Of Lucknow too, he remarks, the streets are narrow, aneven, and almost choaked up with every species of filth. Ibid. p. 82. Speaking of Serinagur, he says, "The streets are choaked with the filth of the inhabitants, who are proverbially unclean." Ibid. See to the same purpose, Rennel's Description of an Indian Town, Memoir, p. 58.

[2]Buchanan's Journey through Mysore, &c. ii. 14. He remarks, too, iii. 341, that the unwholesomeness of the water in many places is, "in part, to be attributed to the common nastiness of the Hindus, who wash their clothes, bodies, and cattle, in the very tanks or wells from which they take their own drink; and, wherever the water is scanty, it becomes from this cause extremely disgusting to a European."

[3]Tour to Sheeraz, by Ed. Scott Waring, p. 59, note.—"Their nastiness," says Dr. Buchanan, "is disgusting; very few of the inhabitants above the Ghats being free from the itch; and their linen being almost always dyed, is seldom washed." Travels through Mysore, &c. i. 135.—See, too, Capt. Hardwicke, Asiat. Res. vi. 330. The authors of the Universal History describe with pure and picturesque simplicity one pretty remarkable custom of the Hindus. "The women scruple no more than the men to do their occasions in the public streets or highways: for which purpose at sun-rise and sun-set, they go out in droves to some dead wall, if in the city; and in case any pass by in the interim, they turn their bare backsides on them, but hide their faces. When they have done their business, they wash their parts with the left hand, because they eat with the right. The men, who exoncrate apart from the women, squat like them when they make water. Ahhough their food is nothing but vegetables concocted with fair water, yet they leave such a stink behind them, that it is but ill taking the air, either in the streets, or without the towns, near the rivers and ditches." vi. 263. Yet these authors, with the same breath, assure us that the Hindus are a cleanly people, because, and this is their sole reason, they wash before and after meals, and leave no hair on their bodies. Ibid. See to the same purpose, Fryer's Travels, let. iv. chap. vi.

[1]See a curious description of the excess to which the minute frivolities of behaviour are carried both among the Moors and Hindus, by Mr. Orme, on the Government and People of Indostan, pp. 425 and 431. See, also, Laws of Menu, ch. ii. 120 to 139.

[1]Gentoo Code, ch. xxi. sect. 10.

[2]Ibid.

[3]Tennant's Indian Recreations, i. 254.

[4]Wilkins' Hetopadesa, note, p. 269. The unceremonious Fryer says, the principal science of the Brahmen is magic and astrology. Travels, let. iv. ch. vi. Of the astonishing degree to which the Indians of all descriptions are devoted to astrology, see a lively description by Bernier, Suite des Memoires sur l'Empire de Grand Mogol,

i. 12 à 14. “Les rois, et les seigneurs,” says he, “qui n’entreprendroient la moindre chose qui’ils n’eussent consultez les astrologues, leur donnent de grands appointments pour lire ce qui est ecrit dans le ciel.” Ibid. “The savages,” says Mallet, (Introd. to the Hist. of Denmark, i. ch. i.) “whom the Danes have found on the coast of Greenland, live with great union and tranquillity. They are neither quarrelsome, nor mischievous, nor warlike; being greatly afraid of those that are. Theft, blows, and murder, are almost unknown to them. They are chaste before marriage, and love their children tenderly. Their simplicity hath not been able to preserve them from having priests, who pass among them for enchanters; and are in truth very great and dexterous cheats.”

[1]See an account of this shocking part of the manners of the Hindus in the Asiat. An. Regist. for 1801, Miscellaneous Tracts, p. 91.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Research. v. 345, 346.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. v. 348.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. v. 347 to 358.

[2]Institutes of Menu, ch. iii. 70.

[1]Institutes of Menu, ch. ii. 58 to 62.

[2]Ibid. ii. 74, 75, 76.

[3]Colebrooke on the Religious Ceremonies of the Hindus, Asiatic Res. v. 363.

[1]Institutes of Menu, ch. iii. 206 to 264.—Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. v. 364.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. vii. 232 to 239.

[1]Institutes of Menu, ch. iii. 84 to 87.

[2]Ibid. ch. iii. 88 to 91.

[3]Ibid. ch. iii. 100.

[4]Asiat. Res. vii. 289.

[1]Institutes of Menu, ch. iii. 110.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. vii. 288 to 293.

[2]“I dismiss far away carnivorous fire,” &c. quoted above, p. 437.

[3]"Fire! this wood is thy origin, which is attainable in all seasons whence, being produced, thou dost shine. Knowing this, seize on it, and afterwards augment our wealth."

[1]This is the first verse of the Rig Veda, with which it is customary to begin the daily perusal of that Veda.

[2]A lecture of the Yajush is always begun with this text.

[3]The text with which a lecture of the Samaveda is begun.

[4]The prayer which precedes a lecture of the At'hervan.

[1]Colebrooke on the Religious Ceremonies of the Hindus, Asiat. Res. vii. 271 to 275.

[1]Institutes of Menu, ch. ii. 26, 27, 29.

[2]Ib. 30.

[3]Ib. 35.

[4]Ib. 36 to 40.

[5]"The first birth is from a natural mother; the second, from the ligation of the zone; the third, from the due performance of the sacrifice; such are the births of him who is usually called twice-born." Ibid. 169.

[1]Institutes of Menu, ch. ii. 41 to 48, and 64, 65, 68.

[2]The Persians also had a cincture which was given them as a grand religious emblem, about the period of manhood. See the Sadda in Hyde, p. 441.

[3]Three vessels of water are poured severally upon her head, and at each time one of the following prayers is in order pronounced: 1. "Love! I know thy name. Thou art called an intoxicating beverage. Bring the bridegroom happily. For thee was framed the inebriating draught. Fire! thy best origin is here. Through devotion wert thou created. May this oblation be efficacious"—2. "Damsel, I anoint this thy generative organ with honey, because it is the second month of the Creator: by that thou subduest all males, though unsubdued; by that thou art lively, and dost hold dominion. May this oblation be efficacious."—3. "May the primeval ruling sages, who framed the female organ, as a fire that consumeth flesh, and thereby framed a procreating juice, grant the prolific power that proceeds from the three horned bull, and from the sun."

[1]The latter part of this address Mr. Colebrooke thinks proper to veil in a Latin dress, and certainly with good reason: for, if it be considered that this is a speech of a bridegroom to his virgin bride, while the marriage ceremony is yet in the act of performance, it is an instance of grossness to which there is probably no parallel: The speech is as follows. Illa redamans accipito fascinum meum, quod ego peramans intromittam in cam, multæ quâ illecebræ sistunt.

[1]Of these the first may be taken as a specimen: may fire come first among the gods; may it rescue her offspring from the fetters of death; may Varuna king of waters grant that this woman should never bemoan a calamity befallen her children.

[1]As these prayers have somethig in them characteristic, they had better here be presented: 1. "I obviate by this full oblation all ill marks in the lines of thy hands, in thy eye-lashes, and in the spots of thy body. 2. I obviate by this full oblation all the ill marks in thy hair; and whatever is sinful in thy looking or in thy crying. 3. I obviate by this full oblation all that my be sinful in thy temper, in thy speaking, and in thy laughing. 4. I obviate by this full oblation all the ill marks in thy teeth, and in the dark intervals between them; in thy hands and in thy feet. 5. I obviate by this full oblation all the ill marks on thy thighs, on thy privy parts, on thy haunches, and on the lineaments of thy figure. 6. Whatever natural or accidental evil marks were on all thy limbs, I have obviated all such marks by these full oblations of clarified butter. May this oblation be efficacious."

[2]See a very full delineation of these funeral rites in Mr. Colebrooke's Second Essay on the Religious Ceremonies of the Hindus, Asiat. Res. vii. 239 to 264.

[3]Institutes of Menu. ch. iii. 122.

[1]Colebrooke on the Religions Ceremonies of the Hindus, Asiat. Res vii. 264 to 270.

[2]Ib. 270.

[1.]“Avoid,” says the Tantra, “the touch of the Chandala, and other abject classes. Whoever associates with them undoubtedly falls from his class; whoever bathes or drinks in wells or pools which they have caused to be made, must be purified by the five productions of kine.” Colebrooke on the Indian Classes, Asiat. Research. v. 53. From this outline of the classification and distribution of the people, as extracted from the books of the Hindus, some of the most intelligent of our British observers, appeal to the present practice of the people, which they affirm is much more conformable to the laws of human welfare, than the institutions described in the ancient books. Of this, the author is aware: so inconsistent with the laws of human welfare are the institutions described in the Hindu ancient books, that they never *could* have been observed with any accuracy; it is, at the same time, very evident, that the institutions described in the ancient books are the model upon which the present frame of Hindu society has been formed; and when we consider the powerful causes which have operated so long to draw, or rather to force, the Hindus from their inconvenient institutions and customs, the only source of wonder is, that the state of society which they now exhibit should hold so great a resemblance to that which is depicted in their books. The President de Goguet is of opinion, that a division of the people into tribes and hereditary professions similar to that of the Hindus existed in the ancient Assyrian empire, and that it prevailed from the highest antiquity over almost all Asia, (part I. book I. ch. i. art. 3; Herodot. lib. i. cap. 200; Strab. liv. xvi. p. 1082; Diod. lib. ii. p. 142.) Cecrops distributed into four tribes all the inhabitants of Attica. (Pollux, lib. viii. cap. 9. sect. 100; Diodorus Siculus, lib. ii. p. 33.) Theseus afterwards made them three, by uniting, as it should seem, the sacerdotal class with that of the nobles, or

magistrates. They consisted then of nobles and priests, labourers or husbandmen, and artificers; and there is no doubt that, like the Egyptians and Indians, they were hereditary. (Plutarch. Vit. Thes.) Aristotle expressly informs us, (Polit. lib. vii. cap. 10.) that in Crete the people were divided by the laws of Minos into classes after the manner of the Egyptians. We have most remarkable proof of a division, the same as that of the Hindus, anciently established among the Persians. In the Zendavesta, translated by Anquetil Duperron, is the following passage: Ormusd said, There are three measures [literally weights, that is, tests, rules] of conduct, four states, and five places of dignity.—The states are: that of the priest; that of the soldier; that of the husbandman, the source of riches; and that of the artizan or labourer." Zendavesta, i. 141. There are sufficient vestiges to prove an ancient establishment of the same sort among the Buddhists of Ceylon, and by consequence to infer it among the other Buddhists over so large a portion of Asia. See a Discourse of Mr. Joinville on the Religion and Manners of the People of Ceylon, Asiat. Research. vii. 430, et seq.

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## James Mill, ***The History of British India, vol. 2*** [1817]

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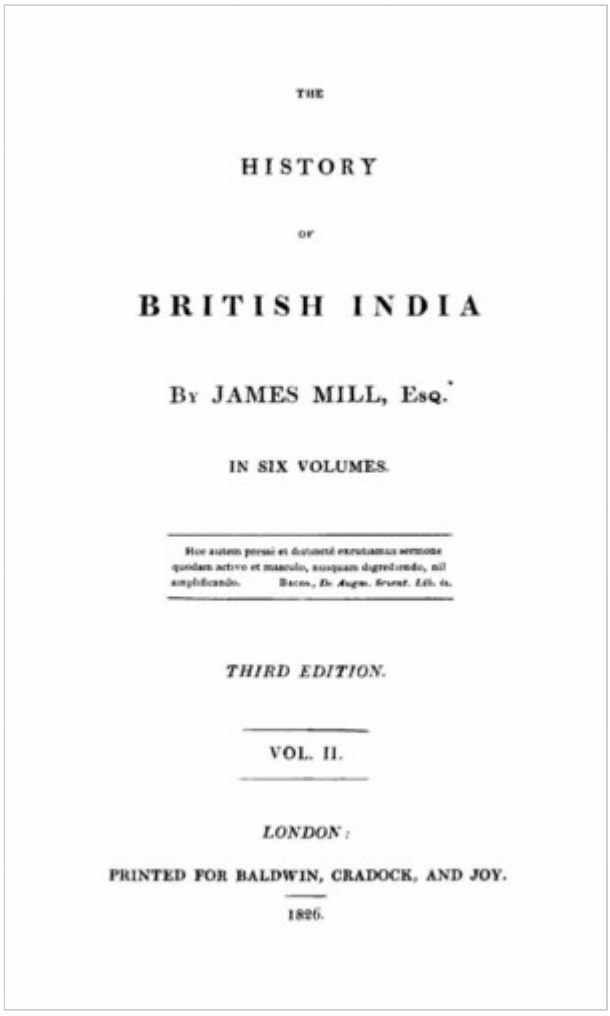

THE

HISTORY

OF

BRITISH INDIA

BY JAMES MILL, ESQ.

IN SIX VOLUMES.

Hoc autem pressè et distinctè excutiamus sermone quodam activo et masculo, nusquam digrediendo, nil amplificando. Bacon, *De Augm. Scient. Lib.* ii.

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James Mill's *History* is a work of Benthamite "philosophical history" from which the reader is supposed to draw lessons about human nature, reason and religion, and the deleterious impact of commercial monopolies like the East India Company.

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# HISTORY Of BRITISH INDIA.

## BOOK II.—OF THE HINDUS.

## CHAP. VIII

The Arts.

We come now to the arts, necessary or ornamental, known to the Hindus. As the pleasures, to which the arts are subservient, form one of the grounds of preference between the rude and civilized condition of man, the improvement of the arts may be taken as one of the surest indications of the progress of society.

BOOK II. Chap. 8

Of the Hindus, it may, first of all, be observed, that they little courted the pleasures derived from the arts, whatever skill they had attained in them. The houses, even of the great, were mean, and almost destitute of furniture;1 their food was simple and common; and their dress had no distinction (which concerns the present purpose) beyond certain degrees of fineness in the texture.

BOOK II. Chap. 8.

If we desire to ascertain the arts which man would first practise, in his progress upwards from the lowest barbarism, we must inquire what are the most urgent of his wants. Unless the spontaneous productions of the soil supplied him with food, the means of ensnaring, or killing the animals fit for his use, by clubs or stones, and afterwards by his bow and arrows, would first engage his attention. How to shelter himself from the inclemency of the weather would be his second consideration; and where cavities of the earth or hollow trees supplied not his wants, the rude construction of a hut would be one of his earliest operations. A covering for his person would probably be the next of the accommodations which his feelings prompt him to provide. At first he contents himself with the skin of an animal; but it is surprising at how early a period he becomes acquainted with the means of fabricating cloth.1 Weaving, therefore, and architecture, are among the first of the complicated arts which are practised among barbarians; and experience proves that they may be carried, at a very early period of society, to a high state of perfection. It has been remarked, too, that one of the earliest propensities which springs up in the breast of a savage is a love of ornaments, of glittering trinkets, of bits of shining metals, or coloured stones, with which to decorate his person. The art, accordingly, of fetching out the brilliancy of the precious stones and metals, and fashioning them into ornaments for the person; the art, in fine, of jewellery, appears at an early period in the progress of a rude people.

BOOK II.Chap. 8.

These three, architecture, weaving, and jewellery, are the only arts for which the Hindus have been celebrated; and even these, with the exception of weaving, remained in a low state of improvement.

In a few places in Hindustan are found the remains of ancient buildings, which have attracted the attention of Europeans; and have, where there existed a predisposition to wonder and admire, been regarded as proofs of a high civilization. “The entry,” says Dr. Robertson, “to the Pagoda of Chillambrum, is by a stately gate under a pyramid 122 feet in height, built with large stones above forty feet long, and more than five feet square, and all covered with plates of copper, adorned with an immense variety of figures neatly executed. The whole structure extends 1332 feet in one direction, and 936 in another. Some of the ornamental parts are finished with an elegance entitled to the admiration of the most ingenious artists.”1 The only article of precise information which we obtain from this passage is the great size of the building. As for the vague terms of general eulogy, bestowed upon the ornaments, they are almost entirely without significance—the loose and exaggerated expressions, at second hand, of the surprise of the early travellers at meeting with an object, which they were not prepared to expect. Another structure still more remarkable than that of Chillambrum, the Pagoda of Seringham, situated in an island of the river Cavery, is thus described by Mr. Orme. “It is composed of seven square inclosures, one within the other, the walls of which are twenty-five feet high, and four thick. These inclosures are 350 feet distant from one another, and each has four large gates with a high tower; which are placed, one in the middle of each side of the inclosure, and opposite to the four cardinal points. The outward wall is near four miles in circumference, and its gateway to the south is ornamented with pillars, several of which are single stones thirty-three feet long, and nearly five in diameter; and those which form the roof are still larger; in the inmost inclosures are the chapels.”1. In this nothing is described as worthy of regard except the magnitude of the dimensions.



The cave of Elephanta, not far from Bombay, is another work which, from its magnitude, has given birth to the supposition of high civilization among the Hindus. It is a cavity in the side of a mountain, about half way between its base and summit, of the space of nearly 120 feet square. Pieces of the rock, as is usual in mining, have been left at certain distances supporting the superincumbent matter; and the sight of the whole upon the entrance, is grand and striking. It had been applied at an early period to religious purposes, when the pillars were probably fashioned into the sort of regular form they now present, and the figures, with which great part of the inside is covered, were sculptured on the stone.2

Antecedently to the dawn of taste, it is by magnitude alone that, in building, nations can exhibit magnificence, and it is almost uniformly in honour of the gods, that this species of grandeur is first attempted. Experience alone could have made us comprehend, at how low a stage in the progress of the arts, surprising structures can be erected. The Mexicans were even ignorant of iron. They were unacquainted with the use of scaffolds and cranes. They had no beasts of burden. They were without sledges and carts. They were under the

necessity of breaking their stones with flints, and polished them by rubbing one against another. Yet they accomplished works, which, in magnitude and symmetry, vie with any thing of which Hindustan has to boast. “The great temple,” says Clavigero, “occupied the centre of the city. Within the enclosure of the wall, which encompassed it in a square form, the conqueror Cortez affirms that a town of 500 houses might have stood. The wall, built of stone and lime, was very thick, eight feet high, crowned with battlements, in the form of niches, and ornamented with many stone figures in the shape of serpents. It had four gates to the four cardinal points. Over each of the four gates was an arsenal, filled with a vast quantity of offensive and defensive weapons, where the troops went, when it was necessary, to be supplied with arms. The space within the walls was curiously paved with such smooth and polished stones that the horses of the Spaniards could not move upon them without slipping and tumbling down. In the middle was raised an immense solid building of greater length than breadth, covered with square equal pieces of pavement. The building consisted of five bodies, nearly equal in height, but different in length and breadth; the highest being narrowest. The first
body, or basis of the building, was more than fifty perches long from east to west, and about forty-three in breadth from north to south. The second body was about a perch less in length and breadth than the first; and the rest in proportion. The stairs, which were upon the south side, were made of large well-formed stones, and consisted of 114 steps, each a foot high. Upon the fifth body (the top) was a plain, which we shall call the upper area, which was about forty-three perches long, and thirty-four broad, and was as well paved as the great area below. At the eastern extremity of this plain were raised two towers to the height of fifty-six feet. These were properly the sanctuaries, where, upon an altar of stone five feet high, were placed the tutelary idols.”[1] The Tlascalans, as a rampart against the Mexican troops, erected a wall, “six miles in length, between two mountains; eight feet in height, besides the breast-work; and eighteen feet in thickness.”[2]



Garcilasso de la Vega informs us, that “the Incas, who were kings of Peru, erected many wonderful and stately edifices; their castles, temples, and royal palaces,” says he, “their gardens, store-houses, and other fabrics, were buildings of great magnificence, as is apparent by the ruins of them. The work of greatest ostentation, and which evidences most the power and majesty of the Incas, was the fortress of Cozco, whose greatness is incredible to any who have not seen it, and such as have viewed it with great attention cannot but admire it, and believe that such a work was raised by enchantment, or the help of spirits, being that which surpasses the art and power of man. For the stones are so many and so great which are laid in the three first rounds, being rather rocks than stones,
as passes all understanding, how, and in what manner, they were hewn from the quarry, or brought from thence, for they had no instruments of iron or steel, wherewith to cut or fashion them: nor less wonderful is it to think, how they could be carried to the building; for they had neither carts nor oxen to draw them with; and if they had, the weight was so vast as no cart could bear, or oxen draw; then to think that they drew them with great ropes, over hills and dales, and difficult ways, by the mere force of men’s arms, is alike incredible; for many of them were brought ten, twelve, and fifteen leagues off.—But to proceed further in our imagination of this matter, and consider how it was possible for the people to fit and join such vast machines of

BOOK II. Chap. 8.

stones together, and cement them so close, that the point of a knife can scarce pass between them, is a thing above all admiration, and some of them are so artificially joined, that the crevices are scarce discernible between them: Then to consider that to square and fit these stones one to the other, they were to be raised and lifted up and removed often, until they were brought to their just size and proportion; but how this was done by men who had no use of the rule and square, nor knew how to make cranes or pulleys, and cramps, and other engines, to raise and lower them as they had occasion, is beyond imagination."[1]



Whatever allowance any preconceptions of the reader may lead him to make for exaggeration, which we may believe to be considerable, in the above descriptions, enough undoubtedly appears to prove, that no high attainments, in civilization and the arts, are implied in the accomplishment of very arduous and surprising works in architecture; and it will be allowed that such comparisons between the attainments of different nations, are the only means of forming a precise judgment of the indications of civilization which they present. The Gothic cathedrals reared in modern Europe, which remain among the most stupendous monuments of architecture in that quarter of the globe, were constructed, many of them at least, at comparatively a very low stage of civilization and science. To allude to Nineveh and Babylon, is to bring to the recollection of the historical reader, the celebrated works of architecture, in temples, walls, palaces, bridges, which distinguished those ancient cities. Yet it is demonstrated, that no high degree of improvement was attained by the people that erected them. The pyramids of Egypt, vast as their dimensions, and surprising their durability, afford intrinsic evidence of the rudeness of the period at which they were reared.[1] According to



Strabo, the sepulchre of Belus, at Babylon, was a pyramid of one stadium in height. It appears to have been built of different bodies, or stages, one rising above another, exactly in the manner of the great temple at Mexico. A tower, says Herodotus, a stadium both in length and breadth, is reared at the base; and upon this is erected another tower, and again another upon that, to the number of eight towers in all.[1]

Sonnerat informs us, "that the architecture of the Hindus is very rude; and their structures in honour of their deities are venerable only from their magnitude."[2] "Mail-cotay," says Dr. Buchanan, "is one of the most celebrated places of Hindu worship, both as having been honoured with the actual presence of an avatara, or incarnation of Vishnu, who founded one of the temples; and also as being one of the principal seats of the Sri Vaishnavam Brahmans, and



having possessed very large revenues. The large temple is a square building of great dimensions, and entirely surrounded by a colonade; but it is a mean piece of architecture, at least outwardly. The columns are very rude, and only about six feet high. Above the entablature, in place of a balustrade, is a clumsy mass of brick and plaster, much higher than the columns, and excavated with numerous niches, in which are huddled together many thousand images, composed of the same materials, and most rudely formed. The temple itself is alleged to be of wonderful antiquity, and to have been not only built by a god, but to be dedicated to Krishna on the very spot where that avatara performed some of his

great works."[1] Of the celebrated pagodas at Congeveram, the same author remarks, that "they are great stone buildings, very clumsily executed, both in their joinings and carvings, and totally devoid of elegance or grandeur, although they are wonderfully crowded with what are meant as ornaments."[2]

BOOK II. Chap. 8.

Wonderful monuments of the architecture of rude nations are almost every where to be found. Mr. Bryant, speaking of the first rude inhabitants of Sicily, the *Cyclopes*, who were also called Lestrygons and Lamii, says, "They erected many temples, and likewise high towers upon the sea-coast; and founded many cities. The ruins of some of them are still extant; and have been taken notice of by Fazellus, who speaks of them as exhibiting a most magnificent appearance. They consist of stones which are of great size. Fazellus, speaking of the bay, near Segesta, and of an hill which overlooked the bay, mentions wonderful ruins upon its summit, and gives an ample description of their extent and appearance."[1] The old traveller, Knox, after describing the passion of the Ceylonese, for constructing temples and monuments, of enormous magnitude, in honour of their gods, drily adds; "As if they had been born solely to hew rocks and great stones, and lay them up in heaps:"[2] the unsophisticated decision of a sound understanding, on operations which the affectation of taste, and antiquarian credulity, have magnified into proofs of the highest civilization.

BOOK II. Chap. 8.

Of one very necessary and important part of architecture, the Hindus were entirely ignorant. They knew not the construction of arches, till they first learned it from their Moslem conquerors. In the description of the superb temple at Seringham, we have already seen[1] that no better expedient was known than great flat stones for the roof. "On the south branch of the river" Cavery, at Seringapatam, says Dr. Buchanan, "a bridge has been erected, which serves also as an aqueduct, to convey from the upper part of the river a large canal of water into the town and island. The rudeness of this bridge will show the small progress that the arts have made in Mysore. Square pillars of granite are cut from the rock, of a sufficient height to rise above the water at the highest floods. These are placed upright in rows, as long as the intended width of the bridge, and distant about ten feet from each other. They are secured at the bottom by being let into the solid rock, and their tops being cut to a level, a long stone is laid upon each row. Above these longitudinal stones, others are placed contiguous to each other, and stretching from row to row, in the direction of the length of the bridge."[2] The celebrated bridge over the Euphrates, at Babylon, was constructed on similar principles, and the president Goguet remarks, "that the Babylonians were not the only people who were ignorant of the art of turning an arch. This secret," he adds, "as far as I can find, was unknown to all the people of remote antiquity."[1] Though the ancient inhabitants, however, of Persia, were ignorant of this useful and ingenious art, the modern Persians are admirably skilled in it: the roofs of the houses are almost all vaulted; and the builders are peculiarly dexterous in constructing them.[2]

BOOK II. Chap. 8.

BOOK II. Chap. 8.

Of the exquisite degree of perfection to which the Hindus have carried the productions of the loom, it would be idle to offer any description; as there are few objects with which the inhabitants of Europe are better acquainted. Whatever may

have been the attainments, in this art, of other nations of antiquity, the Egyptians, for example, whose fine linen was so eminently prized, the manufacture of no modern nation can, in delicacy and fineness, vie with the textures of Hindustan. It is observed at the same time, by intelligent travellers, that this is the only art which the original inhabitants of that country have carried to any considerable degree of perfection.[1]



To the skill of the Hindus, in this art, several causes contributed. It is one of the first to which the necessities of man conduct him;[2] it is one of those which experience proves to arrive early at high perfection; and it is an art to which the circumstances of the Hindu were in a singular manner adapted. His climate and soil conspired to furnish him with the most exquisite material for his art, the finest cotton which the earth produces. It is a sedentary occupation, and thus in harmony with his predominant inclination. It requires patience, of which he has an inexhaustible fund; it requires little bodily exertion, of which he is always exceedingly sparing; and the finer the production, the more slender the force which he is called upon to apply. But this is not all. The weak and delicate frame of the Hindu is accompanied with an acuteness of external sense, particularly of touch, which is altogether unrivalled, and the flexibility of his fingers is equally remarkable. The hand of the Hindu, therefore, constitutes an organ, adapted to the finer operations of the loom in a degree, which is almost, or altogether, peculiar to himself.[1]



Yet the Hindus possessed not this single art in so great a degree of perfection, compared with rude nations, as, even on that ground, to lay a foundation for very high pretensions. “In Mexico,” says Clavigero, “manufactures of various kinds of cloth were common every where; it was one of those arts which almost every person learned. Of cotton they made large webs, and as delicate and fine as those of Holland, which were with much reason highly esteemed in Europe. A few years after the conquest, a sacerdotal habit of the Mexicans was brought to Rome, which, as Boturini affirms, was uncommonly admired on account of its fineness. They wove these cloths with different figures and colours, representing different animals and flowers.”[2] When the Goths first broke into the Roman empire they possessed fringed carpets and linen garments of so fine a quality as greatly surprised the Greeks and Romans, and have been thought worthy of minute description by Eunapius and Zosimus.[1] “Pliny, speaking of a carpet for covering such beds as the ancients made use of at table, says, that this piece of furniture, which was produced from the looms of Babylon, amounted to eighty-one thousand sestertia.”[2] This proves the fineness to which that species of manufacture was then wrought, and the excellence which the Babylonians, who yet could not construct an arch, had attained in the art. The Asiatic nations seem to have excelled, from the earliest ages, in the manufactures of the loom. It is by Pliny recorded, as the opinion of his age and nation, that of the art of weaving cotton Semiramis is to be revered as the inventress. The city Arachne, celebrated by the Greeks and Romans, as the place where weaving was first invented, and where it was carried to the highest perfection, is represented by Mr. Bryant as the same with Erech or Barsippa, and situated on the Euphrates, in the territory of Babylon.[1] One of the accomplishments of the goddess of wisdom herself,

(so early was the date) was her unrivalled excellence in the art of weaving; and Arachne, according to the poets, was a virgin, who, daring to vie with Minerva in her favourite art, was changed into a spider for her presumption.[1]



That ingenuity is in its infancy among the Hindus, is shewn by the rudeness still observable in the instruments of this their favourite art. The Hindu loom with all its appurtenances, is coarse and ill-fashioned, to a degree hardly less surprising than the fineness of the commodity which it is the instrument of producing. It consists of little else than a few sticks or pieces of wood, nearly in the state in which nature produced them, connected together by the rudest contrivances. There is not so much as an expedient for rolling up the warp. It is stretched out at the full length of the web; which makes the house of the weaver insufficient to contain him. He is therefore obliged to work continually in the open air; and every return of inclement weather interrupts him.[2]

Among the arts of the Hindus, that of printing and dyeing their cloths has been celebrated; and the beauty and brilliancy, as well as durability, of the colours they produce, is worthy of particular praise. This has never been supposed to be one of the circumstances on which any certain inference with regard to civilization could be founded. It has been generally allowed that a great, if not the greatest part of the excellence which appears in the colours of the Hindu cloths, is owing to the superior quality of the colouring matters, with which their happy climate and soil supply them.[1] Add to this that dyeing is an early art. "It must have made," says Goguet, "a very rapid progress in the earliest times in some countries. Moses speaks of stuffs dyed sky-blue, purple, and double-scarlet; he also speaks of the skins of sheep dyed orange and violet."[2] The purple, so highly admired by the ancients, they represented as the invention of Hercules, thus tracing back its origin even to the fabulous times. In durability it appears not that any thing could surpass the colours of the ancients. "We never," says Goguet, "find them complain that the colour of their stuffs was subject to alter or change. Plutarch tells us, in the life of Alexander, that the conqueror found among the treasures of the kings of Persia, a prodigious quantity of purple stuffs, which, for one hundred and eighty years which they had been kept, preserved all their lustre, and all their primitive freshness. We find in Herodotus, that certain people, on the borders of the Caspian Sea, imprinted on their stuffs designs, either of animals or flowers, whose colour never changed, and lasted as long even as the wool of which their cloaths were made."[3]



We shall next consider the progress of the Hindus in agriculture, which, though the most important of all the useful arts, is not the first invented, nor the first which arrives at perfection. It is allowed on all hands that the agriculture of Hindustan is rude; but the progress of agriculture depends so much upon the laws relating to landed property, that the state of this art may continue very low, in a country where other arts are carried to a high degree of perfection.

A Hindu field, in the highest state of cultivation, is described to be only so far changed by the plough, as to afford a scanty supply of mould for covering the seed; while the useless and hurtful vegetation is so far from being eradicated, that, where burning precedes not, which for a short time smooths the surface, the grasses and shrubs, which have bid defiance to the plough, cover a large proportion of the surface.



Nothing can exceed the rudeness and inefficiency of the Hindu implements of agriculture. The plough consists of a few pieces of wood, put together with less adaptation to the end in view, than has been elsewhere found among some of the rudest nations. It has no contrivance for turning over the mould; and the share, having neither width nor depth, is incapable of stirring the soil. The operation of ploughing is described by the expressive term *scratching*. Several ploughs follow one another, all to deepen the same furrow; a second ploughing of the same sort is performed across the first; and very often a third, and a fourth, in different directions, before so much as an appearance of mould is obtained for the seed.1

The instrument employed as a harrow is described as literally a branch of a tree; in some places as a log of wood, performing the office partly of a roller, partly of a harrow; and in others as a thing resembling a ladder of about eighteen feet in length, drawn by four bullocks, and guided by two men, who stand upon the instrument to increase its weight.2 The hackery, which answers the purpose of cart or waggon, is a vehicle with two wheels, which are not three feet in diameter, and are not unfrequently solid pieces of wood, with only a hole in the middle for the axle tree. The body of the machine is composed of two bamboos, meeting together at an angle between the necks of the two bullocks, by which the vehicle is drawn, and united by a few crossing bars of the same useful material. It is supported at the angle by a bar which passes over the necks of the two animals; and cruelly galls them. To lessen the friction between



the wheel and axis, and save either his wretched cattle, or his own ears, the simple expedient of greasing his wheels, never suggested itself to the mind of a ryot of Hindustan.1 Even this wretched vehicle can seldom be employed for the purposes of husbandry, from the almost total want of roads. It is in back loads that the carriage of almost all the commodities of the country is performed; and in many places the manure is conveyed to the fields in baskets on the backs of the women.2

Every thing which savours of ingenuity; even the most natural results of common observation and good sense, are foreign to the agriculture of the Hindus. The advantages arising from the observation of the fittest season for sowing are almost entirely neglected. No attention was ever paid in Hindustan to the varieties of the grains; so as to select the best seed, or that fittest for particular situations. For restoring



fruitfulness to a field that is exhausted, no other expedient is known, than suspending its cultivation; when the weeds, with which it is always plentifully stored, usurp undivided dominion. Any such refinement as a fallow, or a rotation of crops, is far beyond the reach of a Hindu. The most irrational practice that ever found existence in the agriculture of any nation, is general

in India, that of sowing various species of seeds, mustard, flax, barley, wheat, millet, maize, and many others, which ripen at different intervals, all indiscriminately on the same spot. As soon as the earliest of the crops is mature, the reapers are sent into the field, who pick out the stalks of the plant which is ripe, and tread down the rest with their feet. This operation is repeated as each part of the product arrives at maturity, till the whole is separated from the ground.

Though, during the dry season, there is an almost total failure of vegetables for the support of cattle; of which every year many are lost by famine, and the remainder reduced to the most deplorable state of emaciation and weakness; none but the most imperfect means were ever imagined by the Hindu of saving part of the produce of the prolific season, to supply the wants of the barren one. Hay is a commodity which it would not always be convenient to make; but various kinds of pulse and millet might be produced at all seasons, and would afford the most important relief to the cattle when the pasture grounds are bare. The horses themselves are often preserved alive by the grooms picking up the roots of the grass with a knife from the ditches and tanks.1

The only circumstance to captivate the fancy of those Europeans, who were on the look-out for subjects of praise, was the contrivance for irrigation. Reservoirs or excavations, known in India by the name of tanks, were so contrived as to collect a large body of water in the rainy season, whence it was drawn off in the season of drought for the refreshment of the fields. These tanks appear to have been at all times a principal concern of the government; and when it is considered that almost the whole revenue of the sovereign depended in each year upon the produce of the soil, and that the decay of the tanks ensured the decay of revenue, it is no wonder that of such care and wisdom as the government any where displayed, a large portion should appear to have been bestowed upon the tanks. In certain places much care and labour have been employed. But those authors were strangely mistaken who looked upon this as a proof of refined agriculture and great civilization. It is only in a small number of instances, where the whole power of an extensive government, and that almost always Mahomedan, had been applied to the works of irrigation, that they are found on a considerable scale, or in any but the rudest state. In a country in which, without artificial watering, the crops would always be lost, the ingenuity of sinking a hole in the ground, to reserve a supply of water, need not be considered as great.1



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To separate the grain from the straw, the ancient method of treading with oxen has, in Hindustan, given way to no improvement; and for the most part the corn is still ground in handmills by the women.1

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Of the arts which at an early stage of society acquire the greatest excellence, one, as we have already observed, is that of preparing brilliant trinkets for the ornament of the person. The Hindus cut the precious stones, polish them to a high degree of brilliancy, and set them neatly in gold and silver. It remains to be ascertained how much of civilization this faculty implies. So early as the time of Moses, the art of forming jewels had attained great perfection

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among the Jews. In the ephod of Aaron, and in the breast-plate of judgment, were precious stones set in gold, with the names of the twelve tribes engraved on them. The account of these jewels in the book of Exodus, suggests ideas of considerable magnificence.1 Clavigero informs us, that the ancient Mexicans "set gems in gold and silver, and made most curious jewellery of great value. In short," says that author, "these sorts of works were so admirably finished, that even the Spanish soldiers all stung as they were with the same wretched thirst for gold, valued the workmanship above the materials."2

When Europeans have compared the extreme imperfection
, the scantiness and rudeness of the tools by which the Hindu
artist performs his task, with the neatness and in some cases the
celerity of the execution, they have frequently drawn an inference, the very reverse of that which the circumstances implied. This sort of faculty is no mark of high civilization. A dexterity in the use of its own imperfect tools is a common attribute of a rude society.



Acosta, speaking of some remarkable instances of this species of talent in the natives of Mexico and Peru, says, "Hereby we may judge, if they have any understanding, or be brutish; for my part, I think they pass us in those things whereunto they apply themselves."1 Mr. Forster himself, whose admiration was excited by the dexterity of the Hindus, affords an instance in the rude person of a Russian peasant, which might have suggested to him an appropriate conclusion. "At the distance," says he, "of a few miles from Choperskoy, the driver of the carriage alarmed me by a report of the hinder axle being shattered; an accident which gave me an opportunity
of observing the dexterity of a Russian carpenter in the use of the
axe. Without the help of any other tool, except a narrow chisel,
to cut a space in the centre of it for receiving an iron bar which supports the axle, and to pierce holes for the linch pins, he reduced in two hours a piece of gross timber to the requisite form, and his charge was one shilling."1



But while dexterity in the use of imperfect tools is not a proof of civilization; a great want of ingenuity and completeness in instruments and machinery is a strong indication of the reverse; nor would it
be easy to point out any single circumstance, which may be taken
as a better index of the degree in which the benefits of
civilization are any where enjoyed than the state of the tools and machinery of the artists. All European visitors have been vehemently struck with the rudeness of the tools, and machinery used by the people of Hindustan.1 Sonnerat, one of those travellers who have surveyed the state of the arts in that country, with the greatest attention and the most enlightened eyes, informs us, that with his hands, and two or three tools, the Hindu artisan has to perform that kind of task about which with us a hundred tools would be employed.2 "When the rudeness of the tools," says Mr. Forster, "with the simplicity of the process, is examined, the degree of delicacy which the artizans have acquired in their several professions must challenge a high admiration."3 Fryer, speaking of the mode in which coral is cut, says, "The tools of the workmen were more to be wondered at than his art; his hands and feet

being all the vice, and the other tools unshapen bits of iron."[1]



In the mode in which the Hindu artisans, of almost all descriptions, performed their work, is observed a circumstance, generally found among a rude people, and no where else. The carpenter, the blacksmith, the brazier, even the goldsmith and jeweller, not to speak of others, produce not their manufacture, as in a refined state of the arts, in houses and workshops of their own, where the accommodations requisite for them can best be combined: they repair for each job, with their little budget of tools, to the house of the man who employs them, and there perform the service for which they are called.[2]

With regard to the fine arts, a short sketch will suffice. Hardly by any panegyrist is it pretended that the sculpture, the painting, the music of the Hindus are in a state beyond that in which they appear in early stages of society. The merely mechanical part, that for which the principal requisites are time and patience, the natural produce of rude ages when labour is of little value, is often executed with great neatness; and surprises by the idea of the difficulty overcome. In the province of genius and taste, nothing but indications of rudeness appear. The productions are not merely void of attraction: they are unnatural, offensive, and not unfrequently disgusting. "The Hindus of this day," says Mr. Foster, "have a slender knowledge of the rules of proportion, and none of perspective. They are just imitators, and correct workmen, but they possess merely the glimmerings of genius."[1] "The style and taste of the Indians," says Paulini, "are indeed extremely wretched; but they possess a wonderful aptitude for imitating the arts and inventions of the Europeans, as soon as the method has been pointed out to them."[2] Major Rennel himself informs us, that the imitative or fine arts were not carried to the height even of the Egyptians, much less of the Greeks and Romans, by the Hindus; that like the Chinese they made great progress in some of the useful arts, but scarcely any in those of taste.[3]



"In India," says Sonnerat, "as well as among all the people of the East, the arts have made little or no progress. All the statues we see in their temples are badly designed and worse executed."[4] We have the testimony of Mr. Hodges, which to this point at least is a high testimony, that the sculpture in the pagodas of Hindustan is all very rude.[1] In the description of a temple of Siva, at Hullybedu in Mysore, Dr. Buchanan says, "Its walls contain a very ample delineation of Hindu mythology; which, in the representation of human or animal forms, is as destitute of elegance as usual; but some of the foliages possess great neatness. It much exceeds any Hindu building that I have seen elsewhere."[2]



Whatever exaggeration we may suppose in the accounts which the historians of Mexico and Peru have given us of the works of sculpture in the new world, the description of them will not permit us to conclude that they were many degrees inferior to the productions of Hindustan. Clavigero says, "The Mexicans were more successful in sculpture than in painting. They learned to express in their statues all the attitudes and postures of which the human body is capable; they observed the proportions exactly; and could, when necessary, execute the most delicate and minute

strokes with the chisel. The works which they executed by casting of metals were in still more esteem. The miracles they produced of this kind would not be credible, if, besides the testimony of those who saw them, curiosities in numbers of this nature, had not been sent from Mexico to Europe."[1]



The progress was similar, as we might presume, in the sister art of painting. The Hindus copy with great exactness, even from nature. By consequence they draw portraits, both of individuals and of groups, with a minute likeness; but peculiarly devoid of grace and expression. Their inability to exhibit the simplest creations of the fancy, is strongly expressed by Dr. Tennant, who says, "The laborious exactness with which they imitate every feather of a bird, or the smallest fibre on the leaf of a plant, renders them valuable assistants in drawing specimens of natural history; but farther than this they cannot advance one step. If your bird is to be placed on a rock, or upon the branch of a tree, the draughtsman is at a stand; the object is not before him; and his imagination can supply nothing."[2] In one remarkable circumstance their painting resembles that of all other nations who have made but a small progress in the arts. They are entirely without a knowledge of perspective, and by consequence of all those finer and nobler parts of the art of painting, which have perspective for their requisite basis.[1]



It is anomalous and somewhat surprising that the music of the Hindus should be so devoid of all excellence. As music is, in its origin, the imitation of the tones of passion; and is most naturally employed for the expression of passion, in rude ages, when the power of expressing it by articulate language is the most imperfect; simple melodies, and these often highly expressive and affecting, are natural to uncultivated tribes. It was in the earliest stage of civilization, that Orpheus is fabled to have possessed the power of working miracles by his lyre. Yet all Europeans, even those who are the most disposed to eulogize the attainments of the Hindus, unite in describing the music of that people, as unpleasing, and void both of expression and art. Dr. Tennant, who founds his testimony both on his own, and other people's observation, says: "If we are to judge merely from the number of instruments, and the frequency with which they apply them, the Hindoos might be regarded as considerable proficients in music, yet has the testimony of all strangers deemed it equally imperfect as the other arts. Their warlike instruments are rude, noisy, and inartificial: and in temples, those employed for the purposes of religion are managed apparently on the same principle; for, in their idea, the most pleasant and harmonious is that which make the loudest noise."[1] After a description of the extreme rudeness of the instruments of music of the people of Sumbhulpoor, Mr. Motte says, "the Rajah's band always put me in mind of a number of children coming from a country fair."[2]



As the talent of the Hindus for accurate imitation, both in the manual and in some of the refined arts, has excited much attention; and been sometimes regarded, as no mean proof of ingenuity and mental culture, it is necessary to remark, that there are few things by

which the rude state of society is more uniformly characterized. It is in reality the natural precursor of the age of invention; and disappears, or at least ceases to make a conspicuous figure, when the nobler faculty of creation comes into play. Garcilasso de la Vega, who quotes Blas Valera, in his support, tells us that the Peruvian Indians, "if they do but see a thing, will imitate it so exactly, without being taught, that they become better artists and mechanics than the Spaniards themselves."[1]

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Sir William Jones, in pompous terms, remarks: "The Hindus are said to have boasted of three inventions, all of which indeed are admirable; the method of instructing by apologues; the decimal scale; and the game of chess, on which they have some curious treatises."[1] As the game of chess is a species of art, the account of it seems to belong to this place; and as it has been rated high among the proofs of the supposed civilization of the Hindus, we must see what it really imports. Though there is no evidence that the Hindus invented the game, except their own pretensions, which as evidence are of very little value, it is by no means improbable. The invention of ingenious games is a feat most commonly displayed by nations in their rude condition. It is prior to the birth of industry, that men have the strongest need for games, to relieve them from the pain of idleness: at that period they are most addicted to gaming; bestow upon it the greatest portion of time; and most intensely fix upon it all their faculties. It is, in fact, the natural occupation and resource of a rude mind, whenever destitute of the motives to industry. The valuable and intelligent

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historian of Chili observes of a tribe, but a few removes from the savage state; "If what the celebrated Leibnitz asserts is true, that men have never discovered greater talents than in the invention of the different kinds of games, the Araucanians may justly claim the merit of not being in this respect inferior to other nations. Their games are very numerous, and for the most part very ingenious; they are divided into the sedentary and gymnastic. It is a curious fact, and worthy of notice, that among the first is the game of chess, which they call *comican*, and which has been known to them from time immemorial. The game of *quechu*, which they esteem highly, has a great affinity to that of backgammon, but instead of dice they make use of triangular pieces of bone marked with points, which they throw with a little hoop or circle, supported by two pegs."[1]

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Though the Hindus knew the art of making a species of rude glass, which was manufactured into trinkets and ornaments for the women, they had never possessed sufficient ingenuity to apply it to the many useful purposes to which it is so admirably adapted. In few climates is glass in windows more conducive to comfort than that of Hindustan; yet the Hindus had never learnt to afford this accommodation to themselves. Of its adaptation to optical purposes they were so ignorant, that they were astonished and confounded at the effects of a common spy-glass. They are unable to construct furnaces sufficiently powerful to melt either European glass, or cast iron.[1]

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In almost every manufacture, and certainly as a manufacturing people in general, the Hindus are inferior to the Chinese. Yet Sir William Jones says of that latter people; "Their mechanical arts have nothing in them characteristic of a particular family; nothing

which any set of men, in a country so highly favoured by nature, might not have discovered and improved."[1] The partialities, which it was so much his nature to feel, prevented him from perceiving how much less entitled to any kind of admiration were the arts of another people, whom he had adopted it as a business to eulogize.

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# CHAP. IX.

Literature.

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AS the knowledge of what conduces to the augmentation of human enjoyment and the diminution of human misery, is the foundation of all improvement in the condition of human life; and as literature, if not synonymous with that knowledge, is its best friend and its inseparable companion, the literature of any people is one of the sources from which the surest inferences may be drawn with respect to their civilization.

The first literature is poetry. Poetry is the language of the passions, and men feel, before they speculate. The earliest poetry is the expression of the feelings, by which the minds of rude men are the most powerfully actuated. Before the invention of writing, men are directed also to the use of versification by the aid which it affords to the memory. As every thing of which the recollection is valuable must be handed down by tradition, whatever tends to make the tradition accurate is of corresponding importance. No contrivance to this end is comparable to verse; which preserves the ideas, by preserving the very words. In verse not only the few historical facts are preserved, to which the curiosity of a rude age attaches itself, but in verse are promulgated the maxims of religion, and the ordinances of law. Even after the noble art of writing is known, the habit of consigning to verse every idea, destined for permanency, continues, till certain
new steps are effected in the intellectual career.[1]

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At this first stage the literature of the Hindus has always remained. The habit of expressing every thing in verse; a habit which urgent necessity imposes upon a people unacquainted with the use of permanent signs, and which the power of custom upholds, till after a certain progress in improvement, even among those to whom permanent signs are known; we trace among the Hindus to the present day. All their compositions, with wonderfully few exceptions, are in verse. For history they have only certain narrative poems, which depart from all resemblance to truth and nature; and have evidently no farther connexion with fact than the use of certain names and a few remote allusions. Their laws, like those of rude nations in general, are in verse. Their sacred books, and even their books of science, are in verse; and what is more wonderful still, their very dictionaries.[2]

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There is scarcely any point connected with the state of Hindu society, on which the spirit of exaggeration and enthusiasm has more signally displayed itself than the poetry of the Hindus. Among those whose disposition was more to admire than explore, scarcely any poetry has been regarded as presenting higher claims to admiration. Among the Hindus there are two great poems, the Ramayan, and the Mahabarat, which are long narratives, or rather miscellanies, in verse, and which their admirers have been puzzled whether to denominate histories, or epic poems. By the Hindus themselves, they are moreover regarded as books of religion; nay farther, as books of law; and in the Digest which the Brahmens, under

the authority of the British government, have recently compiled, the text of these poems is inserted as text of the law, in the same manner as the text of any other legal authority and standard. They may even be regarded as books of philosophy; and accordingly the part of the Mahabarat, with the translation of which Mr. Wilkins has favoured us, he actually presents to his reader as one of the most instructive specimens of the philosophical speculations of the country.

It is incompatible with the present purpose to speak of these poems in more than general terms. They describe a series of actions in which a number of men and gods are jointly engaged. These fictions are not only more extravagant, and unnatural, less correspondent with the physical and moral laws of the universe, but are less ingenious, more monstrous,
and have less of any thing that can engage the affection, awaken sympathy, or excite admiration, reverence, or terror, than the poems of any other, even the rudest people with whom our knowledge of the globe has yet brought us acquainted.[1] They are excessively prolix and insipid. They are often, through long passages, trifling and childish to a degree, which those acquainted with only European poetry can hardly conceive. Of the style in which they are composed it is far from too much to say, that all the vices which characterise the style of rude nations, and particularly those of Asia, they exhibit in perfection. Inflation; metaphors perpetual, and these the most violent and strained, often the most unnatural and ridiculous; obscurity; tautology; repetition; verbosity; confusion; incoherence; distinguish the Mahabarat and Ramayan. That amid the numberless effusions, which a wild imagination throws forth, in its loose and thoughtless career, there should now and then be something which approaches the confines of reason and taste, is so far from surprising, that it would be truly surprising if there were not. A happy description, or here and there the vivid conception of a striking circumstance, are not sufficient; the exact observation of nature, and the symmetry of a whole, are necessary, to designate the poetry of a cultivated people.

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Of the poems in dialogue, or in the dramatic form, Sacontala has been selected as the most favourable specimen. The author, Calidas, though he left only two dramatic pieces, Sir William Jones denominates the Shakspeare of India, and tell us that he stands next in reputation to their great historic poets, Valmic and Vyasa.

Sacontala was the daughter of a pious king, named Causica, and of a goddess of the lower heaven; brought up by a devout hermit, as his daughter, in a consecrated grove. The sovereign of the district, on a hunting excursion, arrives by accident in the forest. He observes Sacontala, and her two companions, the daughters of the hermit, in the grove, with watering pots in their hands, watering their plants. Instantly he is captivated. He enters into conversation with the damsels, and the heart of Sacontala is secretly inflamed. The king dismisses his attendants, and resolves to remain in the forest. In a little time the quality of the lover is ascertained, while the secret agitation in the bosom of Sacontala throws her into a languor which resembles disease. The king overhears a conversation between her and her companions, in which, being closely interrogated, she confesses her love. The king immediately discovers himself,

and declares his passion. The two friends contrive to leave them together, and they consummate
"that kind of marriage which two lovers contract from the desire of amorous embraces." So precipitate a conclusion,

irreconcileable as it is with the notions of a refined people, is one of the numerous marriages legal among the Hindus. Presently, however, the king is summoned to his court. He promises to send for his wife in three days, and leaves a ring. In the mean time a Brahmen, of a proud and choleric temper, comes to the residence of the hermit, when his two daughters are at a little distance, and Sacontala has been overtaken with sleep. Finding no one to receive him with the expected honours, he utters an imprecation: "He on whom thou art meditating, on whom alone thy heart is now fixed, while thou neglectest a pure gem of devotion who demands hospitality, shall forget thee when thou seest him next, as a man restored to sobriety forgets the words which he uttered in a state of intoxication." This malediction, which falls upon Sacontala, is overheard by her companions, and fills them with horror. They hasten to appease the angry Brahmen; who tells them, his words cannot be recalled, but that the spell would be dissolved when the lord of Sacontala should look upon his ring. Her two friends agree to conceal the calamity from Sacontala, who now languishes at the neglect of her husband, and finds herself pregnant. The hermit Canna, who at the time of the visit of the king was absent from home, returns, and is, by a voice from heaven, made acquainted with the events which have intervened. Encouraged by good omens, he soothes Sacontala, and resolves to send her to her lord. Her friends instruct her, should he not immediately recognise her, to show him the ring. Arrived at the palace, she is disowned by the king; thinks of the ring, but
discovers it is lost. The king treats her, and the messengers who brought her, as impostors; and orders them into custody; but

while they are conveying her away, a body of light, descending in a female shape, receives her into its bosom, and disappears; upon which the king regards the whole as a piece of sorcery, and dismisses it from his thoughts. After a time, however, the ring is found, and conveyed to the king; when his wife, and all the connected circumstances, immediately rush upon his mind. He is then plunged into affliction; ignorant where Sacontala may be found. In this despondency, he is summoned by Indra, the god of the firmament, to aid him against a race of giants, whom Indra is unable to subdue. Having ascended to the celestial regions, and acquitted himself gloriously in the divine service, he is conveyed, in his descent to the earth, to the mountain Hemacuta, "where Casyapa, father of the immortals, and Aditi his consort, reside in blessed retirement." To this sacred spot had Sacontala, by her mother's influence, been conveyed; and there she had brought forth her son, a wonderful infant, whom his father found at play with a lion's whelp, and making the powerful animal feel the superiority of his strength. The king now recognizes his wife and his son, of whom the most remarkable things are portended; and perfect happiness succeeds.

There is surely nothing in the invention of this story, which is above the powers of the imagination, in an uncultivated age. With the scenery and the manners which the Hindu poet has perpetually present to his observation, and the mythology which perpetually reigns in his thoughts, the incidents are among the most obvious, and the most easy to be imagined, which it was possible for him to choose. Two persons of celestial beauty and accomplishments

meet together in a solitary place, and fall mutually in love: To the invention of this scene but little ingenuity can be supposed to be requisite. To create an interest in this love, it was necessary it should be crossed. Surely no contrivance for such a purpose was ever less entitled to admiration than the curse of a Brahmen. A ring with power to dissolve the charm, and that ring at the moment of necessity lost, are contrivances to bring about a great event, which not only display the rudeness of an ignorant age, but have been literally, or almost literally, repeated, innumerable times, in the fables of other uncultivated nations. To overcome the difficulties, which the interest of the plot rendered it necessary to raise, by carrying a man to heaven to conquer giants for a god, for whom the god was not a match, is an expedient which requires neither art nor invention; and which could never be endured, where judgment and taste have received any considerable cultivation.

The poem, indeed, has some beautiful passages. The courtship, between Sacontala and Dushmantu, is delicate and interesting; and the workings of the passion in two amiable minds are naturally and vividly pourtrayed. The friendship which exists between the three youthful maidens is tender and delightful; and the scene which takes place when Sacontala is about to leave the peaceful hermitage where she had happily spent her youth; her expressions of tenderness to her friends, her affectionate parting with the domestic animals she had tended, and even with the flowers and trees in which she had delighted, breathe more than pastoral sweetness. These, however, are precisely the ideas and affections, wherever the scene is a peaceful one, which may naturally arise



in the simplest state of society; as the fables of the golden age and of Arcadia abundantly testify: and in whatever constitutes the beauty of these scenes they are rivalled by the Song of Solomon, which is avowedly the production of a simple and unpolished age.[1] Beyond these few passages, there is nothing in Sacontala, which either accords with the understanding, or can gratify the fancy, of an instructed people.

Sir William Jones, who, on the subject of a supposed ancient state of high civilization, riches, and happiness among the Hindus, takes every thing for granted, not only without proof, but in opposition to almost every thing, saving the assumptions of the Brahmens, which could lead him to a different conclusion, says, “The dramatic species of entertainment must have been carried to great perfection, when Vicramaditya, who reigned in the first century before Christ, gave encouragement to poets, philologers, and mathematicians, at a time when the Britons were as unlettered and unpolished as the army of Hanumat.”[2] Sir William forgets that, more than a century before Christ, the Britons had their Druids; between whom and the Brahmens, in character, doctrines, and acquirements, a remarkable similarity has been traced.[3]

The mere existence, however, of dramatic entertainments



has been held forth, in the case of the Hindus, as proof of a high state of civilization; and Sir William Jones, whose imagination on the accomplishments of the orientals delighted to gild, thinks the representation of Sacontala must have been something pre-eminently glorious; as the scenery must have been striking; and “as there is good reason,” he says, “to believe, that the court at

Avanti was equal in brilliancy, in the reign of Vicramaditya, to that of any monarch in any age or country."[1] To how great a degree this latter supposition is erroneous, we shall presently see. In the mean time, it is proper to remark, that nations may be acquainted with dramatic entertainments, who have made but little progress in knowledge and civilization. In extent of dominion, power, and every thing on which the splendour of a court depends, it will not, probably, be alleged, that any Hindu sovereign ever surpassed the present emperors of China. The Chinese, too, are excessively fond of dramatic performances; and they excel in poetry as well as the Hindus; yet our British ambassador and his retinue found their dramatic representations very rude and dull entertainments.[2]



As poetry is the first cultivated of all the branches of literature, there is at least one remarkable instance, that of Homer, to prove, that in a rude state of society it may acquire extraordinary perfection. At a point of civilization lower than that which we ascribe to the Hindus, poetry has been produced more excellent than theirs. From the effects produced by the poetic declamations of the Druids, it is certain that they must have possessed the faculty of working powerfully on the imaginations and sympathies of their audience. The Celtic poetry, ascribed to Ossian, and other bards, which, whatever age, more recent or more remote, controversy may assign for its date, is, beyond a doubt, the production of a people whose ideas were extremely scanty, and their manners rude, surpasses in every point of excellence, the sterile extravagance of the Hindus. In so rude a state of society as that which existed in Denmark, Iceland, Sweden, at the time of our Anglo-Saxon monarchies, the number of poets, and the power of their compositions, were exceedingly
great.[1]



Even in that figurative and inflated style, which has been supposed a mark of oriental composition, and is, in reality, a mark only of a low stage of society, uniformly discovered in the language of a rude people, the poetry of the northern bards exhibits a resemblance
to that of the Hindus, the Persians, Arabians, and other eastern nations. "The style of these ancient poems," says Mallet, "is very enigmatical and figurative, very remote from common language; and for that reason, grand, but tumid; sublime, but obscure. If every thing should be expresssed by imagery, figures, hyperboles, and allegories, the Scandinavians may rank in the highest class of poets."[1] For these peculiarities, too, this author philosophically accounts. "The soaring flights of fancy, may possibly more peculiarly belong to a rude and uncultivated, than to a civilized people. The great objects of nature strike more forcibly on their imaginations. Their passions are not impaired by the constraint of laws and education.



The paucity of their ideas, and the barrenness of their language, oblige them to borrow from all nature images in which to clothe their conceptions."[1] The poetry of the Persians resembles that of the Arabians; both resemble that of the Hindus; both have been celebrated in still higher strains, and are entitled to more of our admiration. The Persians have their great historic poem, the *Shah Namu*, corresponding to the Mahabarat or Ramayan of the Hindus. It embraces a period of 3,700 years, and consists of 60,000 rhymed couplets. On this poem the most

lofty epithets of praise have been bestowed; and a part of it, embracing a period of 300 years, Sir William Jones selects as itself a whole; a poem truly epic, of which the merit hardly yields to that of the Iliad itself.2 We shall speak of it in the language of an oriental scholar, who has made the literature of Persia more peculiarly his study than Sir William Jones. The Shah Namu, says Mr. Scott Waring, "has probably been praised as much for its length as its intrinsic merit. When we allow it is unequalled in the East,



we must pause before we pronounce it to be equal, or to approach very nearly, to the divinest poem of the West. The stories in the Shah Namu," he says, "are intricate and perplexed, and as they have a relation to each other, they can only be understood by a knowledge of the whole. Episodes are interwoven in episodes; peace and war succeed each other; and centuries pass away without making any alteration in the conduct of the poem—the same prince continues to resist the Persian arms; the same hero leads them to glory—and the subterfuge of supposing two Afrasiabs or two Roostums, betrays, at least, the intricacy and confusion of the whole fable. The character of Nestor answered the most important ends, his eloquence and experience had a wonderful effect in soothing the contentions of a divided council; but the age of Zal or of Roostum answers no purpose, for they only share longevity in common with their fellow creatures." In many instances, he adds, "the poet is tedious and uninteresting. He is often too minute; and by making his description particular makes it ridiculous. An example of this may be given in his description of the son of Ukwan Deo; which instead of expressing his immense size by some bold figure, gives us his exact measure: *He was one hundred yards high and twenty broad*."1 With respect to the style of this as well as of other Persian poets, the same author informs us, that "the style of the most admired Persian authors is verbose and turgid; the mind is filled with words and epithets, and you probably meet with several quibbles and monstrous images before you arrive at one fact."2 And in another passage he says, "The Persian poets, in all their



similes or comparisons, fall infinitely below mediority."1

As soon as reason begins to have considerable influence in the direction of human affairs, no use of letters is deemed more important than that of preserving an accurate record of those events and actions by which the interests of the nation have been promoted or impaired. But the human mind must have a certain degree of culture, before the value of such a



memorial is perceived. The actions of his nation, or of his countrymen, which the rude and untutored barbarian is excited to remember, are those which he wonders at and admires; and they are remembered solely for the pleasure of those emotions. Exaggeration, therefore, is more fitted to his desires than exactness; and poetry than history. Swelled by fiction, and set off with the embellishments of fancy, the scene lays hold of his imagination, and kindles his passions. All rude nations, even those to whom the use of letters has long been familiar, neglect history, and are gratified with the productions of the mythologists and poets.

It is allowed on all hands that no historical composition existed in the literature of the Hindus; they had not reached that point of intellectual maturity, at which the value of

a record of the past for the guidance of the future begins to be understood. “The Hindus,” says that zealous and industrious Sanscrit scholar, Mr. Wilford, “have no ancient civil history.” Remarking a coincidence in this characteristic circumstance between them and another ancient people, he adds, “Nor had the Egyptians any work purely historical.”1 Major Rennel says, that, founded on Hindu materials, there is no known history of Hindustan, nor any record of the historical events of that country prior to the Mahomedan conquests;2 and since that period, it is not to Hindu, but Mahomedan pens that we are indebted for all our knowledge of the Mahomedan conquests, and of the events which preceded the passage to India, by the Cape of Good Hope.3 An inclination at first appeared among the warm admirers of Sanscrit to regard the poems
Mahabharat and Ramayan, as a sort of historical records. A more intimate acquaintance with those
grotesque productions has demonstrated the impossibility of reconciling them with the order of human affairs, and, as the only expedient to soften the deformities in which they abound, suggested a theory that they are allegorical.1



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The ancient Persians, who used the Pehlivi language, appear in this respect to have resembled the Hindus. “I never,” says Sir John Malcolm, “have been able to hear of the existence of any work in the ancient Pehlivi that could be deemed historical.”2

The modern Persians, in this, as in many other
respects, are found to have made some progress beyond the ancient Persians, and beyond the Hindus. The first step towards the attainment of perfect history is the production of prose compositions, expressly destined to exhibit a record of real transactions, but in which imagination prevails over exactness, and a series of transactions appears in which the lines of reality can but faintly be traced. With histories of this description the Persians abound; but “the Persians,” says Mr. Scott Waring, “do not make a study of history; consequently their histories abound with idle tales, and extravagant fables.”2 Another celebrated Persian scholar says; “The Persians, like other people, have assumed the privilege of romancing on the early periods of society. The first dynasty is, in consequence, embarrassed by fabling. Their most ancient princes are chiefly celebrated for their victories over the demons or genii called dives; and some have reigns assigned to them of eight hundred or a thousand years.”2 On the comparison of the Grecian and native histories of Persia, he says, “There seems to be nearly as much resemblance between the annals of England and Japan, as between the European and Asiatic relations of the same empire.” The names and numbers of the kings, as exhibited by the historians of the two countries, have no analogy. No mention in the Persian annals is made of the Great Cyrus, nor of any King of Persia, the events of whose reign can, by any construction, be tortured into a similitude with his. No trace is to be found of Crœsus, of Cambyses, or of his expedition against the Ethiopians; none of Smerdis Magus, or of
Darius Hystaspes: “not a vestige of the famous battles of Marathon, Thermopylæ, Salamis, Platæa, or Mycale, nor of the mighty expedition of Xerxes.”1

On the geography and chronology, as parts of the literature of the Hindus, I shall express myself in the language of Mr. Wilford. "The Hindus," says that celebrated Hindu scholar, "have no regular work on the subject of geography, or none at least that ever came to my knowledge.—I was under a necessity of extracting my materials from their historical poems, or, as they may be called more properly, their legendary tales." In another place he says, "The Hindu systems of geography, chronology, and history, are all equally monstrous and absurd. The circumference of the earth is said to be 500,000,000 yojanas, or 2,456,000,000 British miles: the mountains are asserted to be 100 yojanas, or 491 British miles high. Hence the mountains to the south of Benares are said, in the Puranas, to have kept the holy city in total darkness, till Matra-deva growing angry at their insolence, they humbled themselves to the ground, and their highest peak now is not more than 500 feet high. In Europe, similar notions once prevailed; for we are told that the Cimmerians were kept in continual darkness by the interposition of immensely high mountains. In the Calica Purana, it is said that the mountains have sunk considerably, so that the highest is not above one yojana, or five miles high.—When the Puranics speak of the kings of ancient times, they are equally extravagant. According to them, King Yudhishthir reigned 27,000 years; King Nanda is said to have possessed in his treasury above 1,584,000,000 pounds sterling in gold coin alone; the value of the silver and copper coin, and jewels, exceeded all calculation: and his army consisted of 100,000,000 men. These accounts, geographical, chronological, and historical, as absurd and inconsistent with reason, must be rejected. This monstrous system seems to derive its origin from the ancient period of 12,000 natural years, which was admitted by the Persians, the Etruscans, and, I believe, also by the Celtic tribes; for we read of a learned nation in Spain, which boasted of having written histories of above six thousand years."[1]



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It is an error to suppose, that for the origin of unprofitable speculations respecting the nature and properties of thought, great progress in civilization is required. The fears and hopes, the conceptions and speculations, respecting the Divine Nature, and respecting a future state of existence, lead to inquiries concerning the invisible operations of the mind. If we consult but history, we shall be led to conclude, that certain curious, and subtle, but idle questions, respecting the mental operations, are a mark, not of a cultivated, but a rude state of society. It was during an age of darkness and barbarity, that metaphysical speculations engaged so passionately the minds of the European doctors; and called forth examples of the greatest acuteness and subtlety. It was prior to the dawn of true philosophy, that the sophists, whose doctrine was a collection of ingenious quibbles on abstract questions, enjoyed their celebrity in Greece. Pythagoras flourished at a very early age; and yet there is a high degree of subtle ingenuity in the doctrines he is said to have taught. Amid the rudeness of the Celtic inhabitants of Gaul and Britain, the Druids carried, we know not how far, the refinements of metaphysical speculation. Strabo, as quoted by Dr. Henry,[1] says. "The Druids add the study of moral philosophy to that of physiology.[2] Ammianus Marcellinus informs us, that the inhabitants of Gaul, having been by degrees a little polished, the study of some branches of useful learning was introduced among them by the bards, the Eubates, and the Druids. The Eubates made

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researches into the order of things, and endeavoured to lay open the most hidden secrets of nature. The Druids were men of a still more sublime and penetrating spirit, and acquired the highest renown by their speculations, which were at once subtle and lofty."[3] The progress which the Arabians made in a semblance of abstract science has been highly celebrated. The following observations, borrowed from one of the most intelligent of the Europeans by whom they have been studied, will enable us to appreciate their metaphysical science. Of the Arabians, he says, even at the brightest period of their history, the Europeans, have been prone to form too favourable, indeed extravagant ideas.[4] Their best writers are the translators or copiers of the Greeks. The only study peculiar to them, a study which they continue to cultivate, is that of their own language. But by the study of language, among the Arabians, we must not understand that philosophical spirit of research, which in words investigates the history of ideas, in order to perfect the art by which they are communicated. The study is cultivated solely on account of its connexion with religion. As the word of God conveys the meaning of God, no conceivable nicety of investigation is ever too much to elicit that meaning in its divine purity. For this reason, it is of the highest moment to ascertain not only the exact signification of the words, but likewise the accents, inflections, signs, and pauses; in a word, all the most minute niceties of prosody and pronunciation; and it is impossible to conceive to what a degree of complication they have invented and refined on this subject, without having heard their declamations in the mosques. The grammar alone takes several years to acquire. Next is taught the nahou, which may be defined the science of terminations. These, which are foreign to the vulgar Arabic, are superadded to words, and vary according to the numbers, cases, genders, and person. After this, the student, now walking among the learned, is introduced to the study of eloquence. For this, years are required; because the doctors, mysterious like the Brahmens, impart their treasures only by degrees. At length arrives the time for the study of the law and the Fakah; or science peculiarly so called; by which they mean theology. If it be considered that the object of these studies is always the Koran; that it is necessary to be acquainted with all its mystical and allegorical meanings, to read all its commentaries and paraphrases, of which there are 200 volumes on the first verse; and to dispute on thousands of ridiculous cases of conscience; it cannot but be allowed that one may pass one's whole life in learning much and knowing nothing.[1] It is vain, as the same author still further remarks, to tell us of colleges, places of education, and books: These words, in the regions of which we are treating, convey not the same ideas as with us.[2] The Turks, though signal, even among rude nations, for their ignorance, are not without speculations of a similar nature, which by superficial observers have been taken for philosophy. "Certain it is," says Sir James Porter, "that there are among the Turks many philosophical minds. They have the whole systems of the Aristotelian and Epicurean philosophy translated into their own language."[3] "The metaphysical questions," says Gibbon, "on the attributes of God, and the liberty of man, have been agitated in the schools of Mahomedans, as well as in those of the Christians."[4] And Mr. Elphinstone informs us, that if the rude Afghaun is ever stimulated to any degree of literary activity, it is when pursuing the subtleties of metaphysical speculation.[1]


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These facts coincide with a curious law of human nature, which some eminent philosophers have already remarked. The highest abstractions are not the last result of mental culture, and intellectual strength; it is discovered, that some of our most general and comprehensive notions are formed at that very early period, when the mind, with little discriminating power, is apt to lump together things which have but few points of resemblance; and that we break down these genera into species more and more minute in proportion as our knowledge becomes more extensive, more particular, and precise. The propensity to abstract speculations is then the natural result of the state of the human mind in a rude and ignorant age.2



The Vedanti doctrine, which has caught the fancy of some of the admirers of Sanscrit, appears to be delivered *viva voce*, and solely in that mode. As no passage implying it has been quoted from any Sanscrit work, it might, if it were any refinement, be suspected of being wholly modern. The following is the account of it by Sir William Jones. "The fundamental tenet of the Vedanti school consisted, not in denying the existence of matter, that is, of solidity impenetrability, and extended figure, (to deny which would be lunacy) but in correcting the popular notion of it, and in contending that it has no essence independent of mental perception, that existence and perceptibility are convertible terms, that external appearances and sensations are illusory, and would vanish into nothing, if the divine energy, which alone sustains them, were suspended but for a moment; an opinion which Epicharmus and Plato seem to have adopted, and which has been maintained in the present century with great elegance, but with little public applause; partly because it has been misunderstood and partly because it has been misapplied by the false reasoning of some unpopular writers, who are said to have disbelieved in the moral attributes of God, whose omnipresence, wisdom, and goodness, are the basis of the Indian philosophy. I have not sufficient evidence on the subject to profess a belief in the doctrine of the Vedanta, which human reason alone could, perhaps, neither fully demonstrate, nor fully disprove; but it is manifest, that nothing can be further removed from impiety than a system wholly built on the purest devotion."1



"In some of these observations," Mr. Dugald Stewart very justly observes, "there is a good deal of indistinctness, and even of contradiction." He also remarks, that Sir William Jones totally misunderstands the doctrine of Berkeley and Hume.1 We may suspect that he not less widely mistakes the doctrine of the Brahmens, and fastens a theory of his own creation upon the vague and unmeaning jargon which they delivered to him. If in all minds the propensity be strong, and in weak minds irresistible, to *see* only through the medium of a theory; we need not wonder if theory manufactures the ideas of the other senses, of hearing, for example, after the same manner. "If the simplest narrative of the most illiterate observer involves more or less of hypothesis; and a village apothecary or a hackneyed nurse, is seldom able to describe the plainest case, without employing a phraseology of which every word is a theory,"2 we may conclude with certainty that the same intrusion is very difficult to avoid, in making up our own conception of what we hear, and still more in clothing it with our own language. Of the ideas which we profess to report, and which we believe that we merely report, it often happens that many are our own ideas, and never entered the mind of the man to whom we ascribe them.

We have a more distinct account of the same doctrine from Sir James Macintosh, whose mind is more philosophical, and on oriental subjects less prepossessed and less credulous, than that of Sir William Jones. Presenting, in a letter to Mr. Dugald Stewart, an account of a conversation with a young Brahmen, "He told me," says he, "that besides the myriads
of gods whom their creed admits, there was one whom they know by the name of Brim, or the great one, without form or limits, whom no created intellect could make any approach towards conceiving; that, in reality, there were no trees, no houses, no land, no sea, but all without was Maia, or illusion, the act of Brim; that whatever we saw or felt was only a dream; or, as he expressed it in his imperfect English, thinking in one's sleep; and that the reunion of the soul to Brim, from whom it originally sprung, was the awakening from the long sleep of finite existence."[1]



It will require few words, in application of the evidence adduced in the chapter on religion, to make it sufficiently appear, that this is a natural part of that language of adulation towards the deity, in which the Hindu theology mainly consists. One of the deities, who is chosen as the chief object of adoration, is first made to excel all the other deities; next to absorb all their powers; next to absorb even themselves; and lastly absorb all things.[2] The fancy of "Maia," is only a part of "the absorption of all things in God." There is nothing but God. All our supposed perception of things besides God is, therefore, only illusion; illusion created by God. Why, then, does God create such an illusion? This is a very necessary question. If it were put; and why it has not been put, we may a little admire; the Brahmens might very consistently reply, that as for a use, a design, a purpose, in the actions of their God, they never thought of ascribing to them any such quality. He pleases himself by his actions, and that is enough; no matter how fantastic the taste.
It is with great pleasure I quote the following co incidence with my own opinion, expressed in a subsequent passage of the same letter. "I intend to investigate a little the history of these opinions; for I am not altogether without apprehension, that we may all the while be mistaking the hyperbolical effusions of mystical piety, for the technical language of a philosophical system. Nothing is more usual, than for fervent devotion to dwell so long, and so warmly, on the meanness and worthlessness of created things, and on the all-sufficiency of the Supreme Being, that it slides insensibly from comparative to absolute language, and, in the eagerness of its zeal to magnify the Deity, seems to *annihilate* every thing else. To distinguish between the very different import of the same words in the mouth of a mystic and sceptic, requires more philosophical discrimination than most of our Sanscrit investigators have hitherto shown."[1]



Sir James might have passed beyond a suspicion; if from nothing else, from the very words of the conversation he reports. Human life is there not *compared* to a sleep; it is literally affirmed to *be* a sleep; and men are not acting, or thinking, but only dreaming. Of what philosophical system does this form a part? We awake, only when we are re-united to the Divine Being; that is, when we actually become a part of the Divine Being, not having a separate existence. Then, of course, we cease to dream; and then, it may be supposed, that Maia ceases. Then will there be any thing to be known? any thing real? Or is it the same thing, whether we are awake or asleep? But

my reader might well complain I was only trifling with him, if I pursued this jargon any further. What grieves me is, that between the two passages which I have immediately quoted, Sir James
(we must remember that it is in the negligence of private correspondence) has inserted the following words. “All this you have heard and read before as Hindu speculation. What struck me was, that speculations so refined and abstruse should, in a long course of ages, have fallen through so great a space as that which separates the genius of their original inventor from the mind of this weak and unlettered man. The names of these inventors have perished; but their ingenious and beautiful theories, blended with the most monstrous superstitions, have descended to men very little exalted above the most ignorant populace, and are adopted by them as a sort of articles of faith, without a suspicion of their philosophical origin, and without the possibility of comprehending any part of the premises from which they were deduced.” Yet Sir James himself has described the origin from which they were deduced; namely, “the hyperbolical effusions of mystical piety;” and surely the Brahmens of the present day may understand these effusions as well as their still more ignorant predecessors.[1]



With respect to morals or duty, it appears not that any theory has ever been constructed by the Hindus. In what regards the preceptive part, their ethics exactly resemble those of all other rude and uninstructed nations; an excellent precept, and a foolish or absurd one, are placed alternately, or mixed in nearly equal proportions, in all their books which treat upon the subject. For specimens of their ethical precepts, it is sufficient to refer to what we have already produced under the head of religion. If all the good precepts were selected from the rest, and exhibited pure by themselves, they would present a tolerably perfect code of the common duties of morality. As we have authors who have attached importance to this, without adverting to the fact that a soundness in detached maxims of morality is common to all men down to the lowest stage of society, it is necessary to give a specimen of the ethical rules of nations confessedly barbarous. We might, perhaps, be satisfied with a reference to the proverbs of Solomon, and other preceptive parts of the Jewish writings, which are not equalled by the corresponding parts of the books of the Hindus. We shall, however, produce another instance, which is less exposed to any objection. The Havamaal or sublime discourse of Odin, is a Scandinavian composition of great antiquity. It is a string of moral aphorisms, comprised in 120 stanzas; with which, as a whole, there is nothing in Hindu literature in any degree worthy to be compared. The following is a specimen:



“To the guest who enters your dwelling with frozen knees, give the warmth of your fire: he who hath travelled over the mountains hath need of food and well-dried garments:

A man can carry with him no better provision for his journey than the strength of the understanding. In a foreign country this will be of more use to him than treasures; and will introduce him to the table of strangers:

There is nothing more useless to the sons of the age than to drink too much ale; the more the drunkard swallows the less is his wisdom, till he loses his reason. The bird of oblivion sings before those who inebriate themselves, and steals away their souls:

I have never yet found a man so generous and munificent, as that to receive at his house was not to receive; nor any so free and liberal of his gifts as to reject a present when it was returned to him:

They invite me up and down to feasts, if I have only need of a slight breakfast; my faithful friend is he who will give me one loaf when he has but two:

Where is there to be found a virtuous man without some failing; or one so wicked as to have no good quality?"[1]



Among the parts of Hindu learning chosen by its admirers as the peculiar objects of their applause, are the niceties, the numerous and intricate subtleties, of the Hindu grammar. We are informed by an emiment Sanscrit scholar, that the grammatical precepts of one single treatise are no fewer than 3996. The reader will observe, that this number is composed of the digit 3 and its multiples, to which peculiar virtues are ascribed by the Hindus. It is not improbable that the rules may have been made to correspond with the number rather than the number with the rules. Nevertheless, we learn from Mr. Colebrooke, that "those rules are framed with the utmost conciseness, the consequence of very ingenious methods. But it is added that the studied brevity of the Paniniya Sutras renders them in the highest degree obscure; that even with the knowledge of the key to their interpretation, the student finds them ambiguous; that the application of them even when understood, discovers many seeming contradictions; and that, with every exertion of practised memory, the utmost difficulty is experienced in combining rules dispersed in apparent confusion through different portions of Paninis and lectures. The number of commentaries on the books of grammar is exceedingly great, and many of them very voluminous."[2]

As these endless conceits answer any purpose rather than that of rendering language a more commodious and accurate instrument of communication, they afford a remarkable specimen of the spirit of a rude and ignorant age: which is as much delighted with the juggleries of the mind, as it is with those of the body, and is distinguished by the absurdity of its passion for both.[1] It could not happen otherwise than that the Hindus should, beyond other nations, abound in those frivolous refinements which are suited to the taste of an uncivilized people. A whole race of men were set apart and exempted from the ordinary cares and labours of life, whom the pain of vacuity forced upon some application of mind, and who were under the necessity of maintaining their influence among the people, by the credit of superior learning, and, if not by real knowledge, which is slowly and with much difficulty attained, by artful contrivances for deceiving the people with the semblance of it. This view of the situation of the Brahmens serves to explain many things which modify and colour Hindu society. In grammatical niceties, however, the Hindus but discover their usual resemblance to other nations in the infancy of knowlege and improvement. We have already seen that the Arabians on this subject carry their complex refinements to a height scarcely

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inferior to that of the Brahmens themselves.2 Even the Turks, who are not in general a refining race, multiply conceits on this subject.3 During the dark ages the fabrication of grammatical distinctions and subtleties furnished a favorite exercise to the European schoolmen.4

Not only the grammar; the language itself has been celebrated as the mark of a refined and elegant people. "It is more copious," we are told, "than the Latin. It has several words to express the same thing. The sun has more than thirty names, the moon more than twenty. A house has twenty; a stone six or seven; a tree ten; a leaf five; an ape ten; a crow nine."1

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That which is a defect and a deformity of language is thus celebrated as a perfection.2 The highest merit of language would consist in having one name for every thing which required a name, and no more than one. Redundancy is a defect in language, not less than deficiency. Philosophy, and even common good sense, determine, that every thing which can simplify language, without impairing it in point of precision and completeness, is a first rate advantage. An ignorant and fantastical age deems it a glory to render it in the highest degree perplexing and difficult.

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The other perfections which are ascribed to the Sanscrit are its softness, or agreebleness in point of sound, and its adaptation to poetry. Of its completeness or precision, those who were the fullest of admiration for it, were too little acquainted with it to be able to venture an opinion. Yet completeness and precision would have been undeniable proofs of the mental perfection of the people by whom it was used; while a great multitude of useless words and grammatical rules were the very reverse. Nothing is more probable than that a language which has too many words of one description, has too few of another, and unites in equal degree the vices of superfluity and defect. The adaptation of a language to poetry and the ear, affords no evidence of civilization. Languages, on which equal eulogies are bestowed to any which can be lavished on Sanscrit, are the languages confessedly of ignorant and uncivilized men. Nothing can surpass the admiration which is often expressed of the language of the modern Persians. Molina, the intelligent and philosophical historian of Chili, informs us, that of the language of the Chilians the grammar is as perfect as that of the Greek or Latin; that of no language does the formation and structure display greater ingenuity and felicity.1 The language of the Malays is described as remarkably sweet, and well adapted to poetry.2 Clavigero knows not where to set a limit to his admiration of the Mexican tongue.3

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"Many extravagant things have been advanced concerning the great antiquity and superior excellency of the Anglo-saxon language. According to some writers, it was the most ancient and most excellent in the world, spoken by the first parents of mankind in Paradise; and from it they pretend to derive the names, Adam, Eve, Cain, Abel, and all the antediluvian patriarchs."1

The same sacred volume which affords the most authentic materials for ascertaining the Hindu modes
of accounting for the phenomena of mind, lends equal assistance in leading us to a knowledge of their modes of accounting for the phenomena of matter. At the close of the night of Brahma, "intellect called into action by his will to create worlds, performed again the work of creation; and thence first emerges the subtle ether, to which philosophers ascribe the quality of conveying sound:"[1] Ignorant that air is the great agent in the conveyance of sound, the Hindus had recourse to a fiction; the imagination of a something, of whose existence they had no proof. Equally futile is their account of air. "From ether, effecting a transmutation in form, springs the pure and potent air, a vehicle of all scents; and air is held endued with the quality of touch."[2] The word touch is here ambiguous; it may mean either that air is tangible, or that it has the faculty, the sense of touch. The latter, I suspect, is the meaning of the original; for I can hardly credit that so great a master of language as Sir William Jones, would have explained a passage which only meant that air is tangible, by so exceptionable a term as that it is endued with the quality of touch. I can with less difficulty suppose, from other instances, that he endeavoured to cloak a most absurd idea under an equivocal translation.



With respect to light and heat, we are told in the immediately succeeding passage; "Then from air, operating a change, rises light or fire, making objects visible, spreading bright rays; and it is declared to have the quality of figure."[3] It sufficiently appears from these several passages; that the accounts with which they satisfy themselves, are merely such random guesses as would occur to the most vulgar and untutored minds. From intellect arose ether: from ether, air; from air, fire and light. It appears from this
passage that they consider light and heat as absolutely the same; yet the moon afforded them an instance of light without heat; and they had instances innumerable of heat without the presence of light. What is the meaning, when it is declared that fire, alias light, has the quality of figure, it is impossible to say. That fire, or, which is the same thing, light, is itself figured, is an affirmation wherein little meaning can be found. That fire, that is, light, is the *cause* of figure in all figured bodies, is an affirmation which, notwithstanding the absurdity, is in exact harmony with the mode of guessing at the operations of nature, admired as philosophy among the Hindus.



The account of water and earth is a link of the same chain. "From light, a change being effected, comes water with the quality of taste; and from water is deposited earth with the quality of smell."[1] As from ether came air, so from air light, from light water, and from water earth. It is useless to ask what connexion appears between water and light, or earth and water. Connexion, reason, probability, had nothing to do with the case. A theory of successive production struck the fancy of the writer, and all inquiry was out of the question. Here occurs the same difficulty as in the case of air; air was endowed with the quality of touch; water and earth are said to have the qualities of smell and taste. In this we perceive a most fantastic conceit: To water is ascribed the quality of taste; to earth, the quality of smell; to fire, the quality of *figure*, (I suspect it should be translated *sight*); to air, the quality of touch; and to ether, the

quality (as Sir William Jones translates it) of conveying sound; I suspect it *should* be translated, the quality of hearing.



We have thus seen the speculations respecting the origin and qualities of the principal parts of inanimate nature. The same divine volume affords us a specimen of their ideas concerning the origin of at least one great department of animated nature. “From hot moisture are born biting gnats, lice, fleas, and common flies; these, and whatever is of the same class, are produced by heat.”1 If this be an idea natural enough to the mind of an uncultivated observer it is at least not a peculiar proof of learning and civilization.

Of the arbitrary style of deciding without inquiry, the natural and ordinary style of all rude minds, a curious specimen is afforded by the Hindu dogma, that vegetables, as well as animals, “have internal consciousness, and are sensible of pleasure and pain.”2

Mr. Wilford, the industrious explorer of the literature of this ancient people, informs us; “The Hindus were superficial botanists, and gave the same appellation to plants of different classes.”3 To arrange or classify, on this or on any other subject, seems an attempt which has in all ages exceeded the mental culture of the Hindus.

Of all the circumstances, however, connected with the state of Hindu society, nothing has called forth higher expressions of eulogy and admiration than the astronomy of the Brahmens. Mons. Bailly, the celebrated author of the History of Astronomy, may be regarded as beginning the concert of praises, upon this branch of the science of the Hindus. The grounds of his conclusions were certain astronomical tables; from which he inferred, not only advanced progress in the science, but a date so ancient as to be entirely inconsistent with the chronology of the Hebrew Scriptures.



The man who invented a theory of an ancient and highly civilized people, now extinct, formerly existing in the wilds of Tartary, and who maintained it with uncommon zeal, and all the efforts of his ingenuity, is not to be trusted as a guide in the regions of conjecture. Another cause of great distrust attaches to Mons. Bailly. Voltaire, and other excellent writers in France, abhorring the evils which they saw attached to catholicism, laboured to subvert the authority of the books on which it was founded. Under this impulse they embraced, with extreme credulity, and actual enthusiasm, the tales respecting the great antiquity of the Chinese and Hindus, as disproving entirely the Mosaic accounts of the duration of the present race of men. When a case occurred, in which it appeared that this favourite conclusion could be established on the strength of astronomical observations and mathematical reasoning, the grand object seemed to be accomplished. The argument was laboured with the utmost diligence by Mons. Bailly, was received with unbounded applause, and for a time regarded as a demonstration in form of the falsehood of Christianity.

The most eminent of all the mathematical converts, gained by Mons. Bailly, was Mr. Playfair, the professor of mathematics in the University of Edinburgh. A bias was probably created in his mind by the high reputation of Mons. Bailly for his attainments in that science in which Mr. Playfair himself was so great a master; and

any feeling of that nature could not fail to be greatly strengthened, by the loud applause, in which his countrymen, both those who were still in India, and those who had returned from it, at that time concurred, of the wonderful learning, wonderful civilization, and wonderful institutions of the Hindus;



applause which imposed implicit belief on minds such as that of his illustrious colleague, the author of the Historical Disquisition concerning the knowledge which the ancients had of India. In a paper published in the Transactions of the Royal Society of Edinburgh, Mr. Playfair stated, with skill and dexterity, the matter of evidence on which the proposition is founded;[1] and in an article lately published in the Edinburgh Review,[2] the arguments are controverted by which Mr. Bentley had endeavoured to overthrow his opinion: but a suspension of belief, till further information shall yield more satisfactory proof, is all that in this latter document is contended for.

Such a demand, however, is infinitely too much, and at variance with all the principles of reasoning. When an opinion is obviously contradicted by a grand train of circumstances, and is not *entirely* supported by the special proof on which it pretends to rest, it is unproved; and whatever is unproved, and out of the known order of nature, is altogether unworthy of belief; deserves simple rejection.

Whoever, in the present improved state of our knowledge, shall take the trouble to contemplate the proofs which we possess of the state of knowledge and civilization among the Hindus, can form no other conclusion, but that every thing (unless astronomy be an exception) bears clear, concurring, and undeniable testimony to the ignorance of the Hindus, and the low state of civilization in which they remain. That such a people are masters of the science of astronomy to a degree which none but nations highly cultivated have elsewhere ever attained, is certainly not to be credited on any chain of proof that is not entire.[1]



Of the fitness of the proof to maintain any such conclusions as have been founded upon it, an idea may be formed from this; that Mr. Bentley, who has paid great attention to the books of Hindu astronomy, says they are all of modern date, and their pretensions to antiquity founded only on forgery.[2] As his moderate knowledge of mathematics, however, and even the inelegancies of his style, have been sarcastically employed to throw discredit upon his conclusions, it is of importance to add that the two mathematicians whose reputation for profundity seems to exceed that of all their cotemporaries, Laplace, and an eminent ornament of our country, not only reject the inference of the great antiquity and perfection of the Hindu astronomy, but, from the evidence offered, draw a conclusion directly the reverse; viz. that this science is in the very same state of infancy among the Hindus with all the other branches of knowledge. The Surya Sidhanta is the great repository of the astronomical knowledge of the Hindus. It is on the authority of our own countryman I am enabled to declare, that this book is itself the most satisfactory of all proofs of the low state of the science among the Hindus, and the rudeness of the people from whom it proceeds; that its fantastic absurdity is truly Hindu; that all we can learn from it is a few facts, the result of observations which required no skill; that its vague allegories and fanciful reflections prove nothing, or every thing; that a

resolute admirer may build upon them all the astronomical science of modern times; but a man who should divest his mind of the recollection of European discoveries, and ask what a people unacquainted with the science could learn from the Surya Sidhanta, would find it next to nothing.[1]

The Hindu astronomy is possessed of very considerable accuracy in regard to the mean motions. In other respects it has no pretensions to correctness or refinement. Astronomy may acquire great accuracy in regard to the mean motions, without the help of any nice or delicate observations; and while the science can hardly be said to exist. If there is every reason to believe, and none whatsoever to disbelieve, that the mean motions of the Hindu astronomy have been gradually corrected in the same manner in which the calendars of ancient nations have been improved, the legitimate conclusion cannot be mistaken.



As far as a conclusion can be drawn respecting the state of astronomy among the Hindus, from the state of their instruments of observation (and an analogy might be expected between those closely connected circumstances), the inference entirely corresponds with what the other circumstances in the condition of the Hindus have a tendency to establish. The observatory at Benares, the great seat of Hindu astronomy and learning, was found to be rude in structure, and the instruments with which it was provided of the coarsest contrivance and construction.

Even Mr. Playfair himself observes that "regular observations began to be made in Chaldea with the era of Nabonassar; the earliest which have merited the attention of succeeding ages." The observation which he next presents is truly philosophical and important. "The curiosity of the Greeks," says he, "was, soon after, directed to the same object; and that ingenious people was the first that endeavoured to explain or connect, by theory, the various phenomena of the heavens."[1] This was an important step; all that preceded was mere observation and empiricism, not even the commencement of science.[2] He adds; "The astronomy of India gives no theory, nor even any description of the celestial phenomena, but satisfies itself with the calculation of certain changes in the heavens, particularly of the eclipses of the sun and moon, and with the rules and tables by which these calculations must be performed. The Brahmen, seating himself on the ground, and arranging his shells before him, repeats the enigmatical verses that are to guide his calculation, and from his little tablets and palm leaves, takes out the numbers that are to be employed in it. He obtains his result with wonderful certainty and expedition; but having little knowledge of the principles on which his rules are founded, and no anxiety to be better informed, he is perfectly satisfied, if, as it usually happens, the commencement and duration of the eclipse answer, within a few minutes to his prediction. Beyond this his astronomical inquiries never extend; and his observations, when he makes any, go no farther than to determine the meridian line, or the length of the day at the place where he observes."[1]





Scarcely can there be drawn a stronger picture than this of the rude and infant state of astronomy. The Brahmen, making his calculation by shells, is an exact resemblance of the rude American performing the same operation by knots on a string; and both of

them exhibit a practice which then only prevails; either when the more ingenious and commodious method of ciphering, or accounting by written signs, is unknown; or when the human mind is too rude and too weak to break through the force of an inveterate custom.2

But the rude state of the science of astronomy among the Brahmens of the present day, is supposed to have been preceded by a period in which it was cultivated to a high degree of perfection. It is vain to ask at what date this period had its existence; and where the signs of such ancient knowledge are to be found. To these questions no answer can be returned. Sir William Jones himself admits "it is improbable that the Indian astronomers, in very early times, had made more accurate observations than those of Alexandria, Bagdad, or Maraghah; and still more improbable that they should have relapsed without apparent cause into error."3 Mr. Davis, one of the oriental inquirers to whom we are most indebted for our knowledge of Hindu astronomy, says, "I had been inclined to think with many others, that the Brahmens possess no more knowledge in astronomy, than they have derived from their ancestors in tables ready calculated to their hands, and that few traces of the principles of the science could be found among them; but by consulting some Sanscrit books I was induced to alter my opinion. I believe the Hindu science of astronomy will be found as well known now as it ever was among them."1 In other words, the ignorance of the present age is the same with the ignorance of all former ages.2



While we are thus unable, from all we have learned of the Hindu astronomy, to infer either its high antiquity, or great excellence, it is a matter of doubt whether even that portion of the science which they possess, they may not to a great degree have derived from other nations more advanced in civilization than themselves. The Hindu astronomy possesses certain features of singularity which tend to prove, and have by various inquirers been held sufficient to prove, its perfect originality. But it may very well be supposed, that in a science which so naturally fixes the attention of even a rude people, the Hindus themselves proceeded to a certain extent; and even if they did borrow the most valuable portion of all that they know, that it was constrained to harmonize with the methods they had already invented, and the discoveries they had previously made. The fact, moreover, is, that if the Hindu astronomy exhibits marks of distinction from other systems, it exhibits, on the supposition of its originality, still more surprising instances of agreement with other systems. "The days of the week" (I use the language of Mr. Playfair) "are dedicated by the Brahmens, as by us, to the seven planets, and, what is truly singular, they are arranged precisely in the same order. The ecliptic is divided, as with us, into twelve signs of thirty degrees each. This division is purely ideal, and is intended merely for the purpose of calculation. The names and emblems by which these signs are expressed, are nearly the same as with us; and as there is nothing in the nature of things to have determined this coincidence, it must, like the arrangement of the days of the week, be the result of some ancient and unknown communication."1 From this striking circumstance, Montucla, the celebrated historian of mathematics, inferred, that the Hindu zodiac was borrowed from the Greeks; and from the vicinity of the Greek empire of Bactria, as well as from the communications which took place

between the Hindus, the Persians, and Arabians, the facility with which the knowledge of the Grecian astronomy might pass into India is clear. Sir William Jones controverts the position that the Hindu ecliptic was borrowed from the Greeks; he contends that it was derived from the Chaldeans.2 But this is the same in the end.3

BOOK II. Chap. 9.

At one time a disposition appeared to set the knowledge of the Hindus in pure mathematics very high.

BOOK II. Chap. 9.

A very convenient, and even an ingenious mode of constructing the table of approximate signs, is in use among the Hindu astronomers. “But ignorant totally,” says Professor Leslie, “of the principles of the operation, those humble calculators are content to follow blindly a slavish routine. The Brahmens must, therefore, have derived such information from people further advanced than themselves in science, and of a bolder and more inventive genius. Whatever may be the pretensions of that passive race, their knowledge of trigonometrical computation has no solid claim to any high antiquity. It was probably, before the revival of letters in Europe, carried to the East by the tide of victory. The natives of Hindustan might receive instruction from the Persian astronomers, who were themselves taught by the Greeks of Constantinople, and stimulated to those scientific pursuits by the skill and liberality of their Arabian conquerors.”1

BOOK II. Chap. 9.

Arithmetic is a branch of mathematics; and among other inventions, of which the honour has been claimed for the Hindus, is that of numerical characters. Whether the signs used by the Hindus are so peculiar as to render it probable that they invented them, or whether it is still more probable that they borrowed them, are questions which, for the purpose of ascertaining their progress in civilization, are not worth resolving. “The invention of numerical characters,” says Goguet, “must have been very ancient.

BOOK II. Chap. 9.

For though flints, pebbles, and grains of corn, &c. might be sufficient for making arithmetical calculations, they were by no means proper for preserving the result of them. It was, however, necessary on many occasions to preserve the result of arithmetical operations, and consequently it was necessary, very early, to invent signs for that purpose.”1 Under these motives, a people, who had communication with another people already acquainted with numerical signs, would borrow them: a people who had no such communication, would be under the necessity of inventing them. But alphabetical signs, far more difficult, were invented at a rude period of society; no certain proof of civilization is therefore gained by the invention of arithmetical characters. The characters of which Europeans themselves make use, and which they have borrowed from the Arabians, are really hieroglyphics; and “from the monuments of the Mexicans,” says Goguet, “which are still remaining, it appears that hieroglyphics were used by that people, both for letters and numerical characters.”2 That diligent and judicious inquirer says, in general, “The origin of cyphers or numerical characters was confounded with that of hieroglyphic writing. To this day, the Arabian cyphers are real hieroglyphics, and do not represent words, but things. For which reason, though the nations which use them speak different languages, yet these characters excite the ideas of the same numbers in the minds of all.”3

Algebraic signs, which were brought into Europe from Arabia, may, it is said, have originated in India. There is an assertion of the Arabian writers, that an Arabian mathematician in 959 travelled to India, in quest of information. He might, however, travel without finding. On this foundation, it is plain that no sound inference can be established. If, indeed, it were proved that the algebraic notation came from India, an invention, which the Arabians could make, implies not much of civilization wherever it was made. The shape, indeed, in which it was imported from Arabia sets the question at rest. It cannot be described more clearly and shortly than in the words of Mr. Playfair. The characters, as imported from Arabia, "are mere abbreviations of words. Thus the first appearance of algebra is merely that of a system of short-hand writing, or an abbreviation of common language, applied to the solution of arithmetical problems. It was a contrivance merely to save trouble."[1]



The books of the Hindus abound with the praise of learning; and the love and admiration of learning is a mark of civilization and refinement. By the panegyrics, however, in the books of the Hindus, the existence is proved of little to which admiration is due. On the pretensions of the Brahmens to learning, the title to which they reserved exclusively to themselves, a great part of their unbounded influence depended. It was their interest, therefore, to excite an admiration of it, that is, of themselves, by every artifice. When we contemplate, however, the acquirements and performances on which the most lofty of these panegyrics were lavished, we can be at no loss for a judgment on their learning, or the motive from which the praises of it arose. To be able to read the Vedas, was merit of the most exalted nature; to have actually read them, elevated the student to a rank almost superior to that of mortals. "A priest," says the sacred text of Menu, "who has gone through the whole Veda, is equal to a sovereign of the whole world.[1] What is valuable in learning could be little understood, where consequences of so much importance were attached to a feat of this description.





The Hindus have institutions of education; and the Brahmens teach the arts of reading and writing, by tracing the characters with a rod in the sand.[1] How extensively this elementary knowledge is diffused, we have received little or no information. This is a satisfactory proof of the want of intelligence and of interest, with which our countrymen in India have looked upon the native population. The magistrates, however, who returned answers to the interrogatories of government in the year 1801, respecting the morals of the people, describe the state of education in general terms, as deplorable in the extreme. Mr. J. Stracey, magistrate of Momensing, says, "The lower sort are extremely ignorant." Mr. Paterson, magistrate of Dacca Jelalpore, recommends "a total change in the system of education amongst those who have any education at all:" adding, that "the great mass of the lower ranks have literally none." The judges of the court of appeal and circuit of Moorshedabad say: "The moral character of a nation can be improved by education only. All instruction is unattainable to the labouring poor, whose own necessities require the assistance of their children as soon as their tender limbs are capable of the smallest labour. With the middle class of tradesmen, artificers, and shopkeepers, education ends at ten years of

age, and never reaches further than reading, writing (a scarcely legible hand on the plantain leaf), and the simplest rules of arithmetic."[1] But if the Hindu institutions of education were of a much more perfect kind than they appear to have ever been, they would afford a very inadequate foundation for the inference of a high state of civilization. The truth is, that institutions for education, more elaborate than those of the Hindus, are found in the infancy of civilization. Among the Turks and the Persians there are schools and colleges, rising one above another for the different stages of instruction.[2] And scarcely in any nation does the business of education appear to have been a higher concern of the government than among the Americans of Mexico and Peru.[1]



As evidence of the fond credulity with which the state of society among the Hindus was for a time regarded, I ought to mention the statement of Sir W. Jones, who gravely, and with an air of belief, informs us, that he had heard of a philosopher "whose works were said to contain a system of the universe, founded on the principle of attraction and the central position of the sun."[1] This reminds the instructed reader of the disposition which has been manifested by some of the admirers of the Greek and Roman literature, and of these by one at least who had not a weak and credulous mind, to trace the discoveries of modern philosophy to the pages of the classics. Dr. Middleton, in his celebrated life of Cicero, says, that "several of the fundamental principles of the modern philosophy, which pass for the original discoveries of these later times, are the revival rather of ancient notions, maintained by some of the first philosophers, of whom we have any notice in history; as the motion of the earth, the antipodes, a vacuum; and an universal gravitation or attractive quality of matter, which holds the world in its present form and order."[2] It is a well known artifice of the Brahmens, with whose pretensions and interests it would be altogether inconsistent to allow there was any knowledge with which they were not acquainted, or which was not contained in some of their books, to attach to the loose and unmeaning phraseology of some of their own writings, whatever ideas they find to be in esteem; or even to interpolate for that favourite purpose.[3] It was thus extremely natural that Sir William Jones, whose pundits had become acquainted with the ideas of European philosophers respecting the system of the universe, should hear from them that those ideas were contained in their own books: The wonder was that without any proof he should believe them.[1]





# APPENDIX. N° I.

## Remarks On The Arguments For The Antiquity Of The Hindu Astronomy.

THE knowledge of the Europeans concerning the astronomy of India is chiefly derived from different sets of astronomical tables brought to Europe at different times. All these tables are obviously connected with one another: for they are all adapted to one meridian; the mean motions are the same

in them all; and their principal epochs are all deduced by calculation from one original epoch. The most ancient of the Indian epochs is fixed in the year 3102 before the Christian æra, at the commencement of the Caliyug. On account of the mutual connection which, it is allowed, subsists between the three remaining epochs, it is only necessary to discuss that one which seems to be the most important: it is comparatively of modern date, and goes back no further than to the year of Christ 1491.

M. Bailly, in his Astronomie Indienne, has endeavoured to prove that the more ancient of the two epochs is fixed by actual observations: a proposition, which, if it were clearly made out, would confer the highest antiquity on the astronomy of India. In a paper in the Edinburgh Transactions, Mr. Playfair, who has adopted the opinion of M. Bailly, has given a clear and forcible summary of all the arguments that have been adduced in favour of the side he supports. M. Laplace, who is the only other author that has noticed the subject of the Indian astronomy since the publication of M. Bailly's work, does not accede to the opinion of his brother academician.
In a very short passage in the "Systeme du Monde," Laplace states it as his own opinion, that the ancient epoch of the Brahmens was adopted with the view of making all the celestial motions begin at the same point of the zodiac: and he very briefly hints the reasons on which his opinion is founded. In drawing up the following remarks the observations of Laplace have been kept in view.

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1. If we set out from the epoch of 1491, and compute the places of the sun, moon, and the planets, for the ancient epoch in 3102 A. C. it is found that all the celestial bodies are then in mean conjunction with the sun in the origin of the moveable zodiac. Here then is an astronomical fact, which the Indian tables necessarily suppose to have taken place, and which, it must be allowed, appears to be very fit to bring the authenticity of the ancient epoch to the proof. For, although the tables of the modern astronomy, highly improved as they are, do not enable us to go back more than 2000 years with extreme accuracy, yet they are sufficiently exact to afford the means of judging whether the general conjunction, supposed in the Indian tables, was actually copied from the heavens or not. Now M. Bailly has computed the places of the planets at the time of the ancient epoch of the Indians, or for the commencement of the Cali-yug, from the tables of M. Lalande: and, although all the planets, except Venus, were then nearly in conjunction with the sun, yet they were by no means so near to one another as to render it probable that this epoch was fixed by observation. M. Bailly argues that the conjunction could not be determined by direct observation; because the planets are invisible when immersed in the sun's light: and he shows that fifteen days after the epoch all the
planets, except Venus, were contained within seventeen degrees of the zodiac. But this is not satisfactory. Mr. Playfair admits that the Indian tables cannot be entirely vindicated in this respect. Laplace lays all the stress on this argument to which it seems fairly entitled.

BOOK II. Appendix.

The fiction of a general conjunction in the beginning of the moveable zodiac is the more remarkable, because it agrees precisely with the account which M. Bailly gives of the formation of the Indian astronomical systems.

The validity of the observations made by the critic in the Edinburgh Review, as far as they regard the accuracy of the mean motions, and other astronomical elements which do not depend on the epochs, cannot be disputed. There is but one way of determining the mean motions with accuracy; namely, by comparing together real observations of the places of the planets made at a sufficient interval of time. No fictitious, or assumed, epochs can be of the least use for this purpose. Indeed Mr. Bently does not maintain that the Brahmens make any such use of their assumed epochs. The artificial systems of the Indian astronomy necessarily suppose the mean motions, and other elements, to be already determined and known. Mr. Bently seems in some measure to have misconceived the nature of the arguments by which the Europeans endeavour to establish the antiquity of the Hindu astronomy. He seems to have imagined that nothing more was necessary for confuting all their reasoning on this subject, than to make them acquainted with the formation of the artificial systems of the Brahmens.

But considering Mr. Bently as a person acquainted with the astronomy of the East, and as having access to the books in which it is contained, his testimony cannot but be allowed to be of great force
in the present argument. He tells us that the Brahmens, when they would form an astronomical system, go back to a remote epoch, and assume as the basis of their system, that all the heavenly bodies are in a line of mean conjunction with the sun in the beginning of Aries: Now the Indian tables actually suppose such a conjunction at the commencement of the Cali-yug; and in this they are at variance with the most exact of the modern astronomical tables. Is it not then in the highest degree probable that the era of the Cali-yug is an assumed, or fictitious epoch in the astronomy of the Hindus?



If the ancient epoch, in 3102 A. C. be fictitious, the force of many of the arguments for the antiquity of the Indian astronomy will be greatly diminished. For that reasoning must needs be a good deal vague and unsatisfactory which rests entirely on the quantity of an astronomical element of an uncertain date affected, as must be the case, by the errors of observation, of the limits of which we have no means of judging.

2. The equation of the sun's centre, according to the Indian tables, is 2° 10½′; whereas the same quantity, according to modern observations, is only 1° 55½′. It is one consequence of the mutual disturbances of the planets that the excentricity of the solar orbit, on which the equation just mentioned depends, was greater in former ages than it is at the present time. From the quantity which the Hindus assign to this astronomical element, M. Bailly has drawn an argument in favour of the antiquity of the Indian tables, which, it must be confessed, is of great weight, when the difference of the Indian and European determinations is considered as arising from the gradual alteration of the planetary orbits. But Laplace has remarked that the equation, which in the Hindu
tables amounts to 2° 10½′, is really composed of two parts; namely, the equation of the sun's centre, and the annual equation of the moon; both of which depend alike on the excentricity of the sun's orbit, and complete their periods in the same interval of time. The Indians have naturally enough blended these two irregularities together; because, the great object of their astronomy

being the calculation of eclipses, the relative places of the sun and moon are effected by the sum of both. The annual equation of the moon is nearly 11′: And, when added to the equation of the sun's centre, the amount (2° 6½′,) does not differ much from the quantity set down in the Indian tables. The force of M. Bailly's argument is therefore completely taken off.

But the remark of Laplace not only invalidates the argument for the antiquity, but it furnishes a powerful one on the opposite side. It is indeed in the situation of a perfidious ally, who not only deserts his friends, but marshals his whole force in the ranks of their opponents. The amount of the two irregularities which are blended together by the Indians is 2° 6½′ at the present time: but if we go back to the commencement of the Cali-yug, there must be added about 13½′, on account of the greater magnitude of the sun's excentricity in that age above what it is in the present century; and thus we ought to have found 2° 20′, in place of 2° 10½′, in the Hindu tables, if their supposed antiquity be granted. It must be admitted that, in this instance at least, the Indian tables, when they are referred to the ancient epoch, are fairly at variance with the state of the heavens.

3. The quantities which the Indian tables assign to two other astronomical elements, viz. the mean motions of Jupiter and Saturn, have been found to agree almost exactly, not with what is observed at the present time, but with what the theory of gravity shows would have been observed at the beginning of the Cali-yug. This curious coincidence between the Hindu tables and the most abstruse theory of modern Europe, was discovered by Laplace after the publication of the Astronomie Indienne: and it was communicated to M. Bailly in a letter inserted in the Journal des Sçavans. The argument which this circumstance furnishes in favour of the antiquity is not forgotten by Mr. Playfair; and it is also mentioned by the critic in the Edinburgh Review.

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But the discovery of Laplace, although it cannot be disputed, is absolutely of no avail in establishing the antiquity of the Indian astronomy: for no inference can be drawn from it respecting the ancient epoch in 3102 A. C. which is not equally conclusive with regard to the modern epoch in 1491 of our era.

The theory of astronomy is indebted to Laplace for many interesting discoveries. Of these, two equations, affecting the mean motions of Jupiter and Saturn, are not the least important. These irregularities are periodical, and they both complete their courses in 917¾ years: And while one of them augments the motion of one of the planets, the other diminishes the motion of the other planet. It is a consequence of this discovery of Laplace, that, after an interval of time equal to 917¾ years; or equal to twice, or thrice, or any exact number of times that period; the mean motions of Jupiter and Saturn will return, to be precisely of the same quantity that they were at the beginning of the interval of time. Now, if from the epoch 1491, we reckon back a number of years, equal to five times the period of Laplace, we shall arrive at the year 3095 A. C., which is so near the ancient epoch of the Indians, as to entitle us to infer, that an observer who lived in 1491, would agree in his determinations of the mean motions of Jupiter and Saturn, with

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an astronomer who had lived forty-six centuries before, at the beginning of the Cali-yug.

No reliance, then, can be placed on this argument, as a proof of the antiquity of the Hindu tables. On the contrary, if we admit, what it must be allowed is extremely probable, that the ancient epoch is a fictitious one, pointed out by superstition, or fixed upon for convenience in calculation, this argument will concur with the last in giving, to the astronomy of India, a modern date, rather than the high antiquity contended for.

4. M. Bailly has shown that the place of the aphelion of Jupiter's orbit, determined by the Indian tables for the beginning of the Cali-yug, agrees with the modern tables of Lalande, when corrected by the theoretical equations of La Grange. The same thing is true of the quantity which the Hindus assign to the equation of Saturn's centre. It requires but little scepticism to raise up doubts of the validity of arguments founded on such coincidences. In the first place, we are ignorant of the limits of the errors, that the Indian determinations may be susceptible of. In the second place, the dates of the observations on which the astronomical elements of the Indians depend are unknown and merely conjectural; yet these are necessary data for calculating the corrections that must be applied to the modern tables, to fit them for representing the ancient state of the heavens: In the third place, the theoretical formulas, themselves, by which the corrections are computed, cannot be supposed to enable us to go back with much accuracy, to so remote an epoch as the Cali-yug; a circumstance which is not owing to any imperfection of the theory, but to the want of our knowing with precision the relative proportions of the masses of the planets that compose our system. When we reflect on these things, even the very exact coincidence of the Indian elements, with the calculated quantities (which is nearer than there is reasonable ground to expect) is apt to create a suspicion that the whole is owing to a happy combination of balancing errors.



But waving these objections, fairness of reasoning requires that we should lay no more stress on such coincidences, as those just mentioned, in favour of one side of the question, than we are willing to allow to discrepancies in similar circumstances, in support of the other side. M. Bailly allows that not any more of the elements of the planetary motions, contained in the Indian tables, agree so well with the determinations derived from the theory of gravity: and the quantities which are assigned to the equations of the centre, for Jupiter and Mars, are quite irreconcileable with the supposition of so remote an antiquity as the beginning of the Cali-yug. Such a contrariety of results justly invalidates the whole argument.

5. Another argument urged by the favourers of the antiquity of the Indian astronomy, is derived from the obliquity of the ecliptic, which the Indians state at 24°.

Both observation and theory concur in showing that the obliquity of the ecliptic has been diminishing slowly for many ages preceding the present. At the beginning of the Cali-yug, this astronomical element, according to theory, was 23° 51′, which is still short of what the Indians make it. Twelve centuries before the Cali-yug, the actual

obliquity of the ecliptic, as derived from theory, would coincide with the Indian quantity within 2′: And, by going back still further, the error may, no doubt, be entirely annihilated. Nothing, it must be confessed, can be more vague and unsatisfactory than this sort of reasoning.



Let us grant that the Hindus determined the obliquity of the ecliptic, 4300 years before our era, which supposes that they made an error of 2′ only: How are we to account for the strange circumstance, that a quantity, which they were at one time able to determine with so much accuracy, should remain unaltered for a period of nearly 6000 years; during which time, the error of the first determination has accumulated to half a degree? Are we to suppose that, immediately after this imaginary epoch, the art of astronomical observation disappeared, and was entirely lost? This, we know, could not be the case, because many other astronomical elements necessarily suppose observations of a comparatively modern date: as, for instance, the equation of the sun's centre.

We shall account for the quantity which the Indians assign to the obliquity much more simply and naturally, if we trust to the authority of Mr. Bently. According to him, the Hindu astronomers (unless in cases where extraordinary accuracy is required) make it a rule, in observing, to take the nearest round numbers, rejecting fractional quantities: so that we have only to suppose that the observer who fixed the obliquity of the ecliptic at 24°, actually found it to be more than 23½°.

6. The length of the tropical year, as deduced from the Hindu tables, is $365^{d}\ 5^{h}\ 50'\ 35''$ which is 1′ 46″ longer than the determination of La Caille. This is certainly not a little accurate, and necessarily supposes some degree of antiquity, and the comparison of observations made at a great interval of time. We shall be the better able to form a judgment of the length of time which such a degree of accuracy may require, if we consider the errors of some of our older tables, published before the art of making astronomical instruments was brought to its present perfect state. In the Alphonsine Tables, published about 1252, the length of the tropical year, is



| | $365d\ 5^{h}\ 49'\ 16''$ |
|---|---|
| Copernicus (about 1530) makes it.. | 365 5 49 6 |
| Kepler (about 1627)..... | 365 5 48 57½ |

These quantities are determined by observations distant from one another about 1500 or 1600 years: and the differences between them and the year of La Caille, is about the fourth part of the error of the Indians.

If we suppose that the length of the year found in the Hindu tables was actually determined by observation at the beginning of the Cali-yug, the error, which has been stated at 1′ 46″, may be reduced to 1′ 5″. The reason of this is that the year has been decreasing in duration, for all the intervening time, and the quantity, computed by theory, which must be added to the length of the year as observed in the present age, to have its length forty-nine centuries ago, is 40½″. Arguments of this kind carry but

little force with them. For the time when the observations from which the length of the Indian year was deduced is totally unknown: and it seems highly probable, that the beginning of the Cali-yug is not an epoch settled by observation. Besides, the error of observation (which cannot be reduced under 1′ 5″) must be allowed to be, in this instance, nearly double of the correction applied: and there is nothing to prove that it may not amount to much more.

It is to be remarked that the Indian tables contain the siderial motion of the sun, and not his motion in respect of the moveable equinox as our tables do. If we draw our comparison from the length of the siderial, instead of the tropical year, the result will not be so favourable to the accuracy of the Hindu astronomy. The siderial revolution of the sun, according to the Indians, is $365^{d}6^{h}$ 12′ 30″; according to modern observation it is $365^{d}$ $6^{h}$ 9′ 11″; and the error is 3′ 19″ nearly double the former error. The difference of those errors arises from the quantity which they assign to the precession of the equinoxes, which is 54″ instead of 50½″.



7. Of all the arguments in support of the antiquity of the Hindu astronomy, the strongest and most direct is that which is derived from an ancient zodiac brought from India by M. le Gentil. This argument therefore deserves to be particularly considered.

It must be observed, that the force of an argument such as this, which turns on the magnitude of an astronomical quantity that accumulates slowly, and is perceptible only after a long lapse of time, will entirely depend on the authenticity of the observations, or facts, from which the argument is drawn, and on the precision and accuracy with which they are recorded. Any thing uncertain, or arbitrary, or hypothetical, respecting these fundamental points, will greatly weaken the strength of the argument. We are told by Mr. Playfair, that the star Aldebaran has the longitude of 3° 20′ in the zodiac of M. le Gentil: and it is on the authenticity and precision of this fact, that the validity of his reasoning hinges. Now, if we turn to the passage of the Astronomie Indienne, which is cited by Mr. Playfair, it will appear that this position of Aldebaran is rather a conjecture, or hypothesis, of M. Bailly, than an authentic observation recorded with precision.

The Indian zodiac moves westward, at the same rate as the fixed stars, and it is divided into twenty-seven constellations, each of 13° 20′. The vernal equinox was 54° to the east of the beginning of the zodiac at the commencement of the Cali-yug; and it was therefore in the fifth constellation, being 40′ more advanced than the fourth. The Indians mark the fourth constellation, which they call Rhonini, by five stars, of which the most easterly, or the most advanced in the zodiac, is the very brilliant star Aldebaran. These things being premised, M. Bailly thus proceeds: “Il est naturel que cette belle etoile ait marque la fin ou le commencement d’une constellation. Je suppose qu’elle marque en effet la fin de Rhonini, la quatrieme des constellations Indiennes, et le commencement de la cinquième; il resulte de cette supposition que l’etoile Aldebaran etoit placée dans le zodiaque Indien à $1^{S}23°$ 20′ de l’origin du zodiaque.” It appears then that the whole of the argument, which is stated so strongly by Mr. Playfair, and by the critic in the Edinburgh Review, rests on the conjecture of M. Bailly; that Aldebaran was exactly

placed at the end of the fourth, and the beginning of the fifth constellation in the Indian zodiac. For this, no sort of proof is offered, except the conspicuousness of the star, which is certainly one of the most brilliant in the heavens. Are we to suppose, for the sake of this argument, that the position of the Indian zodiac was entirely regulated by the star Aldebaran? For it must be admitted that when the beginning of one constellation is fixed, all the rest are thereby determined. Or, are we to suppose, what is still more improbable, that the beginning of the fifth constellation fell, by a lucky chance, exactly in the place of this conspicuous star?

But the Indians themselves afford us the means of correcting the supposition of M. Bailly. Mr. Bently tells us that Bromhu Gupta makes the longitude of the star, Spica Virginis, in the moveable zodiac of the Hindus, $6^S 3°$: According to De la Caille, the longitude of the same star in 1750, was

BOOK II. Appendix.

| | $6^S$ | 20° | 21′ | 18″ |
|---|---|---|---|---|
| Of Aldebaran..... | 2 | 6 | 17 | 47 |
| Difference..... | 4 | 14 | 3 | 31 |

which subtracted from $6^S$ 3°, leaves $1^S$ 18° 56′ 29″ for the longitude of Aldebaran in the Indian zodiac, instead of $1^S$ 23° 20′ which it is according to the hypothesis of M. Bailly. The error amounts to 4° 23′ 31″: a quantity which is nowise inconsistent with the configuration of the constellation Rhonini, while it is sufficient to show that the Indians may have fixed the origin of their zodiac at the beginning of the Caliyug by calculating back from a modern epoch.

And indeed the Brahmens point out a modern epoch, a noted one in their astronomy, which is connected with the era of the Cali-yug by their precession, in the same manner that the modern epoch 1491 is connected with it by the mean motions. Mr. Bently tells us that, according to Varaha, the year 3601 of the Cali-yug (A. D. 499) began precisely at the vernal equinox: which implies that the origin of the Indian zodiac did then coincide with the equinoxial point. Now if we deduct $1^S$ 24°, the Indian precession for 3600 years, from $12^S$, we shall have $10^S$ 6° for the origin of the zodiac, reckoned eastward from the vernal equinox according to the practice of our astronomy: precisely as it comes out by the Indian tables.

The epoch 3601 of the Cali-yug is involved in all the Indian tables, insomuch that M. Bailly was led to discover it by calculation: And in fact, there is no authority for fixing the origin of the Indian zodiac in $10^S 6°$ at the era of the Cali-yug, except by reckoning back from this epoch, according to the Hindu rule for the precession.

BOOK II. Appendix.

It appears then that the argument drawn from the zodiac of M. le Gentil, when closely considered, not only affords no evidence for the antiquity of the Indian astronomy, but rather favours the opinion that the beginning of the Cali-yug, is a fictitious epoch fixed by calculation. For it has been shown that the place of the origin of the Indian zodiac, at the era of the Cali-yug, is connected by the precession contained in the

Hindu tables with the epoch 3601 of that age: and indeed all the epochs of the Brahmens, ancient as well as modern, are connected with the same fundamental epoch, in what regards the precession. The pretended position of the star Aldebaran is merely a conjecture of M. Bailly: and it is at variance with the place which Bromha Gupta, and other Indian astronomers, assign to the star "Spica Virginis."

8. In the preceding observations, all the arguments that have been adduced in favour of the antiquity of the Indian astronomy, as far as the question is purely astronomical, have been considered, excepting those drawn from the places of the sun and moon, at the beginning of the Cali-yug, (at midnight between the 17th and 18th of February, of the year 3102 A. C.) With regard to the first of these, there is a difficulty which weighed so much with Mr. Playfair, as to induce him to set aside the argument entirely, and to lay no stress upon it. It is remarkable that the critic in the Edinburgh Review has brought forward this argument, without noticing the difficulty which, in Mr. Playfair's opinion, rendered it inconclusive. After what has been urged to invalidate the opinion of M. Bailly, that the ancient epoch of the Indian tables was settled by observation, we shall be spared
the task of examining the remaining argument drawn from the place of the moon: allowing to this argument all the force which the most sanguine supporters of the antiquity can demand, it can have but little weight in opposition to the many strong and concurring indications of a contrary nature.[1]



10. If the author of the "Astronomie Indienne" has succeeded in establishing any of his positions, it is in proving that the astronomy of the Brahmens is original, or at least that it has not been borrowed from any of the astronomical systems that we are acquainted with. This was a preliminary point which his favourite system required him to examine: for if the astronomy of the Brahmens had turned out to have an obvious affinity to the astronomical systems of Arabia or Greece, it would have been in vain to bring proofs of its antiquity. But how does this prove the antiquity of the Indian astronomy? It only proves that the inhabitants of the eastern world, separated from the rest of mankind, have made the same progress to a certain extent, which, in the western world, has been carried to a far greater pitch of perfection.

# APPENDIX. N° II.

## Colebrooke On Sanscrit Algebra.

Since the pages relating to the science of the
Hindus were sent to the press, has appeared a work entitled, "Algebra, with Arithmetic and Mensuration, from the Sanscrit of Brahmegupta and Bhascara; translated by Henry Thomas Colebrooke, Esq." No person who takes an interest in the history of the human mind, can fail to recognize that Mr. Colebrooke has added largely to the former obligations he had conferred upon us, not only by laying open to European readers the most approved production on Algebra, in the Sanscrit language, but by the research and ability with which, in a preliminary dissertation, he has brought together the materials for forming an opinion,

both respecting the origin of that science among the Hindus, and their merit in the prosecution of it.

On mathematics I must speak superficially, because my knowledge does not permit me to speak profoundly. Enough, I think, however, appears on the face of this subject, to enable me to resolve the only question, in the solution of which I am interested.

Mr. Colebrooke thinks it possible, nay probable, that the Hindus derived their first knowledge of algebra from the Greeks; that they were made acquainted with the writings of Diophantus, before they had of their own accord made any attempts in the science; and that it is in the accessions which Algebra received in their hands, that their title, if any, to our respect, must, in this particular, look for its foundation.[1] That the Hindus cultivated astronomy, and the branches of the art of calculation subservient to astronomy, solely for the purposes of astrology, is not disputed by any body, and least of all by Mr. Colebrooke. That candid and careful inquirer has brought to light a very important fact, that even on the subject of astrology, on which they might have been supposed original, the Hindus have been borrowers, and borrowers from the Greeks.[2] "Joining, " he says, "this indication, to that of the division of the zodiac into twelve signs, represented by the same figures of animals, and named by words of the same import, with the zodiacal signs of the Greeks; and taking into consideration the analogy, though not identity, of the Ptolemaic system, and the Indian one of excentric deferents and epicycles, no doubt can be entertained that the Hindus received hints from the astronomical schools of the Greeks."[1]



BOOK II. Appendix.

To draw, then, from the tracts which Mr. Colebrooke has translated, an inference to any high state of civilization among the Hindus, the three following propositions must, first, be established;

1. That the Greeks did not teach to the Hindus as much of the science as the works in question contain:
2. That the works are sufficiently old to render it impossible that the knowledge could have been borrowed from any modern source:
3. That the accessions made to the knowledge derived from the Greeks are so difficult as not to have been made except by a people in a high state of civilization.

If all these propositions are not fully and entirely made out; if any weakness appears in the evidence of any one of them, the inference falls to the ground. Upon inquiry, it seems to come out, that for not one of them is the evidence sufficient, or trustworthy.

BOOK II. Appendix.

1. That the Hindus received from the Greeks all that the latter knew, is admitted by Mr. Colebrooke. It is also admitted by Mr. Colebrooke, that "Diophantus was acquainted with the direct resolution of affected quadratic equations, and of indeterminate problems of the first degree; that he displays infinite sagacity and ingenuity in particular solutions; and that a certain routine is discernible in them."[1] It

is unfortunately from Diophantus alone, that we derive any knowledge of the attainments of the Greeks in this branch of mathematics. It is no less unfortunate, that out of thirteen books which he wrote upon this subject, only six, or possibly seven, have been preserved. How does Mr. Colebrooke know, that these other books of Diophantus did not ascend to more difficult points of the science?2 He says, you have no right to infer that. True; but neither has he any right to infer the contrary. There is, however, another possibility and a still more important one, which Mr. Colebrooke has altogether overlooked. Supposing that nothing more of Algebra was known to the Greeks, at the time of Diophantus, than is found in seven out of thirteen books of one author, which is a pretty handsome allowance; is it certain or is it probable, that when the Greeks had made so considerable a progress, they remained stationary? and, though the most ingenious and inventive people in the world, peculiarly at that time turned to mathematical and abstruse investigations, they made no addition, through several generations, to what was taught them by Diophantus? This argument appears to be conclusive.

BOOK II. Appendix.

2. Mr. Colebrooke has a very elaborate, complex, and in some parts obscure train of argument to prove the antiquity of certain points of algebraic knowledge among the Hindus. That it is not conclusive may be made to appear very certainly; it is only to be regretted that so many words are required.

The point is, to prove the antiquity of certain treatises which Mr. Colebrooke possesses; part under the name of Bhascara, one mathematician; part under that of Brahmegupta, another. He begins with Bhascara.

There are two treatises of astronomy, which bear the name of Bhascara, and which themselves affirm, that they were written at a particular time, corresponding to the middle of the twelfth century of the Christian era: Therefore the Treatise on Algebra, possessed by Mr. Colebrooke, was produced about the middle of the twelfth century. For this degree of antiquity, this is the whole of the evidence. Let us see what it is worth.

In the first place, the dates refer only to the astronomical treatises; not to the algebraic. The algebraic is indeed prefixed to the astronomic; but it is alleged by one of the commentators, and believed by Mr. Colebrooke, that it “may have been added subsequently.”
And then at what date subsequently, or by what hand, are questions to which we shall presently see that there is no answer.

BOOK II. Appendix.

In the next place, an important observation applies to the affirmations, with respect to their own age, found in the treatises on astronomy. From the known, the extravagant disposition of the Hindus to falsify with regard to dates, and make almost every thing with respect to their own transactions and attainments more ancient than it is, such asseverations, found in books, or transcripts of books, are no proof of what is affirmed; and only deserve a moment’s regard when fully corroborated by other circumstances. Not one circumstance is adduced to corroborate them by Mr. Colebrooke.

We come down, all at once, from the date of the work, to the date of the commentaries upon it. For none of them does Mr. Colebrooke claim a degree of antiquity beyond 200 or 300 years. Supposing this date to be correct, what reason has Mr. Colebrooke to infer that the work on which they comment, was, at the time of that commentary, 400 years old? None, whatsoever. In nine instances out of ten, the commentator would be sure to speak of it as old, whether it was so or not. But further, what reason have we to believe that the date which he ascribes to these commentaries is the real one? Again the answer is, None: none that will bear examination. The date of the oldest is assumed upon the strength of an astronomical example, describing a particular state of the heavens: But this may be perfectly accidental; and, besides, the Hindus have the power of calculating backwards. Of the next two, the date is assumed upon the strength of their own assertion: This we have shown is of no value. Of the next two the date is assumed upon the assertion of other books. This, if possible, is of less value.

There are three others to which no date is assigned: And there are two commentaries upon the astronomical treatises, the date of which too rests upon their own assertion.



Neither to the treatise, therefore, in the hands of Mr. Colebrooke, nor to the Commentaries upon it, has any thing appeared, in what we have yet mentioned, which enables us to assign, with any degree of certainty, any one date in preference to any other. We may, if we please, assume that all of them in a body are less than a century old.

Beside the Sanscrit commentaries, there is a Persian translation, of each of the two treatises of Bhascara. In general, what is testified by Persian is far more trustworthy, than what rests upon Sanscrit authority; because there was more publicity in the Persian writings; whereas the Sanscrit, being wholly secret, and confined to a small number of Brahmens, accustomed and prone to forgery, there is security for nothing which they had any interest, real or imaginary, to change. If there was any evidence, therefore, to fix the dates of the Persian translations, we could not reasonably dispute a degree of antiquity corresponding to them. I suspect that there is no evidence to fix the dates of these translations. Mr. Colebrooke says, the one was made by order of the emperor Acber, the other in the reign of Shah Jehan. But he subjoins no reason for this affirmation. The cause probably is, that he had none; and that he took the conjecture from some date written somewhere in the book, nobody knows at what time, nobody knows by whom.

Such is the whole of the evidence which is adduced by Mr. Colebrooke to prove the antiquity of Bhascara. “The age of his predecessors,” he adds, “cannot be determined with equal precision:” that is to say, the evidence which can be adduced for the antiquity of the other treatise, that of Brahmegupta, is still less conclusive and less satisfactory. As we have seen that the better evidence proves nothing, I shall spare the reader a criticism to show, what he will easily infer, that the worse evidence proves as little; evidence, which, as it is tedious and intricate, it would require a criticism of some length to unfold.

3. We come to the third of the propositions; that if the Hindus had discovered as much of algebra, as they know beyond what appears in the fragment of Diophantus, they must have been placed in a high state of civilization. That this proposition cannot be maintained, I expect to find universally acknowledged. I transcribe the passage from Mr. Colebrooke, in which he sums up the claims and pretensions of the Hindus. "They possessed well the arithmetic of surd roots; they were aware of the infinite quotient resulting from the division of finite quantity by cipher; they knew the general resolution of equations of the second degree, and had touched upon those of higher denomination, resolving them in the simplest cases, and in those in which the solution happens to be practicable by the method which serves for quadratics; they had attained a *general solution* of indeterminate problems of the first degree; they had arrived at a method for deriving a multitude of solutions of answers to problems of the second degree from a single answer found tentatively."[1]

In all this it appears, that the only point in which there can be a pretence for their having gone beyond what we have in the fragment of Diophantus, is the *general* solution of indeterminate problems of the first degree. But, to quote Dr. Hutton once more, "Diophantus
was the first writer on indeterminate problems. His book is

wholly on this subject; whence it has happened that such kind of questions have been called by the name of Diophantine problems." Now, take the point at which the solution of indeterminate problems appears in the fragment of Diophantus, and the point at which it appears in the Sanscrit treatise, of whatever age, in the hands of Mr. Colebrooke; the interval between the two points is so very small, and the step is so easily made, that most assuredly far more difficult steps in the progress of mathematical science have been made in ages of which the civilization has been as low as that of the Hindus. Thales lived at a period when Greece was still uncultivated, and but just emerging from barbarism; yet he excelled the Egyptians in mathematical knowledge, and astonished them by computing the height of the pyramids from the shadow. Pythagoras lived in the same age; and was a great inventor both in arithmetic and geometry: In astronomy he made great discoveries, and maintained, we are told, the true system of the universe; that the sun is in the centre, and makes all the planets revolve about him. Regiomontanus was born in 1456, when the human mind was still to a great degree immersed in the darkness of the middle ages: Yet of him, Mr. Playfair says, "Trigonometry, which had never been known to the Greeks as a separate science, and which took that form in Arabia, advanced, in the hands of Regiomontanus, to a great degree of perfection; and approached very near to the condition which it has attained at the present day: He also introduced the use of decimal fractions into arithmetic, and thereby gave to that scale its full extent, and to numerical computation the utmost degree
of simplicity and enlargement, which it seems capable of
BOOK II. Appendix.
attaining."[1] Cardan was born in 1501, when assuredly much had not yet been gained of what deserves the name of civilization. "Before his time," says the same accomplished mathematician, "little advance had been made in the solution of any equations higher than the second degree. In 1545 was published the rule which still bears the name of Cardan; and which, at this day, marks a point in the progress of algebraic investigation, which all the efforts of succeeding analysts have hardly been

able to go beyond."2 Even Vieta, with all his discoveries, appeared at an early and ill-instructed age.

In looking at the pursuits of any nation, with a view to draw from them indications of the state of civilization, no mark is so important, as the nature of the *End* to which they are directed.

Exactly in proportion as *Utility* is the object of every pursuit, may we regard a nation as civilized. Exactly in proportion as its ingenuity is wasted on contemptible or mischievous objects, though it may be, in itself, an ingenuity of no ordinary kind, the nation may safely be denominated barbarous.

According to this rule, the astronomical and mathematical sciences afford conclusive evidence against the Hindus. They have been cultivated exclusively for the purposes of astrology; one of the most irrational of all imaginable pursuits; one of those which most infallibly denote a nation barbarous; and one of those which it is the most sure to renounce, in proportion as knowledge and civilization are attained.

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# CHAP. X.

General Reflections.

BOOK II. Chap. 10.

TO ascertain the true state of the Hindus in the scale of civilization, is not only an object of curiosity in the history of human nature; but to the people of Great Britain, charged as they are with the government of that great portion of the human species, it is an object of the highest practical importance. No scheme of government can happily conduce to the ends of government, unless it is adapted to the state of the people for whose use it is intended. In those diversities in the state of civilization, which approach the extremes, this truth is universally acknowledged. Should any one propose, for a band of roving Tartars, the regulations adapted to the happiness of a regular and polished society, he would meet with neglect or derision. The inconveniences are only more concealed and more or less diminished, when the error relates to states of society which more nearly resemble one another. If the mistake in regard to Hindu society, committed by the British nation, and the British government, be very great; if they have conceived the Hindus to be a people of high civilization, while they have in reality made but a few of the earliest steps in the progress to civilization, it is impossible that in many of the measures pursued for the government of that people, the mark aimed at should not have been wrong.

BOOK II. Chap. 10.

The preceding induction of particulars, embracing the religion, the laws, the government, the manners, the arts, the sciences, and literature, of the Hindus, affords, it is presumed, the materials from which a correct judgment may, at last, be formed of their progress toward the high attainments of civilized life. That induction, and the comparisons to which it led, have occupied us long, but not longer, it is hoped, than the importance of the subject demanded, and the obstinacy of the mistakes which it was the object of it to remove.

The reports of a high state of civilization in the East were common even among the civilized nations of ancient Europe. But the acquaintance of the Greeks and Romans with any of the nations of Asia, except the Persians alone, was so imperfect, and among the circumstances which they state so many are incredible and ridiculous, that in the information we receive from them on this subject, no confidence can be reposed.

Of the modern Europeans, the individuals who first obtained a tolerable acquaintance with any of the nations of the East, were the popish missionaries, chiefly the Jesuits, who selected China for the scene of their apostolical labours. Visiting a people who already composed a vast society, and exhibited many, though fallacious, marks of riches, while Europe as yet was every where poor; and feeling, as it was natural for them to feel, that the more they could excite among their countrymen an admiration of the people whom they described, the greater would be the portion of that flattering sentiment, which would redound upon themselves, these missionaries were eager to

conceive, and still more eager to propagate, the most hyperbolical ideas of the arts, the sciences, and institutions of the Chinese. As it is almost always more pleasing, and certainly far more easy, to believe, than to scrutinize; and as the human mind in Europe, at
the time when these accounts were first presented, was much less powerful, and penetrating, than it is at present, they were

received with almost implicit credulity. The influence of this first impression lasted so long, that even to Voltaire, a keen-eyed and sceptical judge, the Chinese, of almost all nations, are the objects of the loudest and most unqualified praise.[1] The state of belief in Europe has, through the scrutiny of facts, been of late approximating to sobriety on the attainments of the Chinese, and a short period longer will probably reduce it to the scale of reason and fact.[2]

It was under circumstances highly similar, that the earliest of the modern travellers drew up and presented their accounts of Hindustan. The empire of the Moguls was in its meridian splendour. It extended over the principal part of India; and the court, the army, and the establishments of Akber or Aurungzebe, exhibited that gorgeous exterior, that air of grandeur and power, which were well calculated to impose upon the imagination of an unphilosophical observer.[3]

It was unfortunate that a mind so pure, so warm in the pursuit of truth, and so devoted to oriental learning, as that of Sir William Jones, should have adopted the hypothesis of a high state of civilization in the principal countries of Asia. This he supported with all the advantages of an imposing manner, and a brilliant reputation; and gained for it so great a credit, that for a time it would have been very difficult to obtain a hearing against it.


Beside the illusions with which the fancy magnifies the importance of a favourite pursuit, Sir William was actuated by the virtuous design of exalting the Hindus in the eyes of their European masters; and thence ameliorating the temper of the government; while his mind had scope for error in the vague and indeterminate notions which it still retained of the signs of social improvement. The term civilization was by him, as by most men, attached to no fixed and definite assemblage of ideas. With the exception of some of the lowest states of society in which human beings have been found, it was applied to nations in all the stages of social advancement.[1]

It is not easy to describe the characteristics of the different stages of social progress. It is not from one feature, or from two, that a just conclusion can be drawn. In these it sometimes happens that nations resemble
which are placed at stages considerably remote. It is from a joint view of all the great circumstances taken together, that their

progress can be ascertained; and it is from an accurate comparison, grounded on these general views, that a scale of civilization can be formed, on which the relative position of nations may be accurately marked.

Notwithstanding all that modern philosophy had performed for the elucidation of history, very little had been attempted in this great department, at the time when the

notions of Sir William Jones were formed;1 and so crude were his ideas on the subject, that the rhapsodies of Rousseau on the virtue and happiness of the savage life surpass not the panegyrics
of Sir William on the wild, comfortless, predatory, and ferocious state of the wandering Arabs. "Except," says he, "when their tribes are engaged in war, they spend their days in watching their flocks and camels, or in repeating their native songs, which they pour out almost extempore, professing a contempt for the stately pillars and solemn buildings of the cities, compared with the natural charms of the country, and the coolness of their tents: thus they pass their lives in the highest pleasure of which they have any conception, in the contemplation of the most delightful objects, and in the enjoyment of perpetual spring."1 "If courtesy," he observes, "and urbanity, a love of poetry and eloquence, and the practice of exalted virtues, be a just measure of perfect society, we have certain proof that the people of Arabia, both on plains and in cities, in republican and monarchical states, were eminently civilized for many ages before their conquest of Persia."2 We need not wonder if the man, who wrote and delivered this, found the Hindus arrived at the highest civilization. Yet the very same author, in the very same discourse, and speaking of the same people, declared, "I find no trace among them till their emigration of any philosophy but ethics;"3 and even of this he says, "The distinguishing virtues which they boasted of inculcating, were a contempt of riches and even of death; but in the age of the seven poets, their liberality had deviated into mad profusion, their courage into ferocity, and their patience into an obstinate spirit of encountering fruitless dangers."9 He adds; "The only *arts* in which they pretended to excellence (I except horsemanship and military accomplishments) were
poetry and rhetoric."1 It can hardly be affirmed that these facts are less than wonderful as regarding a people "eminently civilized;" a people exhibiting "a just measure of perfect society."2



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Among the causes which excited to the tone of eulogy adopted with regard to the Hindus, one undoubtedly was, the affectation of candour. Of rude and uncultivated nations, and also of rude and uncultivated individuals, it is a characteristic, to admire only the system of manners, of ideas, and of institutions to which they have been accustomed, despising others. The most cultivated nations of Europe had but recently discovered the weakness of this propensity: Novelty rendered exemption from it a source of distinction: To prove his superiority to the prejudices of home, by admiring and applauding the manners and institutions of Asia, became, therefore, in the breast of the traveller, a motive of no inconsiderable
power.1

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The nations of Europe became acquainted nearly about the same period, with the people of America, and the people of Hindustan. Having contemplated in the one, a people without fixed habitations, without political institutions, and with hardly any other arts than those indispensably necessary for the preservation of existence, they hastily concluded, upon the sight of another people, inhabiting great cities, cultivating the soil, connected together by an artificial system of subordination, exhibiting monuments of great antiquity, cultivating a species of literature, exercising arts and obeying a monarch whose sway was extensive, and his court magnificent, that they

had suddenly passed from the one extreme of civilization to the other. The Hindus were compared with the savages of America; the circumstances in which they differed from that barbarous people, were the circumstances in which they corresponded with the most cultivated nations; other circumstances were overlooked; and it seems to have been little suspected that conclusions too favourable could possibly be drawn.2

The progress of knowledge, and the force of observation, demonstrated the necessity of regarding the actual state of the Hindus as little removed from that of half-civilised nations. The saving hypothesis, however, was immediately adopted, that the situation in which the Hindus are now beheld is a state of degradation; that formerly they were in a state of high civilization; from which they had fallen through the miseries of foreign conquest, and subjugation.

This was a theory invented to preserve as much as actual observation would allow to be preserved, of a pre-established and favourite creed. It was not an inference from what was already known. It was a gratuitous assumption. It preceded inquiry, and no inquiry was welcome, but that which yielded matter for its support.1

To this purpose were adapted the pretensions of the Brahmens, who spoke of an antecedent period,
when the sovereigns of Hindustan were masters of great power and great magnificence. It was of importance to weigh these pretensions; because the rude writers of rude nations have almost always spoken of antecedent times as deserving all the praise with which their powers of rhetoric or song could exalt them. If the descriptions of antiquity presented by the Brahmens bore the consistent marks of truth and reality, a degree of intrinsic evidence would be attached to them. If these descriptions flew wide of all resemblance to human affairs, and were nothing but wild unnatural fictions, they would be so far from proving an antecedent state of knowledge and civilization, that they would prove the reverse. And, had the Hindus remained fixed from the earliest ages in the semibarbarous state, it is most certain that the Brahmens would have given to us just such accounts of antiquity as those we have actually received at their hands.

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As the Hindus have enlightened us by no record of antecedent events, and we thus have no immediate proof of their state of civilization, in the times that are past, the only sure ground of inference is the laws and institutions which they framed, the manners they adopted, and the arts and sciences to which they attended. If these great circumstances were at variance with the existing state of society, but adapted to one more advanced, the inference would certainly be a probable one, that to a period when society was in that improved condition, they really owed their birth. But in regard to the Hindus, their laws and institutions are adapted to the very state of society which those who visit them now behold. They are laws and institutions which, so far from importing any more perfect state of society, seem entirely inconsistent
with it; such as could neither begin, nor exist, under any other than one of the rudest and weakest states of the human mind. As the manners, the arts and sciences of the ancient Hindus are entirely correspondent with the state of their laws and institutions, every thing we *know* of the ancient state of Hindustan conspires to prove that it was rude.

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It is another important fact, that, if the Hindus had ever been placed in this pretended state of civilization, we know of no such period of calamity, as was sufficient to reduce them to a state of ignorance and barbarity. The conquest of Hindustan, effected by the Mahomedan nations, was to no extraordinary degree sanguinary or destructive. It substituted sovereigns of one race to sovereigns of another, and mixed with the old inhabitants a small proportion of new; but it altered not the texture of society; it altered not the language of the country; the original inhabitants remained the occupants of the soil; they continued to be governed by their own laws and institutions; nay, the whole detail of administration, with the exception of the army, and a few of the more prominent situations, remained invariably in the hands of the native magistrates and officers.2 The few occasions of the persecution, to which, under the reigns of one or two bigoted sovereigns, they were subjected on the score of religion, were too short and too partial to produce any considerable effects.16

When we look for the particulars of those pretended reigns of mighty kings, the universal lords of India, under whom science flourished, and civilization rose to the greatest height, we meet with nothing but fable, more wild, and inconsistent, and hyperbolical, than is any where else to be found. From this no rational conclusion can be drawn, except that it is the production of a rude and irrational age. Bharat, or Bharata, is said to have been the first universal sovereign of India, which from him derived its name; India being, in the language of the natives, Bharata Versh. In this, however, as usual, the Hindu accounts contradict themselves, since Bharat is represented as preceding Rama, the son of Cush, who, according to Sir William Jones, might have established the *first* regular government in India.1 Judhishter is another of these universal sovereigns; but of him even the origin is allegorical; he is the son of Dherma, or the god of justice, and he reigned 27,000 years. The name, with which, chiefly, the idea of the universal sovereignship of India, and the glory of art and science, is combined, is that of Vicramaditya. Of him, let us hear what is represented; and then we shall be enabled to judge. “The two periods,” says Captain Wilford, “of Vicrama’ditya and Saliva’ha’na are intimately connected; and the accounts we have of these two extraordinary personages are much confused, teeming with contradictions and absurdities to a surprising degree. In general the Hindus know but of one Vicrama’ditya; but the learned acknowledge four; and when, at my request, they produced written authorities, I was greatly surprised to find no less than eight or nine. —Vicrama’ditya made a desperate *tapasya*, in order to obtain power and a long life from Ca’li’devi, and as she seemingly continued deaf to his entreaties, he was going to cut off his own head, when she appeared, and granted him undisturbed sway over all the world for one thousand years, after which a divine child, born of a virgin, and the son of the great Tacshaca, carpenter or artist, would deprive him both of his kingdom and of his life. This would happen in the year of the Cali yug, 3101, answering to the first of the Christian era. The history of these nine worthies, but more particularly when considered as a single individual, is a most crude and undigested mass of heterogeneous legends, taken from the apocryphal gospel of the infancy of Christ, the tales of the Rabbis and Talmudists concerning Solomon, with some particulars about Muhammed; and the whole is jumbled together with some of the principal features of the history of the Persian kings of the


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Sassanian dynasty. Thus Vicrama is made contemporary with Solomon; and like him, he is said to have found the great *mantra*, spell or talisman; through which he ruled over the elements, and spirits of all denominations, who obeyed him like slaves. Like Solomon he had a most wonderful throne, supported and adorned with lions, who are endued with reason and speech. We read in the Vetala-pancha-vinsati, that it was through the assistance of the great Vetala, or devil, that two Vicrama'dityas obtained the empire of the world, a long life, with unlimited sway. They performed the pújá in his honour, offered sacrifices, and in short dedicated or gave themselves up to him."[1] On this foundation of historical matter is built the magnificent fabric of a great and universal monarchy, the reign of the arts and sciences, all that embellishes human life, and augments the human powers. Such being the premises, and such the conclusion, are they not admirably adapted to one another? The legend speaks, and that loudly, and distinctly, what it is; the creation of a rude and uncultivated fancy, exerting itself to rouse the wonder of a rude and uncultivated age, by a recital of actions, powers, and events, swelled beyond the measure of human nature; profiting by all the hints which the legends or history of other nations supplied to furnish out its story, and by appropriating the wonderful deeds of all the world to gratify the barbarous vanity of the people to whom the story was addressed. If the historian gave to his hero a reign of a thousand years; it was quite in the same temper, and conducive to the same end, to give him the sovereignty of all India; and not only of all India, but, as we see was the fact, the sovereignty of the whole world. This is precisely the course which a wild and ignorant mind, regarding only the wonder which it has it in view to excite, naturally, in such cases, and almost universally, pursues. Such legends, if they existed in myriads, are no more a proof of a monarchy common to all India, which they do not assert, than of the universal monarchy of the whole world, or of the thousands or the myriads of years to one reign, which they expressly assert.[1]



The very lists which are found in the books of the Hindus, filled up with the names of successive monarchs, Mr. Wilford assures us, are the creation of the fancies of the writers, and are formed without any reference to facts. In enumerating the authorities, from which he drew his materials, in the essay on Vicramaditya and Salivahana, he says, "The fourth list has been translated into all the dialects of India, and new-modelled at least twenty different ways, according to the whims and pre-conceived ideas of every individual, who chose to meddle with it. It is, however, the basis and ground work of modern history among the Hindus; as in the *Khulásetul Tuwarie*, and the *Tadkeratussulatin*. The latter treatise is a most perfect specimen of the manner of writing history in India; for, excepting the above list, almost every thing else is the production of the fertile genius of the compiler. In all these lists the compilers and revisers seem to have had no other object in view, but to adjust a certain number of remarkable epochs. This being once effected, the intermediate spaces are filled up with names of kings not to be found any where else, and most probably fanciful. Otherwise they leave out the names of those kings of whom nothing is recorded, and attribute the years of their reign in some among them better known, and of greater fame. They often do not scruple to transpose some of those kings, and even whole dynasties; either in consequence of some pre-conceived opinion, or owing to their mistaking a famous king for another of the same name. It was not uncommon with ancient writers, to pass from a remote ancestor to a

remote descendant; or from a remote predecessor to a remote successor, by leaving out the intermediate generations or successions, and sometimes ascribing the years of their reigns to a remote successor or predecessor. In this manner the lists of the ancient kings of Persia, both by oriental writers, and others in the west, have been compiled: and some instances of this nature might be produced from Scripture. I was acquainted lately, at Benares, with a chronicler of that sort; and in the several conversations I had with him, he candidly acknowledged, that he filled up the intermediate spaces between the reigns of famous kings, with names at a venture; that he shortened or lengthened their reigns at pleasure; and that it was understood, that his predecessors had taken the same liberties. Through their emendations and corrections, you see plainly a total want of historical knowledge and criticism; and sometimes some disingenuity is but too obvious. This is, however, the case with the sections on futurity in the Bhagavat, Vaya, Vishu, and Brahmanda Puranas; which with the above lists constitute the whole stock of historical knowledge among the Hindus; and the whole might be comprised in a few quarto pages of print."[1]



Such is the mode, in which the authors of the Puranas supply themselves with a convenient quantity of *ordinary* kings: Mr. Wilford affords most satisfactory information with regard to the manner in which they further supply themselves with *extraordinary* ones. "The propensity," says he, "of the Hindus, to appropriate every thing to themselves, is well known. We have noticed before their claims to Bahram-G?r and his descendants; and in the same manner they insist that Acbar was a Hindu in a former generation. The proximity of the time, in which this famous emperor lived, has forced them, however, to account for this in the following manner. There was a holy Brahmen, who wished very much to become emperor of India; and the only practicable way for him was to die first, and be born again. For this purpose be made a desperate *Tapasya*, wishing to remember then every thing he knew in his present generation. This could not be fully granted; but he was indulged with writing upon a brass plate a few things which he wished more particularly to remember; then he was directed to bury the plate, and promised that he would remember the place in the next generation. Mucunda, for such was his name, went to Allahabad, buried the plate, and then burned himself. Nine months after he was born in the character of Acbar, who, as soon as he ascended the throne, went to Allahabad, and easily found the spot where the brass plate was buried. Thus the Hindus claim Muhammed and Acbar as their own; exactly like the Persians of old, who insisted that Alexander was the son of one of their kings; so that after all they were forced to submit to their countrymen only."[1]



The account of the claim to Bahram-G?r, mentioned in the beginning of the preceding passage, is extremely important on the present occasion; as it shows us that Vicramaditya, whom the legend makes sovereign of the world, and the believers in the great Hindu monarchy take for emperor of Hindustan, was in reality a King of Persia, borrowed by the Brahmens, from their propensity to appropriate every thing remarkable which they heard of in the world. "One of these Vicramas," says Mr. Wilford, speaking of the different persons in whom this Vicramaditya appears, "was really a Sassanian Prince: and the famous Shabour or Sapor, of that dynasty, who took the emperor Valens prisoner."[2] The story is as follows: "In Gurjjara-mandalam are

the Sabharamati and Mahi rivers; between them is a forest, in which resided Tamralipta-rĭshi, whose daughter married King Tamrasena. They had six male children and one daughter called Mandava-rec'ha. The King had two young lads, called Devas'arma and Havis'arma, whose duty chiefly was to wash, every day, the clothes of their master, in the waters of the nearest river. One day, as Devas'arma went, by himself, for that purpose, he heard a voice, saying,

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Tell King Tamrasena to give me his daughter; should he refuse me he will repent it. The lad on his return mentioned the whole to his master; who would not believe it, and the next day sent Havis'arma to the river, who heard the same voice also, with the threats in case of a refusal. The King was astonished; and going himself heard the voice also. On his return he assembled his council; and after consulting together, it was agreed, that the King should go again, and ask him who he was. The supposed spirit being questioned, answered, I am a Gand'harva, or heavenly choirister; who, having incurred Indra's displeasure, was doomed to assume the shape of an ass. I was born in that shape, in the house of a cumbhacara, or potter, in your capital city; and I am daily roving about in quest of food. The King said that he was very willing to give him his daughter; but that he conceived that such an union was altogether impossible while he remained in that shape. The Gand'harva said, Trouble not yourself about that; comply with my request, and it shall be well with you. If, says the King, you are so powerful, turn the walls of my city, and those of the houses, into brass; and let it be done before sun-rise to-morrow. The Gand'harva agreed to it, and the whole was completed by the appointed time; and the King of course gave him his daughter. This Gand'harva's name was Jayanta, the son of Brahma. When cursed by Indra, he humbled himself; and Indra relenting, allowed him to resume his human shape in the night time; telling him that the curse should not be done away, till somebody had burned his ass-like frame. The mother of the damsel spied them once in the night; and, to her great joy, found that the Gand'harva dallied with her daughter in a human shape. Rejoiced at this discovery, she looked for his ass-like form, and burned it. Early in the morning,

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the Gand'harva looked for this body of his, and found that it had been destroyed. He returned immediately to his wife, informing her of what had happened, and that his curse being at an end, he was obliged to return to heaven, and leave her. He informed her also that she was with child by him, and that the name of the child was to be Vicramaditya."[1] After the statement of some other particulars, Mr. Wilford says; "This is obviously the history of Yesdegird, son of Bahram-G?r, or Bahram the ass, King of Persia: the grand features are the same, and the times coincide perfectly. The amours of Bahram-G?r, with an Indian princess, are famous all over Persia, as well as in India."[2] Such are the accounts of Vicramaditya, from which we are called upon for our belief of an universal monarchy, and a period of civilization and knowledge.[3]

Our experience of human nature, and the phenomena which are exhibited under the manners, attainments, and institutions of the Hindus, are the only

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materials from which a rational inference can be drawn. It is by no means impossible for a people, who have passed but a small number of stages in the career of civilization, to be united, extensively, under one government, and to remain steady for a great length of time in that situation. The

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empire of China is one conspicuous proof; the ancient kingdom of Persia, which for several ages stood exempt from revolution, is another. The Ottoman empire may be considered as a similar instance. And the Russians, a barbarous people, have long formed a very extensive monarchy. It would, therefore, be far from evidence of any higher civilization, among the Hindus, than what they now manifest, had the existence of a great monarchy been proved. Among uncivilized nations, however, it is most common to find a perpetual succession of revolutions, and communities in general small; though sometimes a prince or individual with uncommon talents arises; and, acquiring power, extends his authority over several of those communities; or even, as in the case of Charlemagne, over a great number; while, after his death, the large empire which he had erected gradually dissolves, till the whole, or the greater part, is re-divided into small communities as before. Every thing which the Europeans have seen in Hindustan conspires to prove that such subdivision of communities, and occasional and temporary extensions of power in particular hands, have composed the history of that country. The Mahratta empire affords a striking example of those changes which seem natural to the circumstances in which the people are placed. Within the period of the modern intercourse of the Europeans with Hindustan, an aspiring individual was enabled to extend his authority, partly by persuasion, partly by force, first over one district, and then over another, till at last he united under his command an extensive empire, composed chiefly of the separate and disjointed communities, who occupied the mountainous districts in the western and central parts of Hindustan.[1] Soon was this empire broken into several different governments, the owners of which hardly acknowledged even a nominal homage to the throne of Sevagee; and had they been left to themselves, free from the irresistible operation of the British power, the empire of the Mahrattas, in all probability, would have been resolved, ere this time, into its primitive elements. Even the empire of the Moguls, itself; though erected on firmer foundations than it is reasonable to suppose that any Hindu monarchy ever enjoyed; though supported by a foreign force; and acted upon by peculiar motives for maintaining undivided power, had no sooner attained its greatest extension by the conquests of Aurungzebe, than it began immediately to fall to pieces; and a single century beheld it in fragments.





The monuments of the ancient state of Hindustan conspire in giving indication of a troubled scene. Every ancient writing, which bears any reference to the matter of history, the historical poems, the Puranas, hold up to view a state of society, the reverse of tranquil; perpetual broils, dethronements, injustice, wars, conquests, and bloodshed. Among the most important of all the documents of antiquity found in Hindustan, are the inscriptions, declaratory of grants of land, made by the ancient princes of the country. These princes are so far from appearing to have presided over a peaceful land, that they are all represented, as victorious warriors; and as having been surrounded by enemies, over whom they have triumphed, and whom they have severely chastised.[1] Almost all the princes mentioned in these inscriptions, princes in all the parts of India, and not pretended to have been more than the sovereigns of some particular district, are described as the conquerors and sovereigns of the whole world.[1]

Of the unsparing and destructive cruelty which accompanied the perpetual wars and conquests of the Hindus, among other proofs, the following may be considered as strong. In the inscription found at Tanna, part of the panegyric bestowed upon the donor Prince, is in these words; "Having raised up his slain foe on his sharp sword, he so afflicted the women in the hostile palaces, that their forelocks fell disordered, their garlands of bright flowers dropped from their necks on the vases of their breasts, and the black lustre of their eyes disappeared; a warrior, the plant of whose fame grows up over the temple of Brahma's egg [the universe] from the-repeated-watering-of-it-with-the-drops-that-fell-from-the-eyes-of-the-wives-of-his-slaughtered-foe."2 It would be in the highest degree absurd to reject this, were it even a solitary instance, as evidence of a general fact; because the exterminating ferocity is described as matter of the highest praise; and panegyric, to be what it is, must be conformable to the ideas of the people to whom it is addressed.30

The picture which Major Rennel, looking only to a limited period, drew of the state of Hindustan, may be taken, agreeably to every thing which we know of Hindustan, as the picture of it, to the remotest period of its history. Rebellions, massacres, and barbarous conquests, make up the history of this fair country, (which to an ordinary observer seems destined to be the paradise of the world,)—the immediate effect of the mad ambition of conquering more than can be governed by one man."1 "Revolutions," (says Sonnerat, directing his attention to the coast of Malabar, which had been little affected by foreign conquest) "have been more rapid in this than in any other part of the globe. A daring robber, possessed of policy and courage, in a short time gives laws to the whole coast, but in his turn becomes tributary to a bolder villain, who marching in the same path, subjects him to that lot he had inflicted on others."1



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Notwithstanding, in other respects, the extreme scantiness and uncertainty of the materials for any inferences except the most general, in regard to the ancient state of Hindustan, there is a great body of evidence to prove the habitual division of the country into a number of moderate, and most frequently, petty sovereignties and states.2 In the dramatic poem Sacontala, the daughter of the hermit asks the royal stranger, who had visited their consecrated grove; "What imperial family is embellished by our noble guest? What is his native country? Surely it must be afflicted by his absence from it?" The question undoubtedly implied that there were more royal families than one to which he might belong; and these at no remarkable distance; since the stranger was known to have come into the forest in the course of a hunting excursion. In the Hetopadesa mention is made of a variety of princes. Thus in the compass of a few pages, we are told; "In the country of Calinga is a prince, named Rucmangada, who, advancing with preparations to subdue the adjacent regions, has fixed his station near the river Chandrabhaga."2 Again, "In the country of Canyacuja is a prince named Virasena."2 And further, "There is near the Bhagirathi a city, named Pataliputra, in which lived a prince named Sundersana."3 In the inscription, formerly quoted, found at Monghir, and bearing date 23 years B. C. there is sufficient proof of the division of Hindustan into numerous kingdoms. Gopaal, the prince or the father of the prince by whom the grant is made, is panegyrized as the conqueror of

many princes; and his son is, “He, who marching through many countries, making conquests, arrived with his elephants, in the forests of the mountains Beendhyo, where seeing again their longlost families, they mixed their mutual tears; and who going to subdue other princes, his young horses meeting their females at Komboge, they mutually neighed for joy:—who conquered the earth from the source of the Ganges as far as the well-known bridge which was constructed by the enemy of Dosaesyo, from the river of Luckeecool as far as the ocean of the habitation of Booroon.”4 If this prince overran the peninsula, and conquered a multitude of princes, the peninsula must have been possessed by a multitude of princes before. And we may form an idea of the exaggeration used in the account of his victories, when we are told that his father Gopaal was king of the world, and possessed of two brides, the earth and her wealth.5 The conquests by those princes, even when they took place, were but inroads, never to any considerable extent, effecting a durable possession. This



prince himself we are told, “when he had completed his conquests, released all the rebellious princes he had made captive; and each returning to his own country laden with presents, reflected upon this generous deed, and longed to see him again.”1 The laws frequently afford evidence to the same purpose. The penalty, so frequently imposed, of banishment from one kingdom to another, proves the vicinity of different kingdoms.2 The following is another instance in point: “If a lender of money says to a person, A debt due to me is outstanding in your hands, and that person denies the debt, if at that time the bond is not in the lender’s hands, but should be in some other kingdom, then, until he brings the bond from such other kingdom, the suit shall not be determined.”3 In the code of Menu is a series of rules for behaviour



to neighbouring princes; sufficiently proving, that Hindustan was in that state of subdivison which rendered these rules pertinent and useful.1 These articles, to which there is nothing whatsoever opposed, but the absurd fables of the Brahmens, constitute a degree of evidence to which we may with sufficient confidence attach our belief.2



We have already seen, in reviewing the Hindu form of government, that despotism, in one of its simplest and least artificial shapes, was established in Hindustan, and confirmed by laws of Divine authority. We have seen likewise, that by the division of the people into castes, and the prejudices which the detestable views of the Brahmens raised to separate them, a degrading and pernicious system of subordination was established among the Hindus, and that the vices of such a system were there carried to a more destructive height than among any other people.1 And we have seen that by a system of priestcraft, built upon the most enormous and tormenting superstition that ever harassed and degraded any portion of mankind, their minds were enchained more



intolerably than their bodies; in short that, despotism and priestcraft taken together, the Hindus, in mind and body, were the most enslaved portion of the human race. Sir William Jones, in his preface to the translation of the Institutes of Menu, says, that this code exhibits “a system of despotism and priestcraft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks.” The despotism and priestcraft of the system were, it seems, too glaring to be mistaken or denied; but, in order to palliate

the deformity, Sir William is betrayed into nonsense. A despotism, he says, limited by law; as if a despotism limited by law were not a contradiction in terms; what is limited by law, so far as so limited, being not a despotism. A priestcraft, he also says, limited by law: A law of which the priests themselves were the sole makers, and the sole interpreters! A despotism, and a priestcraft, he says, with mutual checks. Yes, truly; it was the interest of the priestcraft to check the despotism, in all encroachments on the priestcraft; and it was the interest of the despotism to check the priestcraft, in all encroachments on the despotism: But who checked the despotism and the priestcraft in oppressing the people? Alas! no one. It was the interest of the despotism and the priestcraft to join together in upholding their common tyranny over the people; and it must be allowed that so commanding a motive had all the influence upon their conduct which it might be expected to have. Apply this remark of the splendid orientalist to the Turks: *There* is a despotism and a priestcraft, limited, (if we may so abuse the term,) and still more strictly limited, by law; for the Moslem laws are more precise and accurate than those of the Hindus: *There*, too, the despotism and priestcraft check one another: But has all this prevented the Turkish despotism and priestcraft from being the scourge of human nature; the source of barbarity and desolation?



That the Hindu despotism was not practically mild, we have a number of satisfactory proofs. We have seen the cruelty and ferocity of the penal laws; itself a circumstance of the highest importance. “A thunderbolt,” says the author of the Hetopadesa, “and the power of kings are both dreadful! But the former expendeth its fury at once, whilst the latter is constantly falling upon our heads.”1 Some of the observations are so comprehensive, and pointed, as to afford the strongest evidence. “In this world,” says the same celebrated book, “which is subject to the power of one above, a man of good principles is hard to be found, in a country, for the most part, *governed by the use of the rod*.”2 “Princes in general, alas! turn away their faces from a man endowed with good qualities.”3 “The conduct of princes, like a fine harlot, is of many colours: True and false, harsh and gentle; cruel and merciful; niggardly and generous; extravagant of expense, and solicitous of the influx of abundant wealth and treasure.”4 “An elephant killeth even by touching, a servant even by smelling, a king even by ruling.”5 All the general maxims of the Hindus import the extreme degradation of the great body of the people. “The assistance, O king, which is rendered to those of low degree, is like endeavouring to please bears. A low person should never be placed in the station of the great. One of low degree having obtained a worthy station seeketh to destroy his master.”1 “The Hindus,” says Dr. Buchanan, “in their state of independence, exacted deference from those under them with a cruelty and arrogance rarely practised but among themselves. A Nair was expected instantly to cut down a Tiar or Mucua, who presumed to defile him by touching his person; and a similar fate awaited a slave, who did not turn out of the road as a Nair passed.”2 In Sacontala, Dushmantu is represented as a king who possessed every virtue, and made happiness flourish as in the golden age. Yet we have a specimen of the justice and legality which prevailed during this happy reign, in the passage relating to the innocent fisherman. He was found, by certain of the king’s officers, offering to sale a ring with the king’s name upon it. They instantly seize him, and drag him away to justice: all the while beating and bruising him; and loading him with opprobrious epithets. The victim of this brutal

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treatment offers only the most humble entreaties, making statement of the facts, and protestation of his innocence. Upon the sight of the ring, the king acknowledges that he is innocent; and orders him a sum of money, equal in value to the ring. Of this reward he is obliged to resign a half to the very men
who had abused him, "to escape," it is said, "the effects of their displeasure."[1]



The laws for guarding the authority of the magistrate exhibit a character of extreme severity, and indicate an habitual state of the most rigid domination. "If a man speaks reproachfully of any upright magistrate, the magistrate shall cut out his tongue, or, having confiscated all his effects, shall banish him the kingdom."[2] By this law even the privilege of complaint was taken from the wretched Hindu. The victim of oppression was bound, under ferocious penalties, to suffer in silence.

The following is a law by which every act of despotism is legalized. "If a magistrate, for his own good, hath passed any resolutions, whoever refuses to submit to such resolutions, the magistrate shall cut out that person's tongue."[3] If every resolution which the magistrate chooses to pass for his own good, is by the very circumstance of his passing it, obligatory under violent penalties, the state of the government is not doubtful.

"If a man makes complaint before the magistrate against the magistrate's counsellor, without any real fault in him, or performs any business or service for the magistrate's accuser, the magistrate shall put him to death."[4] Under the operation of this law, the magistrate had little to fear from accusation. There could be no remedy for any grievance; because the existence of any grievance could hardly ever be told. If the magistrate was willing to hear of his own misconduct, or that of his servants, in that case he
might hear of it; where he was unwilling, in that case it was death.[1]



Though all peaceable applications for the redress of grievances were thus precluded, any violence offered to the person of the magistrate, was punished in a manner which none but the most savage people ever endured. "If a magistrate has committed a crime, and any person, upon discovery of that crime, should beat and ill-use the magistrate, in that case, whatever be the crime of murdering one hundred Brahmins, such crime shall be accounted to that person: and the magistrate shall thrust an iron spit through him, and roast him at the fire."[2]

The notices afforded us of particular sovereigns are exceedingly few. But, such as they are, most of them declare the misgovernment and cruelty of the individuals to whom they relate. "According to Plutarch, in his life of Alexander, Chandra-Gupta (I use the words of Mr. Wilford) had been in that prince's camp, and had been heard to say afterwards, that Alexander would have found no difficulty in the conquest of Prachi, or the country of the Prasians, had he attempted it, as the King was despised and hated too, on account of his cruelty."[3]

As the Hindu manners and character are invariable, according to their admirers; these admirers cannot consistently reject their present, as proof of their ancient, behaviour; and all men will allow that it affords strong ground of inference. “It is a remark,” says one of the best informed observers of Hindustan, “warranted by constant experience, that wherever the government is administered by Gentoos, the people are subject to more and severer oppressions than when ruled by the Moors. I have imputed this to intelligent Gentoos, who have confessed the justice of the accusation, and have not scrupled to give their opinions concerning it.” The opinions of these Gentoos are as favourable to themselves as, suiting the occasion, they could possibly make them. “A Gentoo,” say they, “is not only born with a spirit of more subtile invention, but by his temperance and education becomes more capable of attention to affairs, than a Moor; who no sooner obtains power than he is lost in voluptuousness; he becomes vain and lordly, and cannot dispense with satiating the impulses of his sensual appetites; whereas a Gentoo Prince retains in his Durbar the same spirit which would actuate him if keeping a shop.” Mr. Orme adds, “Avarice is his predominant passion; and all the wiles, address, cunning, and perseverance, of which he is so exquisite a master, are exerted to the utmost in fulfilling the dictates of this vice; and his religion, instead of inspiring, frees him from the remorse of his crimes; for whilst he is harassing and plundering the people by the most cruel oppressions, he is making peace with the gods by denying
nothing to their priests.” Mr. Orme exhibits an impressive example. “The present King of Travancore (an Hindu prince whose dominions had never been subject to a foreign government) has conquered or carried war into all the countries which lay round his dominions, and lives in the continual exercise of his arms. To atone for the blood which he has spilt, the Brachmans persuaded him that it was necessary he should be born anew: this ceremony consisted in putting the prince into the body of a golden cow of immense value, where, after he had laid the time prescribed, he came out regenerated and freed from all the crimes of his former life. The cow was afterwards cut up and divided amongst the Seers who had invented this extraordinary method for the remission of his sins.”[1] No testimony can be stronger
to the natural tendency of the Hindu religion, and to the effects which their institutions are calculated to produce.[1]





Among other expedients for saving the favourite
system, it has been maintained that the petty states and princes in Hindustan were but subordinate parts of one great monarchy, whose sceptre they acknowledged, and mandates they obeyed. There is no definable limit to gratuitous suppositions. If we are to be satisfied with opinions not only void of proof, but opposed by every thing of the nature of proof, attainable upon the subject, we may conjure up one opinion after another; and nothing, except physical impossibility or a defect of ingenuity, can set bounds to our affirmations. In the loose mode of thinking, or rather of talking without thinking, which has prevailed concerning Indian affairs, the existence of
feudal institutions in modern Europe has constituted a sufficient basis for the belief of feudal institutions in India; though it would have been just as rational to conclude that, because the Saxon language forms the

basis of most of the languages of Europe, therefore the Saxon language forms the basis of the language in India.

There are two modes in which the subordination of a number of petty princes to a great one may take place. The inferior states may exist merely as conquered, enslaved countries, paying tribute to a foreign government, obeying its mandates, and crouching under its lash. A second mode would be, where the inferior states were connected together by confederacy, and acknowledged a common head for the sake of unity, but possessed the right of deliberating in common upon common concerns. It may with confidence be pronounced, that in neither mode is the supposed effect compatible with the state of civilization in Hindustan.

To retain any considerable number of countries in subjection, preserving their own government, and their own sovereigns, would be really arduous, even where the science of government were the best understood. To suppose it possible in a country where the science of government is in the state indicated by the laws and institutions of the Hindus, would be in the highest degree extravagant. Even the Romans themselves, with all the skill which they possessed, retained their provinces in subjection, only by sending thither their own governors and their own armies, and superseding entirely the ancient authorities of the country. The moderation of conquering, without seizing, is a phenomenon so rarely exemplified in the most civilized times, that to suppose it universal in India, is to make a supposition in contradiction to the known laws of human affairs, and even to particular experience. Wherever an Indian sovereign is able to take possession, he hastens to take it. Wherever he can make a plundering incursion, though unable to retain, he ravages and destroys. Now it sometimes happens, that a neighbouring prince, too weak to prevent or chastise these injuries, endeavours to purchase exemption from them by a composition. This, in the language of the Mahrattas, who, in modern times, have been almost the only people in India in a situation to exact it, is called *Chout*, of which the standard is a fourth part of the revenues of the district liable to be over-run. It has in several instances, and these abundantly recent ones, been payed, for certain districts, by the British government itself, without the most distant idea of any lordship paramount in the Mahrattas. It is abundantly evident that this species of subordination, if subordination it can be called, never could have extended far; never could reach beyond the countries immediately contiguous to that from which the chance of mischief arose.



A confederation of princes, similar to that which was exemplified in Germany, and which no combination of circumstances has elsewhere produced, is a supposition, still more opposed to experience. Of all the results of civilization, that of forming a combination of different states, and directing their powers to one common object, seems to be one of the least consistent with the mental habits and attainments of the Hindus.[1] It is the want of this power of combination which has rendered India so easy a conquest to all invaders; and enables us to retain, so easily, that dominion over it which we have acquired. Where is there any vestige in India of that deliberative assembly of princes, which in Germany was known by the name of the Diet? Where is there any memorial of that curious constitution by which the union of the German princes was

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preserved; or of those elections by which they chose among themselves him who should be at their head? That nominal homage, which the Mahratta chiefs paid to the throne of Sevagee, was a temporary circumstance, entirely of a different nature. These chiefs were not subordinate princes, but revolted subjects, in a dismembered empire. There was among them no confederacy. When at war with Scindia, the British were at peace with the Peshwa and Holkar; when they were at war with Holkar, they were at peace with the rest. They acknowledged a subordination to the primary seat of government, only because their subjects had been accustomed to look to it; and because they were not yet secure of their obedience.[1]

They, who affirm the high state of civilization among the Hindus previous to their subjugation to foreigners, proceed so directly in opposition to evidence, that wherever the Hindus have been always exempt from the dominion of foreigners, there they are uniformly found in a state of civilization inferior to those who have long been the subjects of a Mahomedan throne.[1]



It is in no quarter pretended, that the Hindu superstition was ever less gross than it now appears. It is remarkable, that in any quarter it should not be recollected, that superstition necessarily gives way, as civilization advances. Powerful, at an early age, among the Greeks and Romans, it finally ceased to have almost any influence;[2] and Goguet had long ago declared, with philosophical truth, that "we wanted no evidence to prove the ignorance and rudeness of the Greeks in the heroic times; their credulity and their respect for oracles are proofs, more than sufficient. This species of superstition has no force or dominion, but in proportion to the gross ignorance of the people: witness the savages, who do not undertake any thing till they have previously consulted their divines and their oracles."[1]



So many regulations are found in the Hindu codes of law respecting seasons of calamity; seasons when it is supposed that a great portion of the people are without the means of subsistence, that those dreadful visitations must be very frequent. From which soever of these two great causes, famine, or the ravages of war, the frequency of those calamities arose, it equally bars the supposition of good government and high civilization.[2]

If we apply the reflection, which has been much admired, that if a man were to travel over the whole world, he might take the state of the roads, that is, the means of internal communication in general, as a measure of the civilization; a very low estimate will be formed of the progress of the Hindus. "In India," says Rennel, "the roads are little better than paths, and the rivers without bridges."[3] "In Malabar," says Dr. Buchanan, speaking of the wretched state of the roads, "even cattle are little used for the transportation of goods, which are generally carried by porters."[4] The Emperor, Shah Jehan, constructed certain roads in Bengal, which were celebrated as prodigies; but the remains of them, Dr. Tennant remarks, sufficiently manifest that they can never have been good, and the admiration they excited proves nothing except the wretched condition of every thing, under the name of

road, which had been known in India before.1 Another fact, of much importance, is, that a Mahomedan sovereign was the first who established Choultries; that is, Caravanseras, or houses of reception for travellers upon the road, of which, till that period, they had no experience. "This fact," says Mr. Forster, "also recorded in Dow's history, is well known amongst the natives."2

Among the pretensions received without examination, that of enormous riches found in India by the first Mahomedan conquerors, requires particular attention. If those accounts had not far exceeded all reasonable bounds, it would have been a matter of difficulty, to prove the falsehood of them, except to those who were capable of estimating one circumstance, in any state of society, by its analogy with the rest. As the amount, however, stated by those authors, whose testimony has been adopted; by Ferishta, for example, followed by Dow; far exceeds the bounds not of probability only, but of credibility; and affords decisive evidence of that Eastern exaggeration which in matters of history disdains to be guided by fact, the question is left free of any considerable difficulty.3 These accounts refute themselves. We have, therefore, no testimony on the subject; for all that is presented to us in the shape of testimony betrays itself to be merely fiction. We are left to our knowledge of circumstances, and to the inferences which they support. Now if the preceding induction, embracing the circumstances of Hindu society, is to be relied on, it will not be disputed, that a state of poverty and wretchedness, as far as the great body of the people are concerned, must have prevailed in India, not more in the times in which it has been witnessed by Europeans, than the times which preceded. A gilded throne, or the display of gold, silver, and precious stones, about the seat of a court, does not invalidate this inference. Only there where gold and silver are scarce, can the profuse display of them about the monarch's person either gratify the monarch's vanity, or dazzle by its rarity the eyes of the multitude. Perhaps there are few indications more decisive of a poor country, and a barbarous age, than the violent desire of exhibiting the precious metals and precious stones, as the characteristic marks and decorations of the chief magistrate.1



The science of political economy places this conclusion on the ground of demonstration. For the people to have been rich in gold and silver, these commodities must have circulated among them in the shape of money. But of gold and silver in the shape of money, no nation has more, than what is in proportion to its exchangeable commodities. Now that ever the people of Hindustan were profusely supplied with commodities, every thing in their manners, habits, government, and history, concur to disprove. There is, besides, a well-established fact, which ascertains the impossibility of their having abounded in gold and silver. Their commodities were not exchanged by the medium of the precious metals. The traffic of India, as in the rudest parts of the earth, was chiefly a traffic of barter; and its taxes, as already seen, were paid in kind. It was not till the time of Akber that gold or silver was coined for circulation, in the greatest part of India; antecedently to that period small pieces of copper were the only coin.1 Up to the present hour, when the real signs of riches and civilization are but just beginning to be understood, nothing has been more common with rash and superficial travellers, than to set down lofty accounts of the riches of almost every new country to which they repaired.2

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As rude nations, still more than civilized, are incessantly harassed by the dangers, or following the gains of war; one of the first applications of knowledge is, to improve the military art. The Hindus have, at no period, been so far advanced in knowledge, as even to be aware of the advantage of discipline, of those regular and simultaneous movements, upon which, in skilled warfare, almost every thing depends. “In the Hindu armies,” says Francklin, “no idea of discipline ever existed.”1 “The rudeness of the military art in Indostan,” says Mr. Orme, “can scarce be imagined but by those who have seen it. The infantry consists of a multitude of people assembled together without regard to rank and file.”2

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Even medicine and surgery, to the cultivation of which so obvious and powerful an interest invites, had scarcely, beyond the degree of the most uncultivated tribes, attracted the rude understanding of the Hindus. Though the leisure of the Brahmens has multiplied books, on astrology, on the exploits of the gods, and other worthless subjects, to such a multitude, “that human life,” says Sir W. Jones, “would not be sufficient to make oneself acquainted with any considerable part of Hindu literature,”1 he yet confesses, there is “no evidence that in any language of Asia, there exists one original treatise on medicine, considered as a science.”2 Surgery, says an author, who believes in the high civilization of the Hindus, is unknown among that people. In the case of gunshot, or sabre wounds, all they did was to wash the wound, and tie it up with fresh leaves; the patient, during the period of convalescence, eating nothing but the water gruel of rice.3

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In comparing them with other people, it cannot, in a single word, be declared, with which of the nations, more familiar to Europeans, the Hindus, in point of civilization, may be regarded as on a level; because, in comparison with those whom they most nearly approach, while inferior to them in some, they are superior, in other respects. Should we say that the civilization of the people of Hindustan, and that of the people of Europe, during the feudal ages, are not far from equal, we shall find upon a close inspection, that the Europeans were superior, in the first place, notwithstanding the vices of the papacy, in religion; and, notwithstanding the defects of the schoolmen, in philosophy. They were greatly superior, notwithstanding the defects of the feudal system, in the institutions of government and in laws. Even their poetry, if the observance of nature, if the power of moving the affections, or indeed ingenuity of invention, be regarded as the marks of excellence, is beyond all comparison preferable to the poetry of the Hindus. That, in war, the Hindus have always been greatly inferior to the warlike nations of Europe, during the middle ages, it seems hardly necessary to assert.1 In some of the more delicate manufactures, however, particularly in spinning, weaving, and dyeing, the Hindus, as they rival all nations, so they no doubt surpass all that was attained by the rude Europeans. In the fabrication, too, of trinkets; in the art of polishing and setting the precious stones; it is possible, and even probable, that our impatient and rough ancestors did not attain the same nicety which is displayed by the patient Hindus. In the arts of painting and sculpture, we have no reason to think that the Europeans were excelled by the Hindus. In architecture, the people who raised the

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imposing structures which yet excite veneration in many of the ancient cathedrals, were not left behind by the builders of the Indian pagodas.2 The agriculture of the Europeans, imperfect as it was, surpassed exceedingly that of the Hindus; for with the climate and soil of most of the countries of Europe, agriculture, so imperfect as that of India, could not have maintained the population. In point of manners and character, the manliness and courage of our ancestors, compared with the slavish and dastardly spirit of the Hindus, place them in an elevated rank. But they were inferior to that effeminate people in gentleness, and the winning arts of address. Our ancestors, however, though rough, were sincere; but, under the glosing exterior of the Hindu, lies a general disposition to deceit and perfidy. In fine, it cannot be doubted that, upon the whole, the gothic nations, as soon as they became a settled people, exhibit the marks of a superior character and civilization to those of the Hindus.1



No one can take an accurate survey of the different nations of Asia, and of their different ages, without remarking the near approaches they make to the same stage of civilization. This gives a peculiar interest and importance to the inquiry respecting the Hindus. There can be no doubt that they are in a state of civilization very nearly the same with that of the Chinese, the Persians, and the Arabians; who, together, compose the great branches of the Asiatic population; and of which the subordinate nations, the Japanese, Cochin-chinese, Siamese, Burmans, and even Malays and Tibetians, are a number of corresponding and resembling offsets.



With regard to former ages, it is true, that the religion, and several circumstances in the outward forms of society, have been altered in Persia, since the days of Darius; but the arts, the sciences, the literature, the manners, the government, concur to prove, in a remarkable manner, the near approach of the two periods to the same points of civilization. The ancient Persians, too, there is reason to believe, were placed in nearly the same state of society with the people whom they succeeded; the Chaldeans, Assyrians, and Babylonians. In contemplating, therefore, the state of Hindustan, curiosity is very extensively gratified. As the manners, institutions, and attainments of the Hindus, have been stationary for many ages; in beholding the Hindus of the present day, we are beholding the Hindus of many ages past; and are carried back, as it were, into the deepest recesses of antiquity. Of some of the oldest nations, about which our curiosity is the most alive, and information the most defective, we acquire a practical, and what may be almost denominated a personal knowledge, by our acquaintance with a living people, who have continued on the same soil from the very times of those ancient nations, partake largely of the same manners, and are placed at nearly the same stage in the progress of society. By conversing with the Hindus of the present day, we, in some measure, converse with the Chaldeans and Babylonians of the time of Cyrus; with the Persians and Egyptians of the time of Alexander.



A judicious observer of Asiatic manners declares that “The leading customs of the various nations of Asia are similar, or but weakly diversified. When they sit, the legs are crossed or bent under them; they perform topical ablutions before and after meals,

at which no knife or spoon is used, unless the diet be wholly liquid; they invariably adopt the like modes of performing natural evacuations."[1]

The account which Gibbon presents us, from Herodian, and Ammianus Marcellinus, of the art of war among the Persians, in the time of the Roman emperors, is an exact description of the art, as practised by the Persians and Hindus, and by most of the other nations of Asia, at the present day. "The science of war, that constituted the more rational force of Greece
and Rome, as it now does of Europe, never made any
considerable progress in the East. Those disciplined evolutions
which harmonize and animate a confused multitude, were unknown to the Persians. They were equally unskilled in the arts of constructing, besieging, or defending regular fortifications. They trusted more to their numbers than to their courage; more to their courage than to their discipline. The infantry was a half-armed, spiritless crowd of peasants, levied in haste by the allurements of plunder, and as easily dispersed by a victory as by a defeat. The monarch and his nobles, transported into the camp the pride and luxury of the seraglio. Their military operations were impeded by a useless train of women, eunuchs, horses and camels; and in the midst of a successful campaign, the Persian host was often separated or destroyed by an unexpected famine."[1]



In the system of Zoroaster, and in that of the Brahmens, we find the same lofty expressions concerning the invisible powers of nature; the same absurdity in the notions respecting the creation; the same infinite and absurd ritual; the same justness in many ideas respecting the common affairs of life and morality; the same gross misunderstanding in others; but a striking resemblance between the two systems, both in their absurdities and perfections. The same turn of imagination seems to have belonged to the authors of both; and the same aspect of nature to have continually presented itself; the deformities however of the Hindu system being always the greatest.

The Persians, in the time of Cambyses, had judges, select sages, who were appointed for life; and whose
business it was, according to pre-established laws, to terminate
all disputes, and punish crimes. This, like similar circumstances,
in the state of the Hindus, presents part of the forms of a legal government. These judges, however, when consulted by the king if he might perform an act, on which for fear of popular odium he hesitated to venture, gave a solemn opinion, *that for the king of the Persians it was law, to do whatsoever he pleased*.[1] "This *constitutional maxim*," says Gibbon archly, "was not neglected as an useless and barren theory."[2]



"Like Brimha, the Fo of the Chinese has various times become incarnate among men and beasts. Hence he is represented in his temples as riding upon dragons, rhinoceroses, elephants, mules and asses; dogs, rats, cats, crocodiles, and other amiable creatures, whose figures he fancied and assumed. There are in some of these pagodas, a thousand of these monstrous statues, all most horribly ugly, and ill represented, and unlike any thing in heaven or earth, or the waters under the earth."[3]

Under the reign of credulity, it is instructive to mark the inconsiderateness of a reflecting writer. After many praises of the Chinese husbandry, such as those which we have often heard of the agriculture of the Hindus, Lord Macartney adds, "The plough is the simplest in the world, has but one handle, is drawn by a single buffalo, and managed by a single person without any assistance."1 And Mr. Barrow says, "Two thirds of the small quantity of land under tillage is cultivated with the spade or the hoe, without the aid of draught cattle."2

Even of the principal route from Pekin to Canton, Lord Macartney remarks; "For horse and foot the road is excellent, but admits of no wheel carriages."3 Mr. Barrow more explicitly declares, that except near the capital, and in some few places where the junction of the grand canal with navigable rivers is interrupted by mountainous ground, there is scarcely a road in the whole country that can be ranked beyond a foot path.4 Even the grand canal itself was opened by the Tartar conqueror Gingis Khan, in the thirteenth century: and that solely with a view to convey the taxes, paid in kind, from the southern part of the empire to the capital, a great part of them having been always lost by the unskilfulness of Chinese navigation, when conveyed by sea."5

Like the Hindus, before the improvements introduced among them by the Moguls, the Chinese have no coin, above a small one of copper; and the taxes of that immense empire are paid in kind.6

Lord Macartney remarks, that the Chinese have no natural philosophy; no medical or chirurgical skill; that a fractured leg is usually attended by death.1

In the sciences and arts of the Hindus and Chinese there is manifested a near approximation to the same point of advancement. In respect to government and laws, the Chinese have to a considerable degree the advantage. As they are a busy people, however; and have no idle class, whose influence depends upon the wonder they can excite by pretended learning, they have multiplied, far less than the Hindus, those false refinements, which a barbarous mind mistakes for science.2 Both have made greater progress in the refinement of the useful arts, than in the advancement of science. But in these too the Chinese appear to have the superiority; for though it may be doubted whether the Chinese manufacture of silk rivals in delicacy the cotton manufacture of the Hindus, the latter people have nothing to set in competition with the porcelain of the Chinese; and in the common works in wood and iron, the Chinese are conspicuously preferable. In the contrivance and use of machinery both are equally simple and rude.3

In the state of the fine arts, there is a striking resemblance between the two nations. "The architecture of the Chinese," says Mr. Barrow, "is void of taste, grandeur, beauty, solidity, or convenience; their houses are merely tents, and there is nothing magnificent in the palace of the emperor."1 Both nations were good at imitation.2 Both were extremely defective in invention. In painting and sculpture they were ignorant of perspective, of attitude, and proportion.

Even in manners, and in the leading parts of the moral character, the lines of resemblance are strong. Both nations are to nearly an equal degree tainted with the vices of insincerity; dissembling, treacherous, mendacious, to an excess which surpasses even the usual measure of uncultivated society. Both are disposed to excessive exaggeration with regard to every thing relating to themselves. Both are cowardly and unfeeling. Both are in the highest degree conceited of themselves, and full of affected contempt for others. Both are, in the physical sense, disgustingly unclean in their persons and houses.99



With respect to the inhabitants of another quarter of Asia, Turner, in his account of the embassy to Tibet, informs us, that the deportment of the Rajah of Bootan was exceedingly urbane, and his sentiments breathed that sort of humanity which seems to flow from the belief of the metempsychosis. “My food, said he, consists of the simplest articles; grain, roots of the earth, and fruits. I never eat of any thing which has had breath, for so I should be the indirect cause of putting an end to the existence of animal life, which by our religion is strictly forbidden.”1

Though frequent ablutions are performed for religious purposes, the same author informs us that the people in their persons are extremely unclean.2

“Bootan presents to the view nothing but the most mishapen irregularities; mountains covered with eternal verdure, and rich with abundant forests of large and lofty trees. Almost every favourable aspect of them, coated with the smallest quantity of soil, is cleared and adapted to cultivation, by being shelved into horizontal beds; not a slope or narrow slip of land between the ridges lies unimproved. There is scarcely a mountain whose base is not washed by some rapid torrent, and many of the loftiest bear populous villages, amidst orchards and other plantations on their summits and on their sides. It combines in its extent the most extravagant tracts of rude nature and laborious art.”1

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Yet they have no discipline in their armies. In their mode of warfare, stratagem is more practised than open assault.2

The appearance of the capital Teshoo Loomboo was in a high degree magnificent, and together with the palace afforded proofs of a progress in the arts which vied with that of Hindustan and China.3

The inhabitants of the great Peninsula, to the eastward of the Ganges, discover, as far as known, the uniform marks of a similar state of society and manners. The Cochin-Chinese, for example, who are merely a separate community of the Chinese race, appear by no means in civilization behind the Chinese and Hindus. A traveller from whom we have obtained a sensible though short account of some of the more striking phenomena of the country, both physical and moral, informs us, that it is “one of the most fruitful in the world. In many parts,” he says, “the land produces three crops of grain in the year. All the fruits of India are found here in the greatest perfection, with many of those of China. No country in the East produces richer or a greater variety of

articles proper for carrying on an advantageous commerce, cinnamon, pepper, cardemoms,
silk, cotton, sugar, Agula wood, Japan wood, ivory, &c."[1]



The following paragraph describes an important article of accommodation, to which no parallel can be found in all China and Hindustan. "In this valley we passed through three or four pretty villages pleasantly situated, in which, as well as on other parts of the road, were public houses, where tea, fruits, and other refreshments are sold to travellers. At noon we alighted at one of them, and partook of a dinner, which consisted of fowls cut into small pieces, dressed up with a little greens and salt, some fish, &c."[2]

The appearance of the king's court was not only splendid but decorous; and even the little of the country which the travellers saw discovered to them large cities, with streets, laid out on a regular plan, paved with flat stones, and having well-built brick houses on each side.[1]



The people on the western side of that peninsula, whether known by the name of Birmans, Peguans, Assamese, or Siamese, partake strongly of the Hindu character, and exhibit only a variation of the religion, laws, institutions, and manners which prevail on the other side of the Ganges. The great difference consists in their having adopted the heresy, or retained the primitive faith of Buddha; and rejected the distinction of castes. But nothing appears among them which would lead to an inference of any inferiority in their progress towards the attainments of civilized life.

The Birmans, we are told by Symes, call their code generally Derma Sath or Sastra; it is one among the many commentaries on Menu. "The Birman system of jurisprudence," he adds, "is replete with sound morality, and in my opinion is distinguished above every other Hindoo commentary for perspicuity and good sense. It provides specifically for almost every species of crime that can be committed, and adds a copious chapter of precedents and decisions to guide the inexperienced in cases where there is doubt
and difficulty. Trial by ordeal and imprecation are the only absurd passages in the book."[1]



"There is no country of the East," says the same author, "in which the royal establishment is arranged with more minute attention than in the Birman court; it is splendid without being wasteful, and numerous without confusion."[2]

Their literature appears to be as extensive and curious, as that of the Hindus. They have numerous, and copious libraries; the books, says Colonel Symes, are "upon divers subjects; more on divinity than on any other; but history, music, medicine, painting and romance, had their separate treatises."[3]

Of the kingdom of Assam we possess not many accounts; but what we have yield evidence to the same effect. In the Alemgeernameh of Mohammed Cazim, is a description of Assam, which has been translated by Henry Vansittart, Esqr. and presented to us in several publications. We are there told that the country, at least in

many places, is "well inhabited, and in an excellent state of tillage; that it presents, on everyside, charming prospects of ploughed fields, harvests, gardens, and groves."4

"As the country is overflowed in the rainy season, a high and broad causeway has been raised, for the convenience of travellers from Salagereh to Ghergong, which is the only uncultivated ground to be seen:
each side of this road is planted with shady bamboos, the tops of which meet and are entwined."112 And this is more than seems to have been attained in Hindustan, before the improvements introduced by the Mohammedan conquerors.



"The silks are excellent, and resemble those of China. They are successful in embroidering with flowers, and in weaving velvet, and tautband, which is a species of silk of which they make tents and kenauts."2

The bigotted and intolerant Mussulman, however, who finds no excellence where he finds not his faith; discovers no qualities but evil in the minds of the Assamese. "They do not adopt," he says, "any mode of worship practised either by heathens or Mahomedans; nor do they concur in any of the known sects, which prevail amongst mankind. They are a base and unprincipled nation, and have no fixed religion; they follow no rule but that of their own inclinations, and make the approbation of their own vicious minds the test of the propriety of their actions."3 Such are the distorted views presented to an ignorant mind, through the medium of a dark and malignant religion, respecting a people cultivating the ground to great perfection, and forming a dense population. Among other particulars of the vileness which he beheld in them, is the following: "The base inhabitants, from a congenial impulse, are fond of seeing and keeping asses, and buy and sell them at a high price."4 Yet he speaks in lofty terms of the royal magnificence of the court. "The Rajahs of this country have always raised the crest of pride and vain
glory, and displayed an ostentatious appearance of grandeur, and a numerous train of attendants and servants." And he expresses himself with mingled horror and admiration of the prowess and superiority of the Assamese in war. "They have not bowed the head of submission and obedience, nor have they paid tribute or submission to the most powerful monarch; but they have curbed the ambition, and checked the conquests, of the most victorious princes of Hindustan." Several armies from Bengal, which had been sent to conquer them, having been cut off, of some of which scarce even tidings had ever been received, "the natives of Hindustan consider them wizards and magicians, and pronounce the name of that country in all their incantations and countercharms: they say, that every person who sets his foot there is under the influence of witchcraft, and cannot find the road to return."1



The admiration which the Greeks, no very accurate observers of foreign manners, expressed of the Egyptians, and which other nations have so implicitly borrowed at their hands, not a little resembles the admiration among Europeans which has so long prevailed with regard to the Hindus. The penetrating force of modern intelligence has pierced the cloud: and while it has displayed to us the state of Egyptian civilization in its true colours, exhibits a people who, standing on a level with so many celebrated

nations of antiquity, Assyrians, Babylonians, Persians, Arabians, correspond, in all the distinctive marks of a particular state of society, with the people of Hindustan. The evidence has been weighed by a cool and dispassionate judge, in the following manner: “I see nothing,” says the President Goguet, “in the Egyptians that can serve to distinguish them in a manner very advantageous; I even think myself authorized to refuse them the greatest part of the eulogies that have been always so liberally bestowed upon them. The Egyptians did invent some arts and some sciences, but they never had the ingenuity to bring any of their discoveries to perfection. I have exposed their want of taste, and I venture to say, of talent, in architecture, in sculpture, and in painting. Their manner of practising physic was absurd and ridiculous. The knowlege they had of geometry and astronomy was but very imperfect. Their discoveries are far enough from entering into any comparison with those which the Greeks made afterwards in those two sciences. In fine, the Egyptians have had neither genius, ardour, nor talent, for commerce, or for the marine and military art.



“As to civil laws, and political constitutions, the Egyptians had indeed some very good ones; but otherwise there reigned in their government a multitude of abuses and essential defects, authorized by the laws and by their fundamental principles of government.

As to the manners and customs of this people, we have seen to what a height indecency and debauchery were carried in their religious feasts and public ceremonies. The public cult which a nation fixes to honour the Deity, bears the stamp of that nation’s character. Neither was the morality of the Egyptians extremely pure; we may even affirm, that it offended against the first rules of rectitude and probity. We see that the Egyptians bore the highest blame of covetousness, of ill faith, of cunning, and of roguery.

It appears to me to result from all these facts that the Egyptians were a people industrious enough, but, as to the rest, without taste, without genius, without discernment; a people who had only ideas of grandeur ill understood; and whose progress in all the different parts of human knowledge never rose beyond a flat mediocrity; knavish into the bargain, and crafty, soft, lazy, cowardly, and submissive; and who, having performed some exploits to boast of in distant times, were ever after subjected by whoever would undertake to subdue them; a people again vain and foolish enough to despise other nations without knowing them: Superstitious to excess, singularly addicted to judicial astrology, extravagantly besotted with an absurd and monstrous theology. Does not this representation sufficiently authorize us to say that all that science, that wisdom, and that philosophy, so boasted of in the Egyptian priests, was but imposture and juggling, capable of imposing only on people so little enlightened, or so strongly prejudiced, as were anciently the Greeks in favour of the Egyptians.”[1]



The sagacity of Adam Smith induced him, at an early period of his life, to deny the supposed proof of any high attainments among those ancient nations, and to declare, though with hesitancy, his inclination to the opposite opinion.

"It was in Greece, and in the Grecian colonies, that the first philosophers of whose doctrine we have any distinct account, appeared. Law and order seem indeed to have been established in the great monarchies of Asia and Egypt, long before they had any footing in Greece: Yet after all that has been said concerning the learning of the Chaldeans and Egyptians, whether there ever was in those nations any thing which deserved the name of science, or whether that despotism which is more destructive of leisure and security than anarchy itself, and which prevailed over all the East, prevented the growth of philosophy, is a question which, for want of monuments, cannot be determined with any degree of precision."1 To leave the subject even in this state of doubt was but a compromise with popular opinion, and with his own imperfect views. The circumstances handed down to us, compared with the circumstances of other nations, afforded materials for a very satisfactory determination.

BOOK II. Chap. 10.

The opinion by which he supports his disbelief of the ancient civilization of Asia is at once philanthrophic and profound; That "despotism is more destructive of leisure and security, and more adverse to the progress of the human mind, than anarchy itself."

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# BOOK III.

# THE MAHOMEDANS.

## CHAP. I.

*From the first Invasion of India by the Nations in the North, till the expulsion of the Gaznevide dynasty.*

AT the time when the nations of Europe opened their communication with India, by the Cape of Good Hope, the people whom we have now described had for a number of ages been subject to a race of foreigners. That subjection, though it had not greatly altered the texture of native society, had introduced new forms into some of the principal departments of state; had given the military command to foreigners; and had mixed with the population a proportion of a people differing from them considerably, in manners, character, and religion. The political state of India, at this time, consisted of a Mahomedan government, supported by a Mahomedan force, over a Hindu population.



It appears that the people of Hindustan have at all times been subject to incursions and conquest, by the nations contiguous to them on the north-west. The Scythians, that is, the rude nations on the east of Persia, conquered, we are told by Justin, a great part of Asia, and even penetrated as far as Egypt, about 1,500 years before Ninus, the founder of the Assyrian monarchy. And we know that in the vast empire of Darius Hystaspes as much of India was included, as constituted one, and that the most valuable, of his twenty satrapies. The exact limits of the Indian satrapy are unknown; but from the account which Herodotus gives of its tribute, far exceeding that of any of the rest, the extent of it cannot have been small. Major Rennel supposes that it may have reached as far as Delhi, and have included the whole of the Punjab, or country watered by the five branches of the Indus, together with Cabul, Candahar, and the tract of country which lies along the Indus to the sea.[1]



The conquests of Alexander the Great, which succeeded to those of the Persian monarchs, seem not to have extended so far in India, as the previous possessions of Darius; since his career was stopped on the banks of the Hyphasis, or modern Beyah, the last of the five branches of the Indus; whence returning to the Hydaspes, he passed down the Indus to the sea. Seleucus, the successor of Alexander in Upper Asia, not only received, but endeavoured to augment, the acquisitions made by that conqueror in India. He gained victories over Sandracottos, the sovereign of a people living on the Ganges. But, as he was recalled to the defence of another part of his dominions against Antigonus, he made peace with the Indian: and the limits established between them are not ascertained.[1]

Among the kingdoms, formed out of the vast empire of Alexander, by the dissensions of his followers, was Bactria. This district was part of that great range of country, on the eastern side of Media and Persia, extending from the lake Aral to the mouths of the Indus, which the power of the Persian monarchs had added to their extensive dominions. The people of this intermediate region seem to have possessed an intermediate stage of civilization between the Tartar or Scythian tribes which bordered with them on the east, and the people of the Assyrian or Persian empire which was contiguous to them on the west. Among these people there is some reason for believing that the Bactrians were distinguished, and at an early period, by superior progress in the knowledge, and other acquirements of civilized men. Among the numerous Zoroasters, with whom Persian story abounds, one is said to have been king of Bactria, contemporary with Ninus; and to have invented magic; that is, to have been the object of admiration on account of his knowledge. Of the eastern nations added to the subjects of the Persian kings, the Bactrians were the nearest to India, and were only separated from it by that range of mountains, in which the Indus and the Oxus find their respective sources. Bactria as well as India were among the parts of the dominions of Alexander
which fell to the share of Seleucus. In the reign, however, of his son or grandson, the governor of the Bactrian province threw off his dependence upon the Seleucidæ; and a separate Greek kingdom was erected in that country, about sixty-nine years after the death of Alexander. The Persian dominions in India seem to have shared the fate of Bactria, and to have fallen into the hands of the same usurper. The Greek sovereigns of Bactria became masters of an extensive empire; and assumed the proud title of *King of Kings*; the distinctive appellation of the Persian monarchs in the zenith of their power. They carried on various wars with India; and extended their conquests into the interior of the country. The limits of their dominions in that direction we have no means of ascertaining. One of those great movements in central or eastern Tartary, which precipitates the eastern barbarians upon the countries of the west, brought an irresistible torrent of that people across the Jaxartes, about 126 years before the Christian era, which, pouring itself out upon Bactria, overwhelmed the Grecian monarchy, after it had lasted nearly 130 years.[1]

BOOK II. Chap. 10.

About the same period that the successors of
Alexander lost the kingdom of Bactria, the misconduct of a governor in the distant provinces bordering on the Caspian Sea, raised up a military chief who excited the rude and turbulent inhabitants to revolt, and laid the foundation of the Parthian kingdom; a power which soon possessed itself of Media, and finally stripped the descendants of Seleucus of almost all that they possessed from the Tigris eastwards. The rebellion of the Parthians is placed about the year 256 before Christ; and the kings of Syria maintained from that time a struggling and declining existence, till they finally yielded to the power of the Romans, and Syria was erected into a province sixty-four years before the commencement of the Christian era.[1]

BOOK III. Chap. 1.

The descendants of the Parthian rebel, known under the title of the Arsacides, held the sceptre of Persia till the year of Christ 226. The possession of empire produced among them, as it usually produces among the princes of the East, a neglect of the duties of

government, and subjugation to ease and pleasure; when a popular and enterprising subject, availing himself of the general dissatisfaction, turned the eyes of the nation upon himself, and having dethroned his master, substituted the dynasty of the Sassanides to the house of Arsaces. As usual, the first princes of this line were active and valiant; and their empire extended from the Euphrates to the Jaxartes, and the mountainous ridge which divided the kingdom of Bactria from the Scythians of the East. To what extent their power was carried over the ancient soil of the Hindus, does not appear; but it is more than probable that the territory west of the Indus, from the time when it was first established into a Persian satrapy, in the reign of Darius, owned no more the caste who sprung from the arm of the Creator. Bactria was numbered as one among the four provinces of the great Chosroes, who reigned from the year 531 of the Christian era to the year 571, and was denominated King of Persia and of India. The grandson of Chosroes, who was deposed in 628, may be considered as closing the line of the Sassanides; for, after a few years of tumult and distraction, the irresistible arms of the successors of Mahomet were directed toward Persia, and quickly reduced it under the power of the Caliphs.1



In the year 632, Caled, the lieutenant of Abubeker, entered Persia. In a few years the standards of the Faithful were carried to the furthest limits of Bactria, and pushing once more the shepherds of the East beyond the Jaxartes, rendered the empire of the Caliphs in that direction conterminous with the Persian monarchy in its proudest days.2

The possession of empire required, as usual, but a few generations to relax the minds of the successors of Mahomet, and render them as unfit as their predecessors for any better use of power, than the unrestrained indulgence of themselves in the pleasures which it commands.

BOOK III. Chap. 1.

The tribes of Tartar, or Scythian shepherds, from the centre of Asia, unsettled, fierce, and warlike, had from the earliest ages proved dangerous and encroaching neighbours to the Eastern provinces of Persia. Pushed beyond the Jaxartes and Imaus, by Cyrus, and the more warlike of the successors of Cyrus, they were ever ready, as soon as the reign of a weak prince enfeebled the powers of government, to make formidable incursions, and generally held possession of the provinces which they over-ran, till a renewal of vigour in the government made them retire within their ancient limits. We are informed by Polybius that a tribe of *Nomades* or shepherds, whom he calls Aspasians, forced their way across the Oxus, and took possession of Hyrcania, even in the reign of Antiochus. We have already seen that a body of Tartars overwhelmed Bactria about 120 years before Christ. And about 100 years subsequent to the Christian era, a portion of the great nation of the Huns, who had been forced by a victorious tribe from their native seat behind the wall of China, penetrated into Sogdiana, the country between the Oxus and the Jaxartes, towards the shores of the Caspian Sea; and there established themselves under the titles of the Euthalites, Nephthalites, and White Huns. After these irruptions, the more vigorous of the princes of the Sassanian dynasty reduced Sogdiana, as well as Bactria, to occasional obedience; but without expelling the new inhabitants, and without acquiring any permanent dominion. In the cultivated provinces in which they settled, the savage

Tartars acquired a degree of civilization; and when obliged to yield to the followers of Mahomed, felt so little attachment to their ancient religion, as immediately to recommend themselves to the favour, by adopting the faith, of their conquerors.[1]



When the government of the Caliphs began to lose its vigour, a tribe of Tartars, originally situated in the Alti mountains, and known by the name of Turks, had acquired extraordinary power. They had, in a series of wars, subdued the neighbouring tribes, and extended their sway, that species of sway which it is competent to a pasturing people to exercise or to sustain, over a great portion of the Tartars of Asia.[2] When the military virtues of the Arabians sunk beneath the pleasures which flow from the possession of power, the Caliphs sought to infuse vigour into their effeminate armies, by a mixture of fierce and hardy Turks. Adventurers of that nation were raised to the command of armies, and of provinces; and a guard of Turkish soldiers was appointed to surround the person of the monarch. When weakness was felt at the centre of the empire; the usurpation of independence by the governors of the distant provinces was a natural result. The first, by whom this usurpation was attempted, was Taher, Governor of Chorasan, the province extending from the Caspian Sea to the Oxus. He and his posterity, under the title of Taherites, enjoyed sovereignty in that province from the year 813 to the year 872. The son of a brazier, called in Arabian Soffar, who rose (a common occurrence in the East) through the different stages of military adventure, to be the head and captain of an army, supplanted the Taherites, and substituted his own family, called from their origin Soffarides, in the government of Chorasan and Transoxiana. The Soffarides were displaced by a similar adventurer, who established the house of the Samanides, after a period, according to the varying accounts, of either 34 or 57 years, from the elevation of the Brazier. The Samanides are celebrated by the Persian historians for their love of justice and learning; they extended their sway over the eastern provinces of Persia, from the Jaxartes to the Indus, and reigned till after the year 1000 of the Christian era.[1]



The Taherites, the Soffarides, and Samanides usurped only the eastern provinces of the empire of the Caliphs, the provinces which, being the nearest to the turbulent and warlike tribes of shepherds, and most exposed to their incursions, were of the least importance to the sovereigns of Persia. Three adventurers, brothers, called, from the name of their father, the Bowides, rose to power in the provinces extending westward from Chorasan, along the shores of the Caspian Sea, about the year 315 of the Hegira, or 927 of Christ. This dynasty consisted of seventeen successive and powerful princes, who reigned till the year 1056. They conquered the provinces of Gilan, Mazenderan, Erak, Fars, Kerman, Khosistan, Ahvaz, Tabarestan, and Georgian; and rendered themselves masters of the Caliphs, to whom they left only a shadow of authority.[2]

About the year of Christ 967, Subuctagi, a servant of the Samanides, was appointed governor of the Indian province of Candahar, or Ghazna, as it is called by the Persian writers; from the name of the capital Ghizni. Having raised himself from the condition

of a Turkish slave to such a degree of power as made it dangerous to recall him from his government, he left it to his son Mahmood, who asserted his independence; and founded the dynasty of the Ghaznevides. Mahmood subverted the throne of the Samanides, reduced to a shadow the power of the Bowides, and reigned from the Tigris to the Jaxartes. He also made extensive conquests towards the south; and as he was the first who in that direction bore the crescent beyond the furthest limits of the Persian empire, and laid the foundation of the Mahomedan thrones in India, we are now arrived at the period when the Mahomedan history of India begins.1

The northern provinces of India, Cabul, Candahar, Multan, and the Punjab, appear, from the days of Darius Hystaspes, to have followed the destiny of Bactria, Chorasan, and Transoxiana, the eastern appendages of Persia, and, excepting some short intervals, to have been always subject to a foreign yoke. Even the White Huns, who established themselves in Sogdiana, on the river Oxus, and in Bactria, about the end of the first century of the Christian era, advanced into India, and in the second century were masters as far as Larice or Guzerat.2 Mahmood was already master of the dominions of the Samanides, and of all the eastern provinces that had occasionally owned allegiance to the Persian throne; when he first, says the Persian historian, "turned his face to India." This expedition, of which the year 1000 of the Christian era is assigned as the date, seems to have been solely intended to confirm or restore the obedience of the governors who had submitted to his father, or been accustomed to obey the masters of eastern Persia; and few of its particulars have been thought worthy of record. He renewed his invasion the succeeding year; and proceeded so far as to alarm a prince who reigned at Lahore; a city, on one of the most eastern branches of the Indus, which gave its name to a small kingdom. This prince, called by the Persian historians Jeipal, or Gepal, met him, with his whole army, and was defeated. It was, according to the same historians, a custom or law of the Hindus, that a prince, twice defeated by Mahomedan arms, was unworthy to reign; and as this misfortune had happened to Jeipal, who had formerly yielded to Subuctagi, he resigned the throne to his son Anundpaul, and burnt himself alive in solemn state.1

BOOK III. Chap. 1.

In the year 1004 Mahmood again marched into India to chastise, for defect of duty, a tributary prince on the Indus. His presence was still more urgently required the following year; when the king of Multan revolted, and was joined by Anundpaul. Mahmood was met by Anundpaul as he was descending through the pass in the intervening mountains. Anundpaul was conquered and obliged to fly into Cashmere: when the king of Multan endeavoured, by submission, to save what he could. As Mahmood had received intelligence that a body of Tartars had invaded his northern provinces, he was the more easily softened; and leaving Zab Sais, a Hindu who had embraced the Mahomedan religion, his lieutenant, or governor in India, marched to repel the invaders.2

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During this expedition against the Tartars, Zab Sais revolted; resumed the Brahmenical faith; and was on the point of being joined by a confederacy of Rajahs, or Hindu sovereigns, when Mahmood hastened back to India, took Zab Sais unprepared, and made him prisoner for life; after which,

the season being far advanced, he returned to Ghizni. Early, however, in the following spring, some movements of Anundpaul recalled him to India, when the princes of Oogeen, Gualior, Callinger, Kanoge, Delhi, Ajmere, the Guickwars, and others, joined their forces to oppose him. A general battle was fought, in which the Ghiznian monarch prevailed. He then reduced the fort of Nagracote or Nagarcote; and, having plundered the temple of its riches, very great, as we are told, returned to his capital. As the king of Multan still continued refractory, Mahmood returned to that province in the following year, and having taken the Rajah prisoner, carried him to Ghizni, where he confined him for life.1

"In the year 402,2 the passion of war," says the historian, "fermenting in the mind of Mahmood," he resolved upon the conquest of Tannasar or Tahnesir, a city about thirty coss north-west from Delhi; the seat of a considerable government; famous for its sanctity and subservience to the Brahmenical religion. Having taken Tannasar, and demolished the idols, he marched to Delhi; which he quickly reduced; and thence returned with vast riches."3

Two years afterwards, he drove from his dominions the king of Lahore, and overran Cashmere, compelling the inhabitants to acknowledge the prophet.

In the beginning of the year 1018, the Sultan (Mahmood was the first on whom that title was bestowed)
with a large army, raised chiefly among the tribes who possessed, or bordered upon, the northern provinces of his empire, marched against Kanoge, the capital of a kingdom, situated on the Ganges, about 100 miles south-east from Delhi.1 "From the time of Gustasp, the father of Darab, to this period, this city (says the Persian historian) had not been visited by any foreign enemy; three months were necessary to complete the march between this kingdom and the capital of Mahmood; and seven mighty streams rushed across the intervening space." The conqueror having with much difficulty forced a passage through the mountains, by the way of Cashmere, arrived at Kanoge, before the Rajah was prepared for resistance. Placing his only hopes in submission, he threw himself upon the mercy of the invader. The magnitude and grandeur of the city is celebrated in poetic strains by the Persian historians. Mahmood, remaining but three days, proceeded against a neighbouring prince, inhabiting a city called Merat; thence to another city, on the Jumna, named Mavin, and next to Muttra, which is still a city of considerable extent, at a small distance from Agra. This last city was full of temples and idols, which Mahmood plundered and destroyed; and from which, according to the usual story, he obtained incredible treasure. Several other forts and Rajahs being subdued, Mahmood returned from his eighth expedition into India, laden, we are told, with riches; and began to adorn and improve his capital. He built a mosque, so beautiful and magnificent, that it was called the
*Celestial Bride*, and "struck every beholder with astonishment and pleasure. In the neighbourhood of this mosque he founded an university, which he furnished with a vast collection of curious books, in various languages: and with natural and artificial curiosities. He appropriated a sufficient fund for the maintenance of the students, and the learned men who were appointed to instruct the youth in the sciences."1



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Mahmood's ninth expedition in 1021, was for the purpose of protecting the Rajah of Kanoge, who now held the rank of one of his dependants. The Rajah of Callinger, a city in the province of Bundelcund, situated on one of the rivers which fall into the Jumna, was the most guilty of the assailants. As the Rajah avoided Mahmood in the field, he plundered and laid waste the country, and, this done, returned to his capital.

Here he had not reposed many days, when he was informed that two districts on the borders of Hindustan refused to acknowledge the true prophet, and continued the worship of lions.2 The zeal of the religious sultan immediately took fire. Having speedily brought to reason the disrespectful provinces, he marched to Lahore, which he gave up to pillage. According to custom, it afforded enormous riches. Mahomedan governors were established in this and several other districts of Hindustan.

The twelfth expedition of the Ghiznian monarch was undertaken in the year 1024. He had heard not only of the great riches and supposed sanctity of the temple of Sumnaut, but of the presumption of its priests, who had boasted that other places had yielded to the power of Mahmood, by reason of their impiety; but if he dared to approach Sumnaut, he would assuredly meet the reward of his temerity. Mahmood, having arrived at Multan, gave orders to his army to provide themselves with water and other necessaries for crossing a desert of several days' march, which lay between this city and Ajmere. The Rajah and people of Ajmere abandoned the place at his approach. They were invited to return, and experience the clemency of the victor; but not complying, beheld their country desolated with fire and sword. Arrived at Sumnaut, which was a strong castle, situated on the promontory of Guzerat, near the city of Diu,1 washed on three sides by the sea, Mahmood met with a more serious resistance than any which he had yet encountered in Hindustan. Not only did the priests and guardians of the temple defend it with all the obstinacy of enthusiasm and despair; but a large army collected in the surrounding kingdoms was brought to its defence. Having triumphed over all resistance, the religious sultan entered the temple. Filled with indignation at sight of the gigantic idol, he aimed a blow at its head, with his iron mace. The nose was struck from its face. In vehement trepidation the Brahmens crowded around, and offered millions,2 to spare the god. The Omrahs dazzled with the ransom ventured to counsel acceptance. Mahmood, crying out that he valued the title of breaker, not seller of idols, gave orders to proceed with the work of destruction. At the next blow, the belly of the idol burst open: and forth issued a vast treasure of diamonds, rubies, and pearls; rewarding the holy perseverance of Mahmood, and explaining the devout liberality of the Brahmens. After this Mahmood took vengeance on the rajahs who had confederated to defend the temple, and reduced all Guzerat to his obedience. It is said that he was so captivated with the beauty of the country, the richness of the soil, and the salubrity of the climate, that he conceived the design of making it the place of his residence, and resigning Ghizni to one of his sons. Diverted from this design by the counsels of his friends, he placed a Hindu governor over the province, and after an absence of two years and six months returned to Ghizni. A people whom the translator of Ferishta calls the Jits, afterwards better known under the name of Jaats, who inhabited part of the country bordering on the Indus, southward from Multan, either failed in respect, or gave molestation, as he marched from Guzerat. Returning

BOOK III. Chap. 1.

BOOK III. Chap. 1.

in the same year to chastise them, he defeated 4,000 or 8,000 (so wide are the accounts) of their boats, launched on the river to defend an island to which, as the place of greatest safety, they had conveyed the most valuable of their effects, and the most cherished of their people.1 This was the last of the exploits of Mahmood in India, who died at Ghizni in the year 1028. Mahmood, the son of Subuctagi the Turkish slave, is one of the most celebrated of eastern princes. He was supposed to possess in the highest perfection almost every royal virtue. He patronized learning, and encouraged the resort of learned men. Ferdosi, the author of the Shah Namah, the most celebrated poem of the East, was entertained at his court.



After a short contest between Mahommed and Musaood, the sons of Mahmood, Musaood mounted the throne of Ghizni, and the eyes of Mahommed were put out. Musaood entered India three times, during the nine years of his reign; and left the boundaries of the Ghaznevide dominions there in the situation nearly in which he received them. His first incursion was in the year 1032, when he penetrated by the way of Cashmere; and his only memorable exploit was the capture of the fort of Sursutti, which commanded the pass. In 1034, he sent an army which chastised a disobedient viceroy. And in 1035, he marched in person to reduce Sewalik, a kingdom or rajahship lying at the bottom of the mountains near the place where the Ganges descends upon the Indian plains. He assailed the capital, of great imputed strength; took it in six days; and found in it incredible riches. From this he proceeded against the fort of Sunput, a place about forty miles distant from Delhi on the road to Lahore, the governor of which abandoned it upon his approach, and fled into the woods. He proposed to march against another prince, called Ram; but Ram, understanding his intentions, endeavoured to divert the storm, by gifts and compliments, and had the good fortune to succeed. Musaood was recalled from India to oppose an enemy, destined to render short the splendour of the house of Ghizni.



During several centuries, the movements westward of the hordes of Turkmans had been accumulating that people upon the barriers of the Persian empire. In the reign of Mahmood, three brothers, sons of Seljuk, solicited permission to pass the Oxus, with their flocks and herds, and to enjoy the unoccupied pastures of Chorasan. Mahmood, disregarding the advice of his best counsellors, granted their request. The example set, the number of Tartars in Transoxiana and Chorasan continually increased. During the vigilant and vigorous reign of Mahmood, the Turks behaved so much like peaceable subjects, that no complaint against them seems to have been raised. But in the days of his son and successor Musaood, the inhabitants of Chorasan and Transoxiana complained that they were oppressed by the strangers, and Musaood at last resolved to drive them back from his dominions. Togrul Beg, however, the son of Michael, the son of Seljuk, offered himself as a leader and a bond of union to the Turks; opposed Musaood; triumphed over him in the field; rendered himself master of the northern provinces of his empire, and established the dynasty of the Seljukides. Having baffled the power of the Sultan of Ghizni, Togrul found nothing remaining to oppose to him any serious resistance, from the Oxus to the Euphrates; he extinguished the remaining sparks of the power of the Bowides; and took the Caliph under his protection. Togrul was

succeeded by his nephew Alp Arslan, and the latter by his son Malek Shah; both celebrated warriors, who pushed the limits of their empire beyond the Euphrates and the Jaxartes, and made deep inroads upon the Roman provinces and the Tartar plains. The provinces of Zabulistan or Candahar, of Segistan or Seistan, and Cabul, with the provinces in India beyond the
Hydaspes, were all that at last remained to the Ghaznevides.



Musaood returning from the defeat which he, deserted by his troops, had sustained at the hand of the Turkmans, and hastening to India to recruit his forces, was deposed by a mutiny in the army, and his brother Mahommed, whose eyes he had put out, was placed upon the throne. Modood, the son of Musaood, who had been left by his father with an army at Balke marched against Mahommed, whom he dethroned. Modood made some efforts against the Seljukians, and for a time recovered Transoxiana. But the feebleness and distraction now apparent in the empire of the Ghaznevides encouraged the Rajah of Delhi, in concert with some other rajahs, to hazard an insurrection. They reduced Tannasar, Hassi the capital of Sewalik, and even the fort of Nagracote. The Rajahs of the Punjab endeavoured to recover their independence; and the Mahommedan dominion was threatened with destruction.

In the year 1049 Modood died; and a rapid change of princes succeeded, violently raised to the throne, and violently thrown down from it. His son Musaood, a child of four years old, was set up by one general; and, after a nominal reign of six days, gave place to Ali, the brother of Modood, who was supported by another. Ali reigned about two years, when he was dethroned by Abdul Reshid, his uncle, son of the great Mahmood. Tugril, governor of Segistan, rebelled against Reshid, and slew him after reigning one year. Tugril himself was assassinated after he had enjoyed his usurpation but forty days. Feroch-Zaad, a yet surviving son of Musaood, was then raised to the throne, who, dying after a peaceable
reign of six years, was succeeded by his brother Ibrahim.



Ibrahim reigned a period of no less than forty-two years. After he had terminated his disputes with the dangerous Seljukians, by resigning to them all the provinces they had usurped of the Ghaznevide empire, he directed his ambition towards India. An army which he dispatched into that country is said to have reduced to his obedience many places which had not yet yielded to the Moslem arms. In the year 1080, he marched in person; and by the successful attack of several places of strength, added the territory they protected to his dominions.[1] Against the house of Seljuk, now reigning over Persia, Chorasan, and Bucharia, the latter comprehending the ancient provinces or kingdoms of Bactria, Sogdiana, and Transoxiana, he found protection chiefly by intermarriages and alliance.

Ibrahim was succeeded by his son Musaood, who enjoyed a peaceable reign of sixteen years. With the exception of one expedition, under one of his generals, who penetrated beyond the Ganges, India remained unmolested by his arms. But as the Indian provinces now formed the chief portion of his dominions, Lahore became the principal seat of his government.

His son Shere, says the Persian historian, "placed his foot on the imperial throne; but within a year was assassinated by his brother Arsilla." Byram, one of the brothers of Arsilla, made his escape; and fled to the governor of Chorasan, who was brother to the king of Persia, and to his own, and Arsilla's mother. By the assistance of this prince, his uncle, who marched with an army to his support, he dethroned Arsilla, and assumed the reins of government, which had been held by the usurper for three years.



Byram, or Bahram, was twice called into India, by the disobedience of the governor of Lahore, who aspired to independence. But he had no sooner settled this disturbance, than he was called to oppose the governor of another of his provinces, whose rebellion was attended with more fatal consequences. A range of mountainous country, known by the name of the mountains of Gaur, occupies the space between the province of Chorasan and Bactria on the west and north, and the provinces of Segistan, Candahar, and Cabul on the south. The mountaineers of this district, a wild and warlike race, had hardly ever paid more than a nominal obedience to the sovereigns of Persia. The district, however, had been included in the dominions of the Sultans of Ghizni; and had not yet been detached by the Seljukian encroachments. In the days of Byram, a descendant of the ancient princes of the country, Souri by name, was governor of the province. Finding himself possessed of power to aim at independence, he raised an army of Afghauns, such is the name (famous in the history of India) by which the mountaineers of Gaur are distinguished, and chased Byram from his capital of Ghizni. Byram, however, having collected and recruited his army, marched against his enemy, and aided by his subjects of Ghizni, who deceived and betrayed their new master, gained a complete victory, and put the Gaurian to a cruel death. The power which he gained was but of short duration. Alla, the brother of Souri, who succeeded him in his usurped dominion, hastened to repair his loss. Byram was defeated in a decisive battle, and fled towards India; but sunk under his misfortunes, and expired, after a languid, but gentle reign of thirty-five years.



He was succeeded by his son Chusero, who withdrew to India, and made Lahore his capital. This prince cherished the hope of recovering the lost dominions of his house from the Gaurian usurper, by aid from his kinsman, the king of Persia; and collected an army for that purpose; but at this moment a fresh horde of Turkman Tartars rushed upon the Persian provinces, and inundated even Cabul and Candahar, from which the Gaurians were obliged to retire. The Turks, after two years' possession, were expelled by the Gaurians. The Gaurians were again defeated by the arms of Chusero, and yielded up the temporary possession of Ghizni to its former masters. Chusero continued to reside at Lahore, and, having died after a reign of seven years, was succeeded by his son Chusero the Second.

Mahommed, brother to the Gaurian usurper, pursued the same ambitious career. He soon rendered himself master of the kingdom of Ghizni or Candahar; and, not satisfied with that success, penetrated even into India; over-ran Multan, with the provinces on both sides of the Indus; and advanced as far as Lahore. After an uninteresting struggle of a few years, Chusero was subdued; and in the year 1184 the

sceptre was transferred from the house of Ghizni to the house of Gaur. The same era which was marked by the fall of the Ghaznevides, was distinguished by the reduction of the house of Seljuk. The weakness and effeminacy which, after the vigour and ability of the founders of a new dynasty, uniformly take place among the princes their successors, having relaxed the springs of the Seljukian government, the subordinate governors threw off their dependence; and a small portion of the dominions of Malek now owned the authority of Togril his descendant.

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# CHAP. II.

*From the Commencement of the first Gaurian Dynasty to that of the second Gaurian or Afghaun Dynasty.*

BOOK III. Chap. 2. 1190.

Mahomed left the government of India, after the defeat and death of Chusero, in the hands of a viceroy, and returned to Ghizni. After an absence of five years, he marched towards Ajmere; and, having taken the city of Tiberhind, is said to have been on his way back, when he heard that the Rajahs of Ajmere and Delhi, with others in confederacy, were advancing with a large army to relieve the city which he had just taken and left. He turned and met them a little beyond Tannasar. Having incautiously allowed his army to be surrounded by superior numbers, he was defeated, and, being severely wounded, escaped with great difficulty from the field of battle. He took such measures, as the moment allowed, to secure his provinces and forts, and hastened to Gaur.

After little more than a year he was prepared to return to India with a formidable army of Turks, Persians, and Afghauns. The combined Rajahs had consumed their time in the siege of Tiberhind, which had resisted them for one year and one month. No fewer, it is said, than 150 kings, with their armies, amounting, by "the lowest and most moderate account, to 300,000 horse, 3000 elephants, and a great body of infantry," met him on the former field of battle. The Rajahs sent him an insulting proposal, that he might be permitted to march back unmolested, if he had the prudence to decline the combat. Mahomed had learned wisdom from experience.

BOOK III. Chap. 2. 1192.

Sending an humble answer; that he was only the servant of his brother, bound to execute his commands; and praying for time, to learn the will of his master; he filled the Rajahs, and their enormous camp, with an ill-grounded and intemperate presumption. While they were spending the night in revelling and joy, Mahomed crossed the river with his army, and fell upon them before the alarm was spread. The extent of the camp was so great, that a part of the army had time to form itself and advance to cover the flight. Mahomed immediately drew off his troops to meet them. Forming a strong reserve of his chosen horse, he ordered the rest of his army, drawn up in four lines, to receive the enemy calmly. The first line, having discharged its missile weapons, was made to withdraw to the rear; the next, coming in front, discharged in like manner its weapons, and in like manner gave place to another. By this stratagem were the enemy held in play, "till the sun was approaching the west," when Mahomed, placing himself at the head of his reserve, rushed upon the fatigued and now presumptuous multitude; who were immediately thrown into the greatest disorder, and "recoiled, like a troubled torrent, from the bloody plain."

Shortly after this event Mahomed returned to Ghizni, leaving the fruits of the victory to be gathered and secured by his favourite General Cuttub. The events of this man's life, though far from singular in the East, involved extraordinary changes of condition and fortune. In his childhood, he was brought from Turkestan to Nishapore, the

capital of Chorasan, and there sold for a slave. It happened that the master by whom he was bought had the disposition to give him education, and that the quickness of his parts enabled him to profit by this advantage. The death of his patron, however, exposed him once more to the chance of the market; which fortunately assigned him to Mahomed the Gaurian. His intelligence and assiduity attracted in time the notice of the Prince. He advanced by gradual accessions of favour, till he rose to be Master of the Horse. Even misfortune, though he lost a detachment of men, and was taken prisoner by the enemy, did not lose him the kindness of Mahomed; or interrupt the career of his promotion.



Cuttub improved, with diligence and ability, the advantages which his master had gained in India. He reduced the surrounding districts; took the fort of Merat; and invested Delhi. The garrison ventured to meet him in the field. He vanquished them; and, surmounting all opposition, obtained possession of the city.

Mahomed returned to India in 1193. Cuttub was received with the highest marks of distinction; and being honoured to command the van of the army, he conquered the rajah of Benares; where Mahomed destroyed innumerable idols, and obtained, of course, incalculable riches. The whole country submitted, to the confines of Bengal.

Upon the return of Mahomed to Ghizni, Cuttub was declared his adopted son, and confirmed in the government of India. By various expeditions, he chastised repeatedly the refractory rajahs of Ajmere and Guzerat; took the cities of Calinger and Kalpy, with their respective territories; and at last made himself master of the forts of Biana and Gualior.

In the year 1202, Mahomed was excited to try his fortune for a share in the dismemberment of the Seljukian empire. Among the provinces of which the governors had thrown off their dependance upon the Seljukian princes, that of Karisme, on the eastern side of the Caspian Sea, had risen to the rank of an independent kingdom, under a race of princes known by the name of the Karismian dynasty. Against Tacash, the reigning sovereign of this kingdom, Mahomed led an army. But Osman, a Tartar chief, who had assumed the rank of sovereign, in another part of Transoxiana, and had Samarcand for his capital, marched to the assistance of Tacash; Mahomed sustained a total defeat; and was fain, by a great ransom, to purchase return to his own country. Intelligence of his defeat was to his servants the signal for revolt. His slave Ildecuz, having assumed supremacy in his capital of Ghizni, refused him admittance. He continued his route to Multan, where another of his servants took arms against him. Being joined by many of his friends, he gave the traitor battle, and obtained the victory. He next collected such of his troops as were in the contiguous provinces of India, and marched back to Ghizni, where the rebellious slave was delivered up by the inhabitants.

BOOK III. Chap. 2. 1202.

At the same time with the other rebellious attempts, to which his defeat by the Karismians had given birth, a tribe of Indians, inhabiting the country about the sources of the Indus from the Nilab or western branch of that river upwards to the

Sewalic mountains; called by the Persian historian, Gickers, and by him described as a people excessively rude and barbarous, putting their female children to death; attempted the recovery of their independence, and proceeded towards Lahore. Mahomed had no sooner recovered his capital than he marched against them; and Cuttub at the same time advancing from Delhi, they were attacked on both sides, and speedily subdued. Mahomed was returning to Ghizni, when he was murdered in his tent by two Gickers, who penetrated thither in the night.

BOOK III. Chap. 2. 1210.

The death of Mahomed, who left no children, produced a contest for the succession, and a division of the empire. Mamood, his nephew, retained Gaur, of which he was governor. Eldoze, another governor, took possession of Candahar and Cabul; and Cuttub claimed the sovereignty of India. Eldoze marched against him; but was met and conquered. Cuttub, following up his victory, proceeded to Ghizni, where he was crowned. He now resigned himself to sloth and indulgence. Eldoze, who had retired to Kirma, his former province, obtained intelligence of this degeneracy, and of the disgust to which it had given birth. He raised an army, and surprised Cuttub, who withdrew to India; and made no effort for the recovery of Ghizni; but is celebrated for having governed his Indian dominions with great justice and moderation. During his administration, Bahar and Bengal were added to the Mahomedan dominions.[1] He died only four years after the death of Mahomed, in 1210. Tacash, the Karismian, who had extended his sway over almost the whole of Persia, shortly after marched against Eldoze, and added Ghizni, with all the possessions, of the Gaurides, as far as the Indus, to his extensive empire.

Cuttub was succeeded by his son Aram; who proved unequal to the task of reigning. Multan and Sind were seized upon by one chief; Bengal by another; and in almost every province the standard of revolt was raised or preparing to be raised; when the Omrahs of Delhi invited Altumsh, the son-in-law of Cuttub, and governor of Budaoon, now the country of the Rohillas, to ascend the throne. The reign of Aram scarcely completed a year.

BOOK III. Chap. 2. 1235.

Altumsh, like Cuttub, had been a slave from Tartary; but, being remarkable for the beauty of his person, was thought by his master worthy of a good education. He was sold to Cuttub for a large sum, and appointed master of the chase. He rapidly made his way to great favour; was at last married to the daughter of his sovereign; and declared his adopted son.

Altumsh ascended not the throne in perfect tranquillity. Several of Cuttub's generals aspired to improve their fortune by resistance; and Eldoze, being driven from Ghizni by the arms of the Karismian monarch, made an effort to procure for himself a sceptre in India. But Altumsh prevailed over all his opponents; and reigned from the mouths of the Indus to those of the Ganges.

This prince died in 1235, and was succeeded by his son Feroze; who appearing a weak and dissolute prince, subservient to the cruel passions of his mother, was soon deposed; and Sultana Rizia, the eldest daughter of Altumsh, was raised to the throne.

It is a rare combination of circumstances which, in the East, places sovereign power in the hands of a woman. Rizia possessed manly talents and great virtues. The idea, however, of the weakness of her sex encouraged the presumption of her deputies in the various provinces. She contended with success against more than one rebellious and usurping governor. But her difficulties continually increased; and at last a combination of the Omrahs set up her brother Byram, as a competitor for the throne. She was still able to meet the rebels with an army. But the Turkish or Tartarian mercenaries in her brother's pay were an overmatch for her Indian troops. She was conquered
and put to death, after a reign of three years and six months.

BOOK III. Chap. 2. 1235.

Byram the Second, nursed in pleasure, and a stranger to control, was a weak, imprudent prince. The jealousies which he felt towards the great men in his court, he sought to relieve by assassination. His vizir, having escaped an intended blow, found means to regain his confidence: and being placed at the head of an army against the Moguls, he matured the dissatisfaction of the Omrahs, and, turning the army of Byram against himself, dethroned and killed him, about two years after he had ascended the throne.

It was during this reign that the Moguls, destined to erect in India the greatest empire it had ever seen, first penetrated into that country. Gingis, the chief of a tribe of Tartars, distinguished by the name of Moguls, who roamed with their flocks and herds on the northern side of the wall of China, formed, by talents and good fortune, one of those combinations, among different tribes of Tartars, which more than once within the period of history had been witnessed before; and never without extensive revolutions and conquests. Partly by force, partly by intimidation, partly by hopes of sharing in the advantages of conquest, Gingis, about the year 1210, was acknowledged as Khan, by all the shepherd hordes from the wall of China to the Volga. The presumption and pride of two such elevated neighbours as the emperor of China, and the new sovereign of Tartary, could not fail to kindle the flames of war. Innumerable squadrons of Tartars surmounted the unavailing rampart which the Chinese had in former ages raised to exclude them. Pekin was taken; and the northern provinces of China were added to the empire of Gingis.

About the same time a quarrel arose on the opposite side of his dominions. Mahomed was now king of Karisme, which from a revolted province had grown into the seat of a great empire, extending from the borders of Arabia to those of Turkestan. The monarch of so many provinces, which prided themselves in their riches and the acquirements of civilized life, made light, it seems, of the power of him who ruled over multitudes, indeed, but of men who had no riches except their cattle, and no cities except their camps. An injury done to some of the subjects of Gingis, for which all reparation was haughtily refused, first drew upon western Asia the fury of his arms. Mahomed crossed the Jaxartes to meet his enemy in the plains of Turkestan, with no less, it is said, than four hundred thousand men. But these were encountered by seven hundred thousand Tartars, under Gingis and his sons, who in the first battle, which was suspended by the night, laid one hundred and sixty thousand Karismians dead upon the field.

BOOK III. Chap. 2. 1250.

After this fatal blow, Mahomed expected to arrest the progress of the victor, by throwing his troops into the frontier towns. But the arms of Gingis were irresistible; the places of greatest strength were obliged to surrender; and Karisme, Transoxiana, and Chorasan, soon acknowledged the sovereignty of the Mogul. He was withdrawn by the wishes of his troops from the further prosecution of his conquests in the West, and died in the year 1227; but left sons and grandsons to copy the deeds of their progenitor. In the year 1258, the conquest of Persia was consummated: and the last remains of the power of the Caliphs and Seljukians trampled in the dust.

It was but an incursion which, in the year 1242, the Moguls, during the reign of Byram II., made into India. They plundered the country as far as Lahore, and then retreated to Ghizni.

BOOK III. Chap. 2. 1256.

Upon the fall of Byram, the men in power thought proper to take from his prison Musaood, the son of Feroze, the late king, and set him upon the throne. In the second year of his reign, an army of Mogul Tartars made a descent into Bengal, by the way, says Ferishta, of Chitta and Tibet.1 They met, we are told, with a total defeat. On the following year, however, another army of the same people crossed the Indus; but Musaood marching against them in force, they were pleased to retire. Musaood, however, in a reign of four years had disgusted his nobles, by his vices; and made them bold, by his weakness. They combined to call Mamood his uncle to the throne, and Musaood was thrown into prison for life.

Mamood II., upon the death of his father Altumsh, had been consigned to a prison; but there exhibited some firmness of mind, by supporting himself with the fruits of his industry in copying books; while he often remarked that "he who could not work for his bread did not deserve it." He was released by his predecessor Musaood, and received the government of a province; in which he acted with so much vigour and prudence, that the fame of his administration recommended him to the Omrahs, as the fittest person to cover, with his power and authority, their rebellious enterprise.

BOOK III. Chap. 2. 1257.

The infirm administration of the preceding princes had introduced much disorder into the kingdom. The tribes of Hindus, known by the name of Gickers, a more active and enterprising race than the general body of their countrymen, had been guilty of many acts of insubordination and violence toward the Mahomedan government and people, in the provinces near the Indus. One of the first enterprises of Mamood, was to chastise this people; many thousands of whom he carried away into captivity. Of the Omrahs, who had received *jagheers*, or estates in land, many declined or refused to furnish their quota of troops for the army; though it was for the maintenance of those troops, that the estates, says Ferishta, were bestowed. The chiefs who infringed this condition were carried prisoners to Delhi; and their sons, or other relations, gifted with the estate. Some places of strength, in the country lying between the Jumna and the Ganges, were taken. A governor on the Indus, who had rebelled, was reduced to obedience, and received into favour. Shere, the king's nephew, viceroy of Lahore and Multan, expelled the Moguls from Ghizni, and once more annexed that kingdom to the Indian part of the Gaurian empire.

Mamood fell into the error of disgusting his Omrahs, by pampering a favorite; but recovered his authority, by sacrificing, with a good grace, the author of his danger. A fresh army of the Moguls crossed the Indus in the year 1257; but retired upon the approach of Mamood. In the following year, an ambassador, from Hallacu, the grandson of Gingis, who had just completed the conquest of Persia, arrived at Delhi. The grandest possible display of the power and wealth of the empire seems to have been studied upon this occasion. To meet the representative of the conqueror, before whom Asia trembled, the vizir went out at the head of 50,000 foreign horse, two hundred thousand
infantry, two thousand elephants of war, and three thousand carriages of fireworks. With this magnificent escort, the ambassador was conducted to the royal presence; all the officers, dignitaries, and dependants of the empire, in gorgeous attire, surrounding the throne. This appears to have been a message of peace; since nothing of importance occurred, till the death of the Shah, which happened in the year 1265.



This prince carried to the throne that contempt of pleasure and show, and that simplicity of manners, which he had learned in his adversity. “Contrary,” says Ferishta, “to the custom of princes, he kept no concubines. He had but one wife, whom he obliged to do every homely part of housewifery; and when she complained one day, that she had burned her fingers in baking his bread, desiring he would allow her a maid to assist her, he rejected her request, with saying—that he was only a trustee for the state, and that he was determined not to burthen it with needless expences. He therefore exhorted her to persevere in her duty with patience, and God would reward her in the end. As the emperor of India never eats in public, his table was rather that of a hermit, than suitable to a great king. He also continued the whimsical notion of living by his pen. One day, as an Omrah was inspecting a Coran, of the emperor’s writing, before him, he pointed out a word, which he said was wrong. The king, looking at it, smiled, and drew a circle round it. But when the critic was gone, he began to erase the circle and restore the word. This being observed by one of his old attendants, he begged to know his Majesty’s reason for so doing; to which he replied, “that he knew the word was originally right, but he thought it better to erase from a paper, than to touch the heart of a poor man, by bringing him to shame.”

Mamood died without leaving any sons; and his
vizir, Balin, who even in his life time engrossed the principal share of power, without opposition mounted the throne. Balin was originally a Turk, of Chitta, of the tribe of Alberi. He was taken, when very young, by the Moguls who over-ran his country, and sold to a slave merchant who carried him to Bagdat. The master into whose hands he fell, learning that he was a relation of Altumsh, who then reigned at Delhi, proceeded with him to that city, and presented him to the monarch, who received him gladly, and liberally rewarded his conductor.



A brother of Balin had already made his way to the court of Delhi, and was considerably advanced in the road of favour and power. The young adventurer improved his advantages; and rapidly ascended the ladder of promotion. He took an

active part in all the revolutions which placed so many successors on the throne. In the reign of Musaood he was raised to the dignity of lord of requests; and in that of Mahmood obtained the vizarit.

The reign of Balin was severe; but vigilant, clearsighted, and consistent. He punished disobedience with rapidity and cruelty; but he distinguished talents with care, and rewarded services with discernment and generosity. The fame of his government made his alliance be courted, even by the Mogul sovereigns who reigned over Tartary and Persia.

"He expelled," says Ferishta, "all flatterers, usurers, pimps, and players, from his court; and being one day told, that an Omrah, an old servant of the crown, who had acquired a vast fortune by usury and monopoly in the bazaar or market, would present him with some lacks of rupees, if he would honour him with one word from the throne; he rejected the proposal with great disdain. What, he said, must his subjects think of a king who should condescend to hold discourse with a wretch so infamous." As freedom of bargain respecting interest on loans is exceptionable on principles of superstition alone, Balin was possibly mistaken in his instance, without being incorrect in his rule. The association of the king with persons infamous by their vices, sheds moral depravity among the people, except in that proportion exactly in which it sheds contempt upon the throne.

BOOK III. Chap. 2. 1270.

The generosity of Balin made his court the resort and asylum of the various princes, whom the arms of Gingis and his successors had rendered fugitives from their kingdoms. More than twenty of these unfortunate sovereigns, from Tartary, Transoxiana, Chorasan, Persia, Irac, Azarbijan, Persia proper, Roum, and Syria, among whom were two princes of the race of the Caliphs, had allowances assigned them from the revenues of Balin, with palaces, which took their names from their possessors, and admission on all public occasions to the presence and throne of their benefactor. The most learned men from all Asia, accompanying their respective princes, or seeking the same asylum, were assembled at Delhi. "And the court of India," says the historian, "was, in the days of Balin, reckoned the most polite and magnificent in the world. All the philosophers, poets, and divines, formed a society every night, at the house of the prince Shehid, the heir apparent to the empire. Another society of musicians, dancers, mimicks, players, buffoons, and story-tellers, was constantly convened at the house of the emperor's second son Kera, who was given to pleasure and levity. The Omrahs followed the example of their superiors, so that various societies and clubs were formed in every quarter of the city."

The hills to the south-east of Delhi were inhabited by Hindus, who acted the part of banditti and plunderers; and advanced, in numbers resembling an army, sometimes to the very walls of the capital. Balin ordered operations against them; and they were massacred without mercy. The soldiers, who carried hatchets for the purpose, cut down, to the distance of one hundred miles, the woods to which the robbers retired. The cleared space proved excellent land; and was speedily peopled; the inhabitants

BOOK III. Chap. 2. 1283.

being protected from the mountaineers by a line of forts erected at the bottom of the hills.

The Shah gave considerable employment to his army, in bridling the wild inhabitants of the mountains, near the centre of his dominions; but he rejected the advice of his counsellors, to regain the distant provinces of Malwa and Guzerat, which had asserted their independence from the time of Cuttub; wisely observing, that the cloud of Moguls, now gathered on his northern frontier, presented an object of more serious and anxious regard.

His accomplished and philosophical son, Mahomed Shehid, was appointed viceroy of the northern provinces, to hold in check those dangerous neighbours. And he assembled around him the men, most eminent for thought or action, whom the Asiatic world at that time contained.

Argunu, the grandson of Hallacu who subdued Persia, and the fourth in descent from Gingis, now filled the throne of Persia; and another descendant of that renowned conqueror, by name Timur, ruled over the eastern provinces from Chorasan to the Indus. In revenge for some former check, as well as by desire for extension of empire, Timur invaded India with a large army in 1283. They were met by the Indian prince, and battle was joined. Both leaders displayed the talents of great generals; but Mahomed at last prevailed, and the Moguls betook themselves to flight. Mahomed joined in the pursuit. He had just halted, in order to return; when he was surprised with only five hundred attendants, by a party of the enemy; and, being overpowered by superior numbers, was slain defending himself to the last. The army and the empire were filled with grief by his fall.



While the son was engaged in his arduous defence of the empire against the Moguls, the father was employed in subduing a dangerous rebellion in Bengal. Tughril, governor of that rich and powerful province, had executed an expedition against the rajahs of Jagenagur, a province bounded on the north by Bengal, and on the east by Orissa. Succeeding, and obtaining great treasure, he began to feel himself too great for a subject; delayed remitting the Emperor’s share of the plunder; and, hearing that Balin was sick, and too ill to survive, raised the red umbrella, and assumed the title of king. Balin ordered the Governor of Oude to assume the office of Subahdar of Bengal, and, with an army which he committed to his command, to march against the rebel. The new Subahdar was defeated; and Balin was so enraged that he bit his own flesh, and commanded the general to be hanged at the gate of Oude. Another of his generals whom he sent to wipe off this disgrace had no better success; when Balin, deeply affected, resolved to take the field in person. Tughril, hearing of his approach, thought proper to elude the storm, by retiring. He intended to remain in Jagenagur, till the Shah retired; and then to resume the command of the province. With some difficulty Balin procured intelligence of his route. An exploring party, at last, discovered and surprised his camp. Tughril fled and was killed, when Balin inflicted sanguinary punishment on his adherents.

But the death of his great and hopeful son was a blow to the heart of Balin, to which no success could yield a remedy. Oppressed, at once, with grief, with business, and with old age (he was now in his eightieth year), he languished for a short time, and expired. He appointed his grandson, by the deceased Mahomed, his successor. Kera,[1] however, the second son of Balin, was governor of Bengal, the most affluent province of the empire; and the Omrahs, respecting his present power, more than the will of their deceased master, raised his son Kei Kobad to the throne.



Kei Kobad was in his eighteenth year, handsome in his person, of an affable and mild disposition, and not slightly tinctured with literature. His mother was a beautiful princess, daughter of the emperor Altumsh. “He delighted,” says his historian, “in love, and in the soft society of silver-bodied damsels with musky tresses.” He adds; “When it was publicly known that the king was a man of pleasure, it became immediately fashionable at court; and, in short, in a few days, luxury and vice so prevailed, that every shade was filled with ladies of pleasure, and every street rung with music and mirth. The king fitted up a palace at Kilogurry, upon the banks of the river Jumna; and retired thither to enjoy his pleasures undisturbed, admitting no company but singers, players, musicians, and buffoons.”

The father of Kei Kobad remained contented with his government of Bengal. But Nizam ul Dien, who became the favourite minister of the young Shah, conceived hopes, from the negligence of his master, of paving for himself a way to the throne. He proceeded to remove the persons whose pretensions were likely to obstruct his career. The many acts of cruelty and perfidy, of which he was the cause, shed discredit upon the government. The father of Kei Kobad saw the danger; and forewarned his son. But the prince could not attend to business, without sacrificing pleasure. He found it, therefore, more agreeable to repose upon the minister, and neglected the advice. Kera, alarmed for his own fate, as well as that of his son, thought it adviseable to second his advice with his presence, and his presence with an army. This was construed an act of hostility; and the Shah marched out from Delhi, at the head of an army, to oppose his father. The father, either conscious of his inferiority in point of strength, or unwilling to proceed to the last extremity, requested an interview. This was dreaded by the minister, who endeavoured to blow up the vanity and presumption of the young monarch to such a pitch, that he might hear of nothing but a battle. Kera was not easy to be repulsed; and renewed his application, by a letter, full of parental expostulation and tenderness. The heart of the young prince was corrupted, but not yet thoroughly depraved. He could not resist the letter of his father; and Nizam, no longer able to defeat the interview by direct, endeavoured to elude it by artificial means. He prevailed upon the prince, as sovereign, to insist upon the first interview; in hopes that Kera would refuse. Kera was not a slave to points of ceremony; and readily consented to repair to the imperial camp; where the son was prepared to display his insolence at even his father’s expense. The throne was set out with the greatest pomp and ceremony; and Kei Kobad, ascending, commanded that his father should three times kiss the ground. At the first door, the aged prince was ordered to dismount; and, when

BOOK III. Chap. 2. 1285.

he came in sight of the throne, to perform the abject obeisance of the east; the mace-bearer at the same time calling out, according to custom, "The noble Kera to the king of the world sends health!" The father, whose heart was full, was no longer able to restrain his tears. Upon sight of his father in tears, the young prince forgot his insolence, and rushing from the throne, threw himself upon his face at his father's feet, and implored his forgiveness.[1]

BOOK III. Chap. 2. 1285.

The presence and admonitions of Kera made an impression upon the mind of Kei Kobad, which it was too soft to retain. "When he arrived at Delhi," says Ferishta, "the advice of his father, for a few days, seemed to take root in his mind. But his reformation was not the interest of the minister." He accordingly plied him with pleasure in all the shapes in which it was known to have the greatest influence on his mind. The most beautiful and accomplished women whom it was possible to procure were made to present themselves to him at all the most accessible moments, and invention was exhausted to find an endless variety of modes to surprise and captivate the prince with new combinations of charms. The most exquisite musicians, dancers, players, buffoons, were collected to fill up the intervals left vacant by love.

The hatred, however, which the success, the presumption, and insolence of the minister had engendered in his fellow courtiers; or the suspicions and fears which, at last, though tardily, were excited in the breast of the sovereign, cut short the days and the machinations of Nizam ul Dien. He was taken off by poison. The authority of the king did not long survive. His intemperance in the haram brought on a palsy; which disabled him in one side, and distorted his countenance. All attention was then absorbed by the scramble for power. Every Omrah of popularity set up his pretensions. The friends of the royal family brought out the son of Kei Kobad, a child of three years old, and set him on the throne. He was supported by the Tartars; a body of whom, as mercenaries, were generally kept by the Indian sovereigns, whom they became the common instruments of setting up and pulling down. On the present occasion, the Tartars had a formidable body of competitors. Of the Afghauns, or mountaineers of Gaur and Ghirgistan, on the frontiers of Persia, a tribe named Chilligi[1] made war and depredation their business; and usually, in great numbers, served, as mercenaries, any power which chose to employ them. An adventurer of this tribe, of the name of Mallek, who subsisted by his sword, rose to distinction in the army of Balin; and left his talents and his fortune to his son Feroze, who, at the time of the illness of Kei Kobad, was one of the chief Omrahs, and commanded a province. He was joined by the Chilligi mercenaries, who attacked, and cut to pieces, the Tartars. There was no longer any obstruction. Kei Kobad was killed upon his bed, after a reign of little more than three years. Such was the termination of the Gaurian, or rather of the first Gaurian dynasty; and such the commencement of the Afghaun, or second Gaurian dynasty, in the year 1289. At the time of this revolution, Cubla, the grandson of Gingis, sat on the throne of Tartary and China; another of his descendants on that of Persia; and a third possessed a kingdom in Transoxiana, and those provinces to the north-west of the Indus which constituted the original dominions of the house of Ghizni.

BOOK III. Chap. 2. 1289.

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# CHAP. III.

*From the Commencement of the second Gaurian or Afghaun Dynasty, to the Commencement of the Mogul Dynasty.*

Feroze was seventy years of age when he became the master of the kingdom. He was a man of intelligence; and though guilty of cruelty and injustice in acquiring or establishing his throne, he sought to distinguish himself by the justice, and also the popularity, of his administration. "For that purpose," says his historian, "he gave great encouragement to the learned of that age; who, in return, offered the incense of flattery at the altar of his fame."

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Chidju, however, a prince of the royal blood, nephew of the late Balin, and a nabob or governor of a province, obtained the alliance of several chiefs, and marched with an army towards Delhi. Feroze placed himself at the head of his army, and sent forward his son with the Chilligi cavalry. The prince encountered the enemy, and obtaining an advantage, took several Omrahs prisoners, whom he mounted upon camels with branches hung round their necks. When Feroze beheld them in this state of humiliation, he ordered them to be unbound, gave a change of raiment to each, and set an entertainment before them; repeating the verse, "That evil for evil it was easy to return; but he only was great who could return good for evil." In a few days Chidju was taken prisoner, and sent to the king; but instead of death, which he expected, received a pardon, and was sent to reside at Multan, on a handsome appointment for life. To the Omrahs of the Chilligi, displeased at so much lenity, Feroze replied, "My friends, I am now an old man, and I wish to go down to the grave without shedding blood."

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The mind of this prince, however, did not, it seems, distinguish sufficiently between lenity and relaxation. The police of the empire was neglected; and robbery, murder, insurrection, ever ready to break loose in India, diffused insecurity over the nation. The Omrahs of the Chilligi "began," says Ferishta, "to lengthen the tongue of reproach against their sovereign." The design was conceived of raising one of themselves to the throne; the project was even discussed at an entertainment, at which they were assembled; but one of the company privately withdrew and informed the emperor, who immediately ordered them to be arrested and brought before him. It occurred to one of them to represent the affair as a drunken frolic, and the words as the suggestion of intoxication. The prince was pleased to accept the apology; and dismissed them with a rebuke. He was not so lenient to a Dirvesh, or professor of piety, who by the appearance of great sanctity, and by the distribution of great liberalities to the poor, the source of which no one could discover, acquired immense popularity; and on this foundation aspired, or was accused of aspiring, to the throne. Though little or no evidence appeared against him, he was cruelly put to death.

With his expiring breath, the holy Dirvesh cursed Feroze and his posterity; nature was thrown into convulsions upon the death of the saint; and from that hour the fortunes of Feroze were observed to decline. His eldest son was afflicted with insanity which no power of medicine could remove. Factions and rebellions disturbed his administration. In the year 1291, Hindustan was invaded by a prince of the house of Gingis, at the head of 100,000 Moguls; and though Feroze engaged them, and obtained the advantage, he was glad to stipulate for the departure of the invaders by consenting to let them retreat unmolested.

BOOK III. Chap. 3. 1291.

In this reign occurred an event of great importance in the history of Hindustan: the first invasion of the Deccan by Mahomedan arms. Deccan means the south; and is applied in a general manner to the kingdoms and districts included in the southern portion of India. It does not appear that the application of the name was ever precisely fixed. It has been commonly spoken of as indicating the country south of the Nerbudda river, which falls into the Gulf of Cambay at Baroach; but as the Patan or Mogul sovereignties hardly extended beyond the river Kistna, it is only the country between those two rivers which in the language of India commonly passes under the name of Deccan.

Alla, the nephew of Feroze, was Nabob or Governor of Corah, one of the districts in the Doab, or country lying between the Ganges and Jumna. Having distinguished himself in a warfare with some rajahs who bordered on his province, he was gratified by the addition to his government of the province of Oude. His first success appears to have suggested further enterprise. He solicited and obtained the consent of Feroze to extend his empire over the Hindus. Having collected such an army as his resources allowed, he marched directly, by the shortest route, against Ramdeo, one of the rajahs of Deccan, whose capital was Deogur, now Dowlatabad.[1] Alla met with no inconsiderable resistance; but finally prevailed; and exacted heavy contributions (exaggerated by the pen of Oriental history into incredible sums), as the price of his return. He retreated many days through several hostile and populous kingdoms; the governments of which were too weak or too stupid to offer any obstruction to his march.

BOOK III. Chap. 3. 1298.

Feroze was not without uneasiness upon intelligence of the ambitious adventure of Alla; and of the great addition to his power which the vastness of his plunder implied. He rejected, however, the advice of his wisest counsellors to take previous measures for the securing of his authority and power; and resolved to repose on the fidelity of his nephew. He was even so weak as to permit Alla, on feigned pretences, to entice him to Corah, where he was barbarously assassinated, having reigned only seven years and some months.

Alla made haste to get into his power the family of Feroze; of whom all who were the objects of any apprehension were unrelentingly murdered; and the rest confined. He had scarcely time, however, to settle the affairs of his government, when he learned that the Mogul sovereign of Transoxiana had invaded the Punjab with an army of 100,000 men. An army, commanded by his brother, was sent to expel them. A battle

was fought in the neighbourhood of Lahore, in which the Indians were victorious, and the Moguls retreated. The successful general was sent into Guzerat, which he quickly reduced to the obedience of the Shah.

The Moguls returned the following year with much greater force; and marched even to the walls of Delhi
, to which they laid siege. Alla at last collected his army, and gave them battle. Though his success was not decisive, the Moguls thought proper to retreat.

BOOK III. Chap. 3. 1303.

The king's arbitrary maxims of government, and the odious manner in which he arrived at the supreme command, engendered disaffection; and during the first years of his reign he was harassed by perpetual insurrections and rebellions. He applied himself, however, with industry and intelligence, to the business of government; and though his administration was severe and oppressive, it was regular and vigorous, securing justice and protection to the body of the people. His education had been so neglected that he could neither read nor write; but feeling the disadvantages under which his ignorance laid him, he had firmness of mind to set about the work of his own instruction even upon the throne; acquired the inestimable faculties of reading and writing; made himself acquainted with the best authors in the Persian language; invited learned men to his court; and delighted in their conversation.

In 1303, he projected another expedition into Deccan by the way of Bengal, but was recalled by a fresh invasion of the Moguls of Transoxiana; who advanced as far as Delhi, but retreated without sustaining a battle. After their departure, he resolved, by an augmentation of his army, to leave himself nothing to fear from that audacious enemy. But reflecting that his revenues were unequal to so great a burden, he resolved to reduce the soldiers' pay. Reflecting again, that this would be dangerous, while the price of articles continued the same, he ordered all prices to be reduced a half; by that means, says Ferishta, with an ignorance too often matched in more instructed countries, "just doubling his treasures and revenue." The Moguls were not discouraged by frequency of repulse. The armies of the king of Transoxiana twice invaded Hindustan in 1305, and were twice defeated by Tughlic, the general of Alla.

BOOK III. Chap. 3. 1305.

In the following year the design against Deccan was renewed, and prosecuted with greater resources. Cafoor, a slave and eunuch, his favourite, and, it was said, the instrument of his pleasures, was placed at the head of a grand army, and marched towards the south. He first "subdued the country of the Mahrattors,[1] which he divided among his Omrahs," and then proceeded to the siege of Deogur. Ramdeo endeavoured to make his peace by submission; and having agreed to pay a visit to the emperor at Delhi, and to hold his territories as a dependency, he was dismissed with magnificent presents, and his dominions were enlarged.

The division of Deccan, known by the name of Telingana, is supposed to have extended, along the eastern coast, from the neighbourhood of Cicacole on the north, to that of Pulicat on the south; and to have been separated on the west from the country

known by the name of Maharashtra, or by contraction Mahratta, by a line passing, near Beder, and at some distance east of Dowlutabad, to the river Tapti.2

Alla was on his march against the Rajah of Warunkul, one of the princes of this district, in 1303, when he was recalled by another invasion of the Moguls. He made, indeed, a part of his army proceed in the expedition, for the purpose of reducing the fort of Warunkul, a place of great strength, and, by repute, of immense riches; but the project failed. In 1307, Cafoor was ordered to march into Telingana by the way of Deoghur, and lay siege to Warunkul. Warunkul was taken by assault, after a siege of some months.1 The rajah made his peace, by sacrificing largely to the avarice of his conquerors, and accepting the condition of a tribute.

BOOK III. Chap. 3. 1310.

The more Alla tasted of the plunder of Deccan, the more he thirsted for additional draughts. In 1310, Cafoor was sent on a more distant expedition. He marched by Deoghur; and penetrating as far as Carnatic, took the Rajah prisoner, and ravaged his kingdom. According to the historians, he returned with such wealth as no country ever yielded to a predatory invader.2 Nor did he remain long at Delhi before he persuaded the Shah to send him once more into Deccan; where he ravaged several countries, and sent the plunder to Alla. This prince had ruined his constitution by intemperance in the seraglio; and felt his health in rapid decline. He sent for Cafoor from Deccan, and complained to him of the undutiful behaviour of his wife and his son. Cafoor, whose eyes had already turned themselves with longing to the throne, contemplated the displeasure of the emperor against his family as a means for realizing his most extravagant hopes. He prevailed upon Alla to throw his two eldest sons, and their mother, into prison; and to put to death several of the chiefs by whom his pretensions were most likely to be opposed. When things were in this train, Alla expired in the year 1316, in the twenty-first year of his reign.

BOOK III. Chap. 3. 1316.

The time was not yet come when Cafoor deemed it expedient to declare himself king. He produced a testament, genuine or spurious, of the late prince, in which he appointed Omar, his youngest son, then seven years of age, his successor, and Cafoor regent. The first act of Cafoor's administration was to put out the eyes of the two eldest of the sons of Alla: But there was a third, Mubarick, who escaped, till a conspiracy of the foot guards put the regent to death, only thirty-five days after the decease of his master. The reins of government were immediately put into the hands of Mubarick; but he thought proper to act in the name of his young brother, already upon the throne, for the space of two months, till he had gained the Omrahs. He then claimed his birthright; deposed his brother; according to the Asiatic custom, put out his eyes; and sent him for life to the fort of Gualior.

Mubarick was a man of vicious inclinations, and mean understanding. He for a moment sought popularity, by remitting the more oppressive of the taxes, and relaxing the reins of government; but the last so injudiciously, that disorder and depredation overran the country.

The reduction of the revolted Guzerat was one of the first measures of Mubarick. The enterprise, being entrusted to an officer of abilities, was successfully performed.

The Rajahs in the Deccan yielded a reluctant obedience; which, presuming on their distance, they imagined they might now, without much danger, suspend. Mubarick, in the second year of his reign,

BOOK III. Chap. 3. 1321.

raised a great army, and marched to Deoghur; where not finding much resistance, he did little more than display his cruelty, in the punishment of those, who, charged with enmity or disobedience, fell into his hands.

Among the favourites of Mubarick was Hassen, formerly a slave, and, according to Ferishta, the son of a seller of rags in Guzerat. This man was an instrument of the pleasures of the Shah; and upon his accession to the throne had been honoured with the title of Chusero, and raised to the office of Vizir. Finding nothing more to perform in the region of Deoghur, Mubarick placed Chusero at the head of a part of the army, and sent him on an expedition against Malabar, while he himself returned with the remainder to Delhi.

The vices of Mubarick, and of his government, became daily more odious. He was the slave of every species of intemperance, and void of every humane or manly quality, which could procure the indulgence of mankind to his faults. Conspiracy succeeded conspiracy, and one insurrection another; till Chusero, beholding the contempt in which his master was held, believed he might shed his blood with safety, and place himself upon his throne. The reputation and plunder, derived from the success of his expedition to Malabar,[1] had added greatly to his power. He made use of his influence over the mind of the emperor to fill with his creatures the chief places both in the army and the state. In the year 1321, he conceived himself prepared for the blow; when in one night Mubarick and his sons were destroyed.

BOOK III. Chap. 3. 1323.

On mounting the throne, Chusero assumed the title of Nasir ul dien, or defender of religion; a cause which has seldom been associated with that of government, except for the purposes of fraud; and Chusero, it seems, was aware that, for his government, such a covering was required.

He put to death, without remorse, a great multitude of persons in the service of Mubarick; all those from whom he imagined that he had any thing to fear; and distributed the offices of government among his creatures. “The army,” says Ferishta, “loved nothing better than a revolution; for they had always, upon such an occasion, a donation of six months’ pay immediately advanced from the treasury:” so exactly does military despotism resemble itself, on the banks of the Tiber, and those of the Ganges.

But though Chusero met with no opposition in ascending the throne; he did not long enjoy his kingdom in peace.

Ghazi was governor of Lahore; and though, for the sake of securing him to his interest, Chusero had bestowed high office and rank upon his son Jonah, Jonah made his escape from Delhi, and joined his father at Lahore.

Ghazi dispatched circular letters to the Omrahs; exerted himself to raise forces; and was joined by several of the viceroys with their troops. Chusero dispatched an army to subdue the rebellion; but the soldiers of Ghazi were hardened by frequent wars with the Moguls; those of Chusero, enervated by the debauchery of the city, were broken at the first onset; and the confederates marched with expedition to the capital. Chusero was ready to receive them with another army. Though betrayed and deserted in the action by a part of his troops, he maintained the conflict till night; when he made a fruitless endeavour to fly with a few of his friends.

Deserted by his attendants, and dragged from his lurking place, he met the fate which he would have bestowed.



The Omrahs hastened to pay their respects to the victor; and the magistrates of Delhi presented to him the keys. Mounting his horse, he entered the city, and arriving at the gates of the palace, he addressed the people; “O ye subjects of this great empire! I am no more than one of you, who unsheathed my sword to deliver you from oppression, and rid the world of a monster. If, therefore, any of the royal line remains, let him be brought, that we, his servants, may prostrate ourselves before his throne. If not; let the most worthy of the illustrious order be elected among you, and I shall swear to abide by your choice.” But the people cried out, with vehemence, that none of the royal family remained alive; and that he, who had protected the empire from the Moguls, and delivered it from the tyrant, was the most worthy to reign. He was then seized, and by a sort of violence placed upon the throne; the people hailing him “King of the World.”

Tuglick is the name, by which the new emperor chose to be distinguished. It was the name of his father, who is understood to have been a slave in the service of Balin. His mother was of the tribe of the Jaats.

After appointing the instruments of his government, the first care of Tuglick was to secure his northern frontier against the formidable incursions of the Moguls; and so judiciously did he station his force, and erect his forts, that he was not once molested by those invaders during his reign.

This being accomplished, he sent his son Jonah into the Deccan to chastise the Rajah of Warunkul,

who, during the late disorders, “had withdrawn his neck from the yoke of obedience.” Jonah, with the usual ease, hardly meeting with any resistance, overran the Hindu kingdoms; leaving every where behind him the cruel marks of imperial vengeance and avarice. After a few efforts in the field, the Rajah of Warunkul shut himself up in his strong-hold, and was besieged. From the strength of the place, the siege was a work of time; during which sickness, and along with sickness, desire to return, and from that desire opposed, disaffection, spread themselves in the Mahomedan army. Several of the Omrahs withdrew with their troops; when the Prince, no longer able to continue the siege,

retreated, first to Deoghur, and thence to Delhi. The army was recruited with great expedition, and he marched again in a few months towards Warunkul, which soon yielded to his arms. Many thousands of the Hindus were put to the sword; and the Rajah and his family were sent to Delhi. Appointing Omrahs to the government of Telingana, he marched against Cuttack, where he gained some advantages, and then returned by the way of Warunkul to Delhi.

Tuglick, receiving complaints of great oppression against his officers in Bengal, appointed Jonah governor of Delhi, and marched toward that province with an army. Nazir, the grandson of the emperor Balin, had possessed the viceroyalty of Bengal, since the death of his father. He advanced to meet the Emperor with submission and presents; and was confirmed in his government. Jonah, with the nobles of Delhi, went out to meet his father with rejoicings upon his return. A wooden house was hastily erected to entertain him. When the entertainment was concluded, and the emperor was about to retire, the Omrahs hurrying out to be in readiness to attend him, the roof suddenly fell in, and crushed him with several of his attendants; whether by the contrivance
of Jonah, by the fault of the building, or a stroke of lightning, was variously conjectured and believed. He reigned but four years and some months, with the reputation of a wise and excellent prince.

BOOK III. Chap. 3. 1324-51.

Jonah mounted the throne by the title of Mahomed III.; and began his reign with acts of liberality and beneficence. He distributed profuse gifts, and made magnificent appointments. This prince was a compound of heterogeneous qualities. He was generous to profusion; a lover of literature, in which he had made considerable acquirements; he was not only temperate but austere in his manner of life, and an attentive performer of acts of religion; he had no regard, however, to justice, or to humanity; he was cruel and vindictive as a man; oppressive and tyrannical as a ruler. His plans proceeded on the supposition, that the happiness or misery of his subjects was a matter of indifference; and when their disaffection began to afford him uneasiness, their misery seemed to become an object of preference and a source of gratification. He displayed however no contemptible talents in supporting himself against the hatred and detestation of mankind.

Immediately upon his accession he directed his attention to the further subjugation of Deccan; but more, it would appear, with a view to plunder, than to permanent dominion. His generals appear to have over-run a large portion of its more accessible parts. He reduced the Carnatic; and in the hyperbolical language of Ferishta, spread his conquests to the extremity of the Deccan, and from sea to sea.

He adopted frantic schemes of ambition. He raised an army for the conquest of the kingdom of Transoxiana and Chorasan, and another for the subjugation of China. Previous to the grand expedition
against China, 100,000 horse were sent to explore the route through the mountains, and to establish forts to the confines of China. The horse did, we are told, penetrate to the frontiers of China, but were met with an army which they durst not oppose; and the rains,

BOOK III. Chap. 3. 324–51.

covering with water the roads and the plains, obstructed their retreat. They perished through fatigue, famine, and disease; and scarcely a man survived to describe the disaster. The inaccurate and uninstructive genius of Oriental history gives us no information respecting the track which this illfated army pursued.

The expense of Mahomed's government led him to oppress his subjects by increase of taxes. To this great cause of misery and discontent, he added others by injudicious schemes of finance. "The King," says Ferishta, "unfortunately for his people, adopted his ideas upon currency, from a Chinese custom of using paper upon the emperor's credit, with the royal seal appended, for ready money. Mahomed, instead of paper, struck a copper coin, which, being issued at an imaginary value, he made current by a decree throughout Hindustan." This produced so much confusion and misery, and so completely obstructed the collection of the revenue, that Mahomed was obliged to recall his debased coin; and individuals acquired immense fortunes by the ruin of many thousands, the general misery of the people, and the impoverishment of the sovereign.

Being called into Deccan, to suppress an insurrection raised by his nephew, whom be ordered to be flead alive, and in that condition carried, a horrid spectacle, round the city; he took a fancy to the situation of Deoghur, resolved to make it his capital, by the name of Dowlatabad, and to remove thither the inhabitants of Delhi. This caprice he carried into execution; unmoved by the calamities that were to fall upon the individuals; and unable to foresee the alienation in the minds of men to which the sight and the reports of so much unnecessary evil must of necessity expose him. "The emperor's orders," says the historian, "were strictly complied with, and the ancient capital left desolate."

BOOK III. Chap. 3. 1324-51.

The provinces, one after another, began now to rebel. The Governor of Multan set the example. Scarcely was he subdued when Bengal broke into insurrection. This too the vigour of Mahomed quickly reduced. He was thence summoned by disturbances in Telingana, where he lost great part of his army, by a plague, then raging at Warunkul. But what, to the mind of Mahomed, was of more importance than the lives of half the inhabitants of Hindustan, he himself was afflicted with the tooth-ach. He even lost a tooth. This he commanded to be buried with solemn pomp, and a magnificent tomb to be erected over it.

Calamity in every shape assailed the wretched subjects of Mahomed. Such was the excess of taxation, that in many parts, particularly in the fertile country between the Jumna and the Ganges, the cultivators fled from their fields and houses, and preferred a life of plunder and rapine in the woods. From this, and from unfavourable seasons, famine raged about Delhi, and the neighbouring provinces; and multitudes of people perished from want. A chief of the Afghauns came down from the mountains, and plundered the province of Multan. The fierce tribes of Hindus, called by Ferishta, Gickers, were combined by a leader, and ravaged the Punjab and Lahore.

Mahomed, struck at last with the calamities of his reign, had recourse to religion for a cure. He sent a splendid embassy to Mecca, that, his coronation being

confirmed by the successor of the prophet, the blessing of Heaven might descend upon his throne.

BOOK III. Chap. 3. 1324-51.

The Rajahs of Telingana and the Carnatic formed a confederacy; and within a few months expelled the Mahomedans from every place in the Deccan, except Dowlatabad.

Even the Viceroy of Oude rebelled. But the Emperor, marching against him with expedition, brought him quickly to his feet. Contrary to his usual practice, Mahomed pardoned the offender, and even restored him to his government; declaring, that he would not believe in his guilt, and ascribing his transgression to a temporary delusion, which the malice and falsehood of others had produced.

An effort was made to regain what had been lost in Deccan, and governors and troops were dispatched to the different districts; who in the way of plunder performed considerable feats. But in the mean time disturbances of a new description broke out in Guzerat. Of the mercenary troops, composed of Tartars, Afghauns, and other hardy races from the North, in which consisted a great proportion of the armies of the Mahomedan emperors of Hindustan, a considerable number, during some ages, had been Moguls. Of these it would appear that a considerable body had been sent to keep in check the turbulent inhabitants of Guzerat. They began now to commit depredations, and to set the power of Mahomed at defiance. Mahomed resolved to punish and extirpate them. The presence of the emperor, and their fears made them withdraw from Guzerat; but they retired into Deccan; and took Dowlatabad by surprise. Mahomed allowed them little time to make an establishment. They ventured to meet him in battle; when they were partly slain and partly dispersed. Before he could take the city, fresh disturbances arose in Guzerat. Leaving an Omrah to push the reduction of Dowlatabad
, he hastened to the new insurgents. An army of no inconsiderable magnitude opposed him. He carried on his operations with vigour, and once more prevailed. But in the mean time the Moguls in Deccan, gathering strength upon his departure, defeated his General, and pursued his troops toward Malwa. He resolved to march against them in person. But the settlement of Guzerat was an arduous and a tedious task. Before it was concluded, he fell sick, and died in the year 1351, after a reign of twenty-seven years.

BOOK III. Chap. 3. 1351-57.

His death was propitious to the Moguls in Deccan; and afforded time for laying the foundation of a Mahomedan empire, which rose to considerable power, and preserved its existence for several centuries. Upon seizing Dowlatabad, the rebel chiefs agreed to elect a sovereign; when their choice fell upon Ismael, an Afghaun, who had been commander of a thousand in the imperial army. Among the insurgents, was a military adventurer of the name of Hussun. Wonderful things are recorded of his predestination to power; as usually happens in the case of those who, from a degraded station, rise to great command over the hopes and fears of mankind. He was an Afghaun slave or dependent of a Brahmen, who professed astrology in Delhi. The Brahmen gave him a couple of oxen to cultivate a piece of waste ground near the city, as means of a livelihood; where his plough turned up a treasure. He informed the Brahmen; and the Brahmen, equally conscientious, or equally cautious, the emperor.

The Emperor, struck with the honesty of Hussun, bestowed upon him the command of one hundred horse. The Brahmen told him, that he saw by the stars, he was destined to greatness, and stipulated that, when king of Deccan, he would make him his minister. Hussun offered his services to the first commander who was sent into Deccan; joined the insurgents; and when Ismael was chosen king, he was decorated with the title of Zuffeir Khan; and received a large jaghire for the maintenance of his troops.



After Mahomed was summoned from Deccan, by the new disturbances in Guzerat, and after his general was obliged to raise the siege of Dowlatabad, Zuffeir Khan marched with twenty thousand horse against Beder, a city on the Godavery, nearly a hundred miles north-west from Golconda, and about the same distance west from Warunkul. This had been the seat of a Hindu rajahship; it was at this time a station of one of the imperial generals. Zuffeir Khan, obtaining the assistance of the Rajah of Warunkul, who sent him fifteen thousand men; and being reinforced with five thousand horse, detached to his assistance by the new king of Dowlatabad, engaged and defeated the army of Mahomed. Returning, with glory and plunder, he was met, before reaching the capital, by the king; who could not help observing, that more attention was paid to the general than to himself. Making a merit of what would soon be necessity; and taking the pretext of his great age, he proposed to retire from the cares of government, and recommend Zuffeir Khan as successor. The proposition was applauded; and the slave or peasant Hussun, mounting the new throne by the style and title of Sultan Alla ad dien Hussun Kongoh Bhamenee, became the founder of the Bhamenee dynasty. Koolburga, or Culberga, which had been the place of his residence, he named Ahssunabad, and rendered it the capital of the Deccanee empire.

Sultan Alla was not unmindful of his ancient master; from whose name he added the term Kongoh, and according to some authorities, that of Bahmenee, Brahmen being so pronounced, to his royal titles. He invited Kongoh from Delhi; made him lord of the treasury; and in his edicts associated the name of the Brahmen with his own. Hussun lived, after the acquisition of royalty, eleven years, two months, and seven days; having in that time reduced to his obedience all the regions in Deccan which had ever acknowledged the sway of the emperors of Delhi. He governed with wisdom and moderation, and died at Koolburga, in the year 1357, and the sixty-seventh year of his age.[1]



Upon the death of the emperor Mahomed, his nephew Feroze, whom he recommended for his successor, was in the imperial camp; and without difficulty mounted the throne. The nerves of the state were relaxed by mis-government; and it displayed but little vigour during the days of Feroze. The governor of Bengal aspired to independence; and the emperor, after several efforts, being unable to reduce him to obedience, was forced to content himself with a nominal subjection.[2] Feroze, however, employed himself with laudable solicitude, in promoting agriculture, and the internal prosperity of his dominions. He lived till the age of ninety years; twenty-eight of which he spent upon the throne. He is celebrated in history for having constructed fifty great aqueducts or reservoirs of water;

forty mosques; thirty schools; twenty caravanseras; an hundred palaces; five hospitals; one hundred tombs; ten baths; ten spires; one hundred and fifty wells; one hundred bridges; and pleasure-gardens, without number.

Mahomed, a son of Feroze, had received the reins of government from his father, when the weight of them began to press heavily upon his aged hands. A conspiracy, however, of the Omrahs, had, after a time, obliged him to fly from the throne; and Feroze made Tuglick, his grandson, successor. Tuglick was a friend to pleasure; and slenderly provided with talents. He made an effort to get into his power Mahomed, his uncle, who had been chased from the throne; but Mahomed threw himself into the fort of Nagracote, which, for the present, it was deemed inexpedient to attack. The emperor, meanwhile, inspired so little respect, that Abu Becker, his cousin, in danger from his jealousy, found himself able to hurry him to his grave. By means of some Omrahs, he corrupted the imperial slaves; who assassinated their master, after he had reigned but five months.

Abu Becker was hardly more fortunate. Some of the Mogul mercenaries, in the imperial service, conspired against him, and invited Mahomed from Nagracote, to place himself at their head. Mahomed succeeded; and Abu Becker resigned his life and his throne, one year and six months after the death of Tuglick.

In the reign of Mahomed, the Mahrattors (Mahrattas) again appear in the field. They were soon brought to submission; and Narsing their prince waited upon the emperor at Delhi. The six years of this emperor were chiefly employed in subduing or anticipating the insurrections of the provincial Omrahs or governors, from whom he enjoyed scarce an interval of repose. His son Humaioon, who succeeded him, was seized with a fatal disorder, and survived his father not many days.

BOOK III. Chap. 3. 1389-96.

The Omrahs, after high dispute, at last raised Mahmood, an infant son of the late Mahomed, to the throne. The distractions in the empire increased.

Three of the most powerful Omrahs of the court, Mubarick, Ekbal, and Sadit, fell into deadly feuds. The emperor having left the capital, with the army commanded by Sadit, Mubarick, fearing the resentment of Sadit, shut the gates of the city. The emperor was constrained to abandon Sadit, before he was allowed to re-enter his capital and palace. Joined by his sovereign, Mubarick, the next day, marched out and gave battle to Sadit, but was worsted and forced back into the city. As the rains had commenced, Sadit was obliged to lead his army into quarters. He immediately sent for Nuserit, a prince of the blood, and set him up in opposition to Mahmood, by the name of Nuserit Shah. A conspiracy soon threw Sadit into the hands of Mubarick, who put him to death. But a strong party adhered to Nuserit; and a most destructive contest ensued between the partisans of the rival kings. The balance continued nearly even for the space of three years, during which every species of calamity oppressed the wretched inhabitants. Some of the distant Subahdars looked on with satisfaction, contemplating their own elevation in the depression of the imperial power. But in the year 1396, Mahomed Jehangheer, the grandson of Timur, or Tamerlane, having

constructed a bridge over the Indus, invaded Multan. The governor, who already regarded the province as his own, opposed him with no contemptible force; but was overcome, and resigned Multan to the conqueror. In the mean time the Omrah Ekbal obtained and betrayed the confidence of Nuserit, whom he obliged to fly to Paniput. He opened a deceitful negotiation with the Emperor, under cover of which he surprised and slew Mubarick. All power now centred in Ekbal; and the emperor was converted into a cipher. In this situation were affairs at Delhi, when intelligence arrived that Timur himself had crossed the Indus.

BOOK III. Chap. 3. 1396.

The birth of Timur, or Tamerlane, was cast at one of those recurring periods, in the history of the Asiatic sovereignties, when the enjoyment of power, for several generations, having extinguished all manly virtues in the degenerate descendants of some active usurper, prepares the governors of the provinces for revolt, dissolves the power of the state, and opens the way for the elevation of some new and daring adventurer. At no preceding period, perhaps, had these causes enervated the powers of government over so great a part of Asia at once, as at the time of Tamerlane. The descendants of Gingis had had formed their immense conquests into three great kingdoms; of which Persia was one; the intermediate regions of Transoxiana, Chorasan, Bactria, and Zabulistan or Candahar, and Cabul, lying between Persia and Tartary, were the second; and Tartary itself, or rather Tartary and China in conjunction, the third. The dynasties of the race of Gingis, in all these several kingdoms, had been in possession of power so long, as now to display the effects which possession of power in Asia invariably produces. The reigning sovereigns had every where given themselves up to the vices which are the natural growth of the throne; the viceroys of the provinces despised their authority; and weakness and distraction pervaded the empire. About thirty years before the birth of Timur, the kingdom of Persia had undergone a species of dissolution; almost every province, under a rebel governor, had been erected into an independency, and the whole divided into a number of petty states. From nearly the same period, the kingdom of Zagatai, (this was the intermediate sovereignty, so called from that son of Gingis whose inheritance it became,) had been contended for by a succession of usurpers. The Mogul throne of Tartary and China had been less violently agitated, but was greatly reduced in power. Into what confusion and weakness the Afghaun empire of Delhi had fallen, we have seen in sufficient detail.

BOOK III. Chap. 3. 1396.

Timur was born forty miles to the south of Samarcand, in the village of Sebzar, where his fathers, enjoying the rank or command of a toman of horse, had possessed a local authority for some generations. Timur had, from a tender age, been involved in the warfare of a distracted period; and by his courage, activity, and address, had at five and twenty fixed upon himself the hopes and esteem of a large proportion of his countrymen. Amid the other calamities which had fallen upon the kingdom of Zagatai or Samarcand, upon the breaking up of the government of the descendants of Gingis, the Tartars of Cashgar had been incited, by the apparent weakness of the state, to invade the country, where they now oppressed and massacred the wretched inhabitants. Timur stood forward as the deliverer of his country; but when the day for action arrived, the chiefs who had promised to support him betrayed their

engagements, and he was constrained to fly to the desert with only sixty horsemen. Timur run every sort of danger, and endured every sort of hardship, for several months, during which he led the life of a fugitive or outlaw. By degrees, however, he collected a party of well-tried adherents. The soldiers of fortune, the most adventurous of the youth, gathered around him. He harassed the Tartars by daring, yet cautious onsets; whence he increased his reputation, and multiplied his followers. After a series of struggles, the invaders were finally driven from Transoxiana. But it was not till the age of thirty-four, and after a course of strenuous and fortunate activity, that he was raised by the general voice to the undivided sovereignty of his native country.

BOOK III. Chap. 3. 1396.

Placed on the throne of Samarcand, the eye of Timur perceived the situation of the neighbouring countries. The provinces or kingdoms which had become detached from the house of Zagatai; Karisme, and Chorasan; first tempted his restless ambition; and some years were spent in adding these important conquests to his dominion. The contiguous provinces of Persia; Mazenderan and Segistan, to which was added Zabulistan, the grand southern or Indian district of the kingdom of Zagatai; next employed his conquering arms. These enterprises successfully terminated, he passed into Fars, the Persia proper; into Persian Irac, and Aderbijian, the conquest of which he completed in two years. The princes or usurpers of the provinces, Shirvan and Gilan, sent to make their submissions, and to promise obedience. At Shiraz, in the year 1386, he received intelligence, that Toktamish Khan, a Tartar chief, whose authority was acknowledged throughout the region known to the Persians under the title of Desht Kapshak, north of the Caspian, had made incursion into Transoxiana. He flew to repel the invader; and the desire of chastising Toktamish was the primary cause of the conquests of Timur in Turkestan. He followed his enemy into regions, void of houses, where the men fled before him. When far driven to the north, they were at last constrained to fight; and the army of Timur, after severe suffering, repaid itself by a complete victory, which compelled Toktamish, with his remaining followers, to take shelter in the mountains on the western side of the Caspian Sea. From this enterpise, the victor returned to complete the conquest of Persia. He drove from the city of Bagdad, the last prince in Persia of the house of Gingis; he conquered the whole of Mesopotamia; pushed his way into Tartary through mount Caucasus, to chastise anew the insolence of Toktamish, who had passed Derbend and made an inroad in Shirvan; and, having settled these extensive acquisitions, was, in 1396, prepared to carry his army across the Indus.

BOOK III. Chap. 3. 1397.

Timur proceeded from Samarcand, by the city of Termed, and passing a little to the eastward of Balk, arrived at Anderob, a city on the borders of that stupendous ridge of mountains which separates Hindustan from the regions of the north. The difficulties of the passage were not easily surmounted; but every thing yielded to the power and perseverance of Timur. He descended to the city of Cabul; whence he marched towards Attock, the celebrated passage of the Indus; and in the year 1397, commenced his operations against Mubarick, who governed the frontier provinces of the empire of Delhi. Mubarick betook himself to a place of strength, and resisted the detachment sent to subdue him; but on the approach of the conqueror with his whole

army, fled, with his family and treasure. The attention of Timur was now called to the situation of his grandson, who had invaded Hindustan the preceding year. The solstitial rains had forced him to draw his army into Multan, after it had suffered much from the season; and no sooner was he enclosed within the city, than the people of the country invested it, preventing supplies. Mahomed was reduced to the greatest distress, when his grandfather detached a body of horse to support him, and soon after followed with his whole army. He ravaged Multan and Lahore, putting the inhabitants of such of the cities as presumed to offer any resistance indiscriminately to the sword. Without further delay, he directed his march towards Delhi, and encamped before the citadel.

BOOK III. Chap. 3. 1397.

On the seventh day, though unlucky, Ekbal, and his ostensible sovereign, marched out to engage him. But the enervated troops of Delhi scarcely bore to commence the action with the fierce soldiers of the north; and Timur pursued them with great slaughter to the walls of Delhi. Ekbal, and Mahmood, fled from the city in the night, the sovereign towards Guzerat, the minister towards Birren; upon which the magistrates and omrahs of the city tendered their submissions; and opened the gates. In levying the heavy contributions imposed upon the city, disputes arose between the Moguls of Timur and the inhabitants; when blood began to flow. One act of violence led to another, till the city was involved in one atrocious scene of sack and massacre, which Timur was either (authorities differ) careless to prevent, or pleased to behold.

Timur remained at Delhi fifteen days, and arrested the progress of conquest in Hindustan. Having received the submissions of several omrahs, the governors or subahdars of provinces, and confirmed them in their commands, he marched in a northern direction, over-running the country on both sides of the Ganges, till he reached the celebrated spot where it issues from the mountains. He then advanced along the bottom of the hills to Cabul, and thence proceeded to Samarcand.

Delhi remained in a state of anarchy for two months after the departure of the Moguls. It was then entered by the pretended emperor Nuserit, with a small body of horse. Ekbal, however, by means of some Zemindars, was still able to dislodge him, and recovered the Dooab or country between the rivers, which, with a small district round the city, was all that now acknowledged the sovereign of Delhi. The governors or subahdars of the provinces all assumed independence, and adopted royal titles. Lahore, Dibalpore [Punjab], and Multan, were seized by Chizer; Canoge, Oude, Corah, and Jionpoor, by Shaja Jehan, then styled the king of the East; Guzerat, by Azim; Malwa, by Delawir; and the other departments, by those who happened in each to have in their hands the reins of government. Ekbal made some efforts, but attended with little success, to extend his limits. He received Mahmood, who fled from the disrespectful treatment bestowed on him by the governor or king of Guzerat; but compelled him to live on a pension, without claiming any share in the government. At last he came to blows with Chizer, the powerful usurper of Multan and Lahore; when he was defeated, and lost his life in the action. Mahmood then recovered a small remainder of the power which once belonged to the Shahs of Delhi; but knew not how to employ it either for his own or the public advantage. Nothing but

BOOK III. Chap. 3. 1413.

the struggles and contests which prevailed among the usurpers of the provinces prevented some one of them from seizing his throne, and extinguishing his impotent reign in his blood; when dying of a fever, in the year 1413, “the empire fell,” says Ferishta, “from the race of the Turks [or Tartars] who were adopted slaves of the emperor
Mahomed Gauri, the second of the race of the sovereigns of India, called the dynasty of Gaur.”[1] An Omrah, who happened to be in command at Delhi, presumed to mount the vacant throne; but Chizer, with the troops and resources of Multan and Lahore, found little difficulty in throwing him down from his rash elevation.

BOOK III. Chap. 3. 1413.

Within a short period subsequent to the departure of Timur from Delhi, that conqueror had settled the affairs of Persia; reduced Syria, Egypt, and Asia Minor; defeated Bajazet the Turkish emperor on the plains of Galatia; and prepared a vast expedition against China, which he was conducting through the plains and across the mountains of Tartary, when he fell sick, and died, in the year 1405, leaving his vast empire to his son Shiroch.

Chizer, it seems, was of the race of the prophet. His father had been adopted as the son of a great Omrah, who was governor of Multan, in the reign of Feroze. Upon the death of this Omrah and his son, the father of Chizer succeeded as Subahdar of Multan, and from him the government descended to his son. At the time when Timur arrived in India, he was involved in difficulties, through the power of a neighbouring chief; and had the prudence, or good luck, to solicit the protection of the conqueror, who confirmed him in the government of Multan, and added to it several other important provinces.

Chizer affected to decline the title of sovereign; pretending that he held the government of India only as deputy of the house of Timur, in whose name he ordered the coin to be struck, and the instruments of government to be expedited. By this expedient, we are told, he obviated the jealousies and competition of the Omrahs, many of whom would have regarded their claim to the throne as preferable to his own. Chizer governed with considerable abilities; and the people again tasted the fruits of peace and protection under his reign. He made but little progress in reannexing the revolted provinces to the empire of Delhi. He reigned, however, from the furthest branch of the Indus, to the extremity of the Doab; and from the Cashmere and Himaleh mountains to the latitude of Gualior.

BOOK III. Chap. 3. 1420.

After a reign of seven years and some months his death transferred the government to Mubarick his son. Mubarick was early involved in a contest with the Gickers, who, under a leader of the name of Jisserit, continued to molest the Punjab and Lahore during the whole of his reign. The Hindu tribes in the hill country of Mewat, to the south of Delhi; those also in the hill country to the north of Budaoon or Rohilcund, gave him at various periods no little disturbance. A war was at one time kindled between him and the governor who had usurped the provinces lying eastward from Delhi, and was then known by the title of the King of the East. Coming however to a drawn battle, the two sovereigns were contented ever after to leave each other in

peace. A rebellious slave, in the northern provinces, drew him into a contest with the Moguls of the empire of Samarcand; the rebel having invited the Viceroy of Shiroch who resided at Cabul, to come to his assistance. The Moguls were defeated in battle and repelled. Mubarick, however, in consequence of a conspiracy, headed by the Vizir, was shortly after assassinated, in the fourteenth year of a reign, during which he had displayed considerable talents for government, and more than usual attention to justice and humanity.

BOOK III. Chap. 3. 1420-46.

The Vizir placed Mahomed, a grandson of Mubarick upon the throne, expecting to govern the kingdom in his name, or in time to appropriate the shadow as well as the substance of command. But the Omrahs were disgusted with his pretensions, and levied war; which enabled or compelled the king to rid himself by assassination of his domineering minister. The Omrahs returned to obedience; and the king, after making a parade of his power in a progress through several of the provinces, returned to Delhi, and resigned himself to pleasure. The temper of the times was not such as to permit a negligent hand to hold the reins of government with impunity. The Omrahs in the distant governments began immediately to prepare for independence. Beloli Lodi, the governor of Serhind, a town on the Sutledge, or eastern branch of the Indus, made himself master of Lahore, of the greater part of the Punjab, and the country eastwards as far as Paniput, within a few leagues of Delhi. Beloli retired before the imperial army, but preserved his own entire; and reoccupied the country as soon as the troops of Mahomed returned. Another Viceroy, who had become independent in Malwa, and assumed the title of its King, marched against the feeble sovereign of Delhi, who saw no hopes of safety, but in calling the rebel Beloli to his aid. An indecisive action was fought: and the monarchs of Delhi and Malwa, both suffering from their fears, made haste to quiet their minds by huddling up an adjustment; but Beloli attacked in its retreat the army of Malwa, which he plundered and deprived of its baggage. He was dispatched by Mahomed against Jisserit the Gicker chief, who still harassed the northern provinces. But Beloli made his own terms with the plunderer; and returned to besiege Delhi. It held out however so long, that for the present he abandoned the enterprise. Mahomed shortly after died, his power reduced to a shadow, after a reign of twelve years and some months.

BOOK III. Chap. 3. 1446.

In the same year, viz. 1446, died Shiroch, son of Timur, and Emperor of the Moguls. Upon his death the vast empire of Timur, which had yet remained entire, underwent division. The eldest son of Shiroch, the famous Ulug Beg, inherited the imperial titles, and the dominion of Western Tartary or Transoxiana. The eldest son of Basinker, another of the sons of Timur, possessed himself of Chorasan, Candahar, and Cabul. The second son of Basinker held possession of the Western Persia. And Abul Kazem, the third of Timur's sons, became sovereign of Georgia, and Mazenderan.

Alla, the son of Mahomed, mounted the throne of Delhi, honoured now with the obedience of little more than a few of the contiguous districts. Alla showed no talents for government; and after a few years, being attacked by Beloli, resigned to him the throne, upon condition of receiving the government of Budaoon, where he lived and died in peace.

Beloli was an Afghaun, of the tribe of Lodi, which subsisted chiefly by carrying on the traffic between Hindustan and Persia. Ibrahim, the grandfather of Beloli, a wealthy trader, repaired to the court of Feroze at Delhi; and acquired sufficient influence to be entrusted with the government of Multan. When Chizer succeeded to the same command, he made the son of Ibrahim master of his Afghaun troops; and afterwards bestowed upon him the government of Serind. Beloli was not the son of the governor of
Serhind, but of another of the sons of Ibrahim. Beloli, upon the death of his father, repaired to his uncle at Serhind, and so effectually cultivated his favour, that he received his daughter in marriage, and his recommendation to succeed him in his government. But Ibrahim left a brother Feroze, and a son Cuttub, who disputed the pretensions of the son-in-law of the governor of Serhind. Beloli was the most powerful and adroit; and of course the successful competitor. The rest, however, excited against him the Emperor of Delhi. His country was attacked and over-run. But Beloli kept his army together, and speedily recovered his territory, when the imperial troops were withdrawn. By activity, valour, and skill, something was daily added to the power of Beloli; by indolence, effeminacy, and folly, something was daily detached from the power of the sovereign of Delhi; till Beloli was able to measure strength with him, on more than equal terms, and finally to seat himself on his throne.

BOOK III. Chap. 3. 1446.

The mother of Beloli was smothered, while pregnant, under the ruins of a falling house. Her husband, opening her body, saved the infant, afterwards emperor of Hindustan. It is related that when Beloli was yet a youth, in the service of his uncle, a famous Dirvesh, whom he came to visit, suddenly cried out with enthusiasm, Who will give two thousand rupees for the empire of Delhi? Beloli had but one thousand six hundred rupees in the world. But he sent his servant immediately to bring them. The Dirvesh, receiving the money, laid his hand upon the head of Beloli, and gave him salutation and blessing as the king of Delhi. Ridiculed by his companions as a dupe, Beloli replied, that if he obtained the crown it was cheaply purchased; if not, still the benediction of a holy man was not without its use.

Those Omrahs, who regarded their own pretensions
to the throne as not inferior to those of Beloli, were disaffected. A party of them joined Mahmood, who held the usurped sovereignty of Bahar, and the country towards Orissa; and was called king of Jionpoor, the city, at which he resided, on the banks of the Goomty, about 40 miles from Benares. The victory which Beloli gained over their united forces established him firmly on his throne.

BOOK III. Chap. 3. 1480.

Beloli made a progress through his unsettled provinces, confirming or removing the several governors, as he supposed them affected to his interests. He was not long suffered to remain in peace. Between him and the rival sovereign of Jionpoor, or the East, an undecisive war was carried on during the whole of his reign. The advantage, partly through force, and partly through treachery, was, upon the whole, on the side of Beloli, who at last drove the king of the East from Jionpoor, and severed from his dominions the district to which it belonged. In his declining years Beloli divided the provinces of his empire among his sons, relations, and favourites; and died at an

advanced age, in the thirty-ninth year of his reign. He was a modest sovereign; and when reproved by his friends for showing so little of the prince, “It was enough for him,” he replied, “that the world knew he was king; without his making a vain parade of royalty.”

The partition which Beloli made of his dominions had no tendency to prevent those disputes about the succession, which are so frequent in the East; but neither, perhaps, did it augment them. A strong party of the Omrahs declared for Secunder, one of the younger sons of Beloli; and after some struggle of no great importance he was seated firmly on the throne. The usual measures were pursued for placing the provinces in a state of obedience; and Secunder was stimulated to endeavour the restoration of some of the districts which for several reigns had affected independence on the throne of Delhi. The tranquillity, however, of an empire, which had been so long distracted, was not easily preserved; and Secunder was perpetually recalled from the frontiers of his kingdom, to anticipate or to quell insurrections within. He waged notwithstanding a successful war with the king of the East, who had been driven from Jionpoor by the father, and was now driven from Bahar by the son. But he found himself unequal to a war for the recovery of Bengal, to the confines of which he had once more extended the empire of Delhi; and that important province still remained in the hands of the usurper. Secunder reigned, with the reputation of abilities and of no inconsiderable virtue, for twentyeight years and five months, and was succeeded by his son Ibrahim.



Ibrahim had personal courage, and was not altogether destitute of talents; but he was a violent, capricious, unthinking prince; and quickly lost the affections and respect of his subjects. One of his maxims was, “that kings had no relations; for that all men equally were the slaves of the monarch.” This, though perfectly constitutional doctrine in the East, was a language which had now become unusual to the proud Omrahs of the falling throne of Delhi. Ibrahim was involved in an uninterrupted struggle with rebellion; against which, however, he maintained himself, during a space of twenty years. His empire was then invaded by Baber, a descendant of the great Timur, who in 1525 deprived him at once of his throne and his life.

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# CHAP. IV.

*From the Commencement to the Close of the Mogul Dynasty.*

BOOK III. Chap. 4. 1525.

Upon the death of Shiroch, the son of Timur, and the division of the dominions of that conqueror among his descendants, quarrels and war ensued; the weakness and vice, which are the usual attendants upon long inherited sovereignty, weakened the unsteady powers of Asiatic government; and in a few years the great empire of Timur was in a state of dissolution. The Turks, who had penetrated into western Asia, and who, under Bajazet, received a dreadful overthrow by the arms of Timur, no sooner felt the weakness of government in the hands of his successors, than they pressed upon the nearest provinces, and at an early period were masters of Mesopotamia. Ismael was a disgraced servant of Jacob Beg, the eighth in the Turkish dynasty of the white sheep. Pursuing the career of a military adventurer, he collected around him a number of those daring characters, so numerous in the turbulent and unsettled countries of the East, whose business it is to seek a livelihood by their sword; and after a period, spent in subordinate plunder, he conceived himself sufficiently strong to attack, in the year 1500, the governor, or king (for he now affected independence) of the province of Shirvan. After the conquest of Shirvan, Ismael successively made himself master of Tauris, Media, Chaldea, Persia, and became the founder of the dynasty of the Sophis, who held the sceptre of Persia for a number of generations.

BOOK III. Chap. 4. 1525.

On the eastern side of the Caspian, Shaïbek Khan, a chief of the Usbeks, or Tartars of Desht Kipshak, entered Transoxiana, at the head of his horde, in the year 1494. In the course of four years, he rendered himself master of all Transoxiana and Chorasan; the last of which was however wrested from the Usbecks, by the arms of Ismael Sophi, in the year 1510.

Baber was the grandson of Abu Seid, the king of Zagatai; and Abu Seid was the son of Mahomed, the grandson of Timur, through Miran Shah. The dominions of Abu Seid were at his death divided among his sons. Ali became king of Cabul; Ahmed, king of Samarcand; Ahmer, king of Indija and Firgana; and Mahmood, king of Kundiz and Buducshan. Baber was the son of Ahmer, king of Indija and Firgana; a district surrounded by mountains, lying between Samarcand and Cashgar. He succeeded his father, while yet very young, in the year 1493; and was immediately involved in a war with his uncles, desirous to profit by his youth and inexperience. Baber maintained himself against them with varying fortune, sometimes reduced to the lowest ebb, at other times borne on a flowing tide; till the arrival of Shaïbek, the Tartar.[1] Shaïbek, after a struggle which was strenuously supported by Baber, swept the posterity of Timur from Transoxiana and Chorasan. Baber was compelled to retire towards Cabul; where the son of his uncle Ali had been dethroned by his Omrahs, and the greatest anarchy prevailed. The weak resistance opposed to Baber, in Cabul, he had means to overcome, and became master of that province in the year 1504. After

spending some years in contending with the enemies who disputed with him the possession of Cabul and resisted his efforts for obtaining Candahar, he was fired with the hopes of recovering his paternal dominions, Ismael Sophi having defeated and slain his enemy, Shaïbek. In the year 1511 he marched towards Bochara, of which, after some resistance, he made himself master. His next object was Samarcand, which surrendered upon his arrival. His ambition was to make this celebrated capital of the great founder of his house the place of his residence; and he appointed Nasir, his brother, governor of Cabul. But he had not enjoyed, above nine months, this coveted throne, when the Usbeks, under the successor of Shaïbek, returned from the desert, and Baber, after an unavailing struggle, was forced back to Cabul.



Baber had not spent one year in re-establishing his authority, in Cabul, when information received of the weakness at Delhi inspired him with hopes of indemnifying himself in the south for the possessions which he had been constrained to relinquish in the north. In the year 1519 he took possession of all the countries on the further side of the Blue River, one of the branches of the Indus. He overran a part of the Punjab, levying contributions; and after chastising the Gickers, who had molested him in his progress, he returned to Cabul. Before the end of the same year, he renewed his march into Hindustan, and intended to reduce Lahore; but was interrupted, by news from the northern side of the mountains which separate Bochara from Cabul, that a district there, of which he still retained possession, had been invaded by the Tartars of Cashgar. The following year, the conqueror was recalled, after he had made some progress in the invasion of Hindustan, by intelligence that Cabul itself was assailed by the people of Candahar. Baber resolved to complete the conquest of this neighbouring country, before he again led out his armies, to regions more remote. The vigour of the king of Candahar, who held out for three years, procured, thus long, a respite to the kings and Omrahs of Hindustan; or rather afforded three additional years for the exercise of their mutual hostilities, and the oppression of the wretched inhabitants. But in the year, 1523, Candahar being at last reduced, Baber rendered himself master of Lahore and the Punjab. The next year, beginning to feel the seducements of luxury and ease, he contented himself with directing his troops in Hindustan to march against Delhi. But they were attacked and overthrown. In 1525 Baber resolved to repair this misfortune by his presence. Ibrahim marched out to defend his capital with an army as much inferior in bravery, as it was superior in numbers. It was speedily routed, Ibrahim was slain in battle, Baber entered Delhi, and, mounting the throne of the Afghauns, or Patans, began the Mogul dynasty in Hindustan.

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Great efforts were still demanded for the reduction of the provinces, the Omrahs of which being Afghauns, and expecting little favour under a Mogul monarch, held out, and even formed themselves into an extensive and formidable confederacy, setting a son of the late Secunder, as sovereign, at their head. Baber's principal officers, alarmed by the resistance which it seemed necessary to overcome, combined in offering him advice to return. The king, declaring that he would relinquish such a conquest only with his life, displayed so formidable a spirit of resolution and perseverance, that in a short time the confederacy began to dissolve. Many of the

Omrahs, who were the weakest, or whose territories were the most exposed, came over to Baber, and entered into his service. At last a great battle was fought, which Baber with difficulty won, but which gave him so decided a superiority, that his enemies were no longer able to meet him in the field. Having reduced the provinces which latterly paid obedience to the throne of Delhi, he advanced against the Omrahs of the East, who for a length of time had affected independence. He had scarcely, however, conquered Bahar, when he fell sick and died, in the year 1530.

Humaioon succeeded to the throne of his father, but was not long suffered to enjoy it in peace. His brother Camiran, in the government of Cabul, formed a resolution of seizing upon the Punjab; and Humaioon was fain to confer upon him the government of all the country from the Indus to Persia, on condition of his holding it as a dependency. Mahmood, too, the son of the Emperor Secunder, whom the confederated Omrahs, had placed at their head, was again joined by some chiefs, and kindled the flames of war in the eastern provinces. A victory gained by the Emperor extinguished all immediate danger in that quarter. But Shere Khan, the regent of Bahar, refused to give up the fortress of Chunar. A conspiracy was formed in favour of Mahomed, a prince of the race of Timur; and Bahadur, king of Guzerat, was excited to hostilities by the protection which Humaioon afforded to the Rana of Chitore. Bahadur was unequal to his enterprise; the war against him was pushed with activity and vigour, and he lost entirely the kingdom of Guzerat. Humaioon was now in favour with fortune; from Guzerat he marched to the eastern provinces, and reduced Chunar. Having gained the passes he then entered Bengal; the government of which had recently been usurped, and its sovereign expelled by the enterprising Shere. He took possession of Gour, then the capital of the province; and there resided for several months; but, his troops suffering from the humidity of the climate, and his two brothers now aspiring openly to his throne, he was compelled to proceed towards Agra, which he and his father had made the seat of government. In the mean time, Shere, though he had been defeated, was not subdued. He made himself master of the strong fortress of Rotas, after he had been obliged to retire from Gour; and he now threw himself in the way of Humaioon, whose presence was urgently required in another part of his empire. Humaioon, threatened with detention, if nothing worse, desired accommodation. After a negotiation, it was agreed that the government of Bahar and Bengal should be conferred upon Shere, paying a slight tribute, in acknowledgment of dependence. The chance of finding the camp of the Emperor unguarded, under the negligence inspired by the prospect of peace, was one among the motives which led Shere to open the negotiation. The perfidy succeeded; and Humaioon, having lost his army, was constrained to fly.



He repaired to Agra, and was joined by his brothers, whose united strength was no more than sufficient to defend them against Shere, the Afghaun. But their conflicting interests and passions defeated every scheme of co-operation. The army with which Humaioon marched out to meet the assailant was overthrown; the capital no longer afforded him a place of refuge; he fled from one place to another, subject at times to the greatest hardships; and was at last obliged to quit the kingdom, and seek an asylum in Persia, where he was hospitably and honourably entertained.

The grandfather of Shere, the new sovereign of Hindustan, came from the district of Roh[1] in the mountains of Afghaunistan, in quest of military employment , in the reign of Beloli, and entered into the service of an Omrah of the court. His son Hussun followed the Subahdar, who acquired the title of King of the East; and rose to considerable rank in his service. Ferid, the son of Hussun, received the name of Shere, which signifies lion, from killing with his own hand, in the presence of the King or Governor of Bahar, an enormous tiger which rushed from a thicket. When this monarch died, and his son, a minor, succeeded him, the government of Bahar rested chiefly in the hand of Shere; and a short time elapsed, when the young prince, having made his escape, left the name as well as the power of sovereign to the usurper. He had just accomplished the conquest of Bengal, when Humaioon, returning from Guzerat, invaded his dominions.[1]



Immediately after his victory, Shere assumed the imperial title of Shah, and exerted himself with great activity in reducing the provinces to his obedience. His mandates ran from the furthest branch of the Indus, to the Bay of Bengal; a more extensive dominion than for some ages had belonged to any sovereign of Hindustan. Besieging one of the strongly situated forts, which abound in India, he was killed by an accidental explosion of gunpowder, when he had reigned five years in Hindustan. What can be said of few sovereigns, even in still more enlightened ages, he left various monuments of public beneficence to prolong the memory, and the love, of his short administration. He built caravanseras at every stage, from the Nilab, or furthest branch of the Indus, to the shores of Bengal; he dug a well for the refreshment of the traveller at every two miles; he ordered that all travellers without distinction of country or religion should at every stage be entertained, according to their quality, at the public expense; he had trees planted along the roads to shelter the travellers against the violence of the sun; he established posthorses, the first in India, for the more rapid conveying of intelligence to government,[1] and for the accommodation of trade and correspondence; even the religious comfort of the traveller was not neglected; a number of magnificent mosques were erected along the road, and priests appointed for the performance of devotional services.



Shere left two sons, of whom the youngest, being with the army, was proclaimed king. A struggle, as usual, ensued, for the possession of the throne; a feigned accommodation was made up between the brothers; war again quickly broke out; the eldest lost a battle, from which he fled, and disappearing was never heard of more. The youngest remained emperor, by the name of Selim. The Omrahs, however, or Subahdars of the provinces, who never neglected an opportunity that promised a chance of independence, rebelled in several quarters. In some instances they were not without difficulty subdued. After several years spent in reducing his dominions to order and obedience, Selim was roused from his dreams of future tranquillity, by intelligence that the exiled emperor Humaioon was on his way from Persia with an army, for the recovery of Hindustan. Selim prepared for action with vigour. But Humaioon, instead of advancing, retired. Selim, shortly after, was seized with a violent distemper; and died suddenly, in the tenth year of his reign.

He left a son to succeed him; but only twelve years of age. There was a nephew to the late emperor Shere, by name Mubarick, whose sister was mother of the young prince. Mubarick assassinated the boy in the arms of his mother, three days after he had been proclaimed as king.

Mahomed was the name which Mubarick thought proper to use upon the throne. Vice, profusion, and folly, the attributes of his character and administration, lost him speedily the respect of his people, and the obedience of his Omrahs. His brother Ibrahim raised an army, from which Mahomed fled to the eastern provinces, leaving Ibrahim to assume the style of royalty at Delhi. This was not all. Ahmed, another nephew of the emperor Shere, laid claim to the sovereignty in Punjub, assumed the name of Secunder Shah, and marched towards Agra. Ibrahim met him, and was defeated. Ibrahim was attacked on the other side, by the vizir of Mahomed, and after several turns of fortune, fled to Orissa. Secunder took possession of Agra and Delhi, while Mahomed was engaged in a war with the governor of Bengal; in which at first he was prosperous, but finally stript of his dominions and life.

In the mean time, Secunder was summoned to oppose the exiled emperor Humaioon, who had now a second time returned for the recovery of his throne.

When Humaioon made his escape into Persia, Tamasp the son of Ismael, second of the Sophis, ruled from beyond the Euphrates, to the furthest boundary of Transoxiana. The governor of the province which first afforded shelter to Humaioon received him with distinction; and he was conveyed, with the respect which seemed due to his rank and misfortunes, to the Presence at Ispahan. He was treated by Tamasp as a sovereign; and his misfortunes excited the compassion of a favourite sister of the king, and of several of his counsellors. At their instigation an army of ten thousand horse was entrusted to Humaioon; with which he advanced towards Candahar, still governed, together with Cabul, by one of his rebellious brothers. After an obstinate resistance, the city of Candahar fell into his hands, and the rest of the province submitted. Jealousy and dissatisfaction soon sprung up between him and the Persian commanders. But various Omrahs of the country now joined him with their troops; and, marching to Cabul, he was joined by the second of his rebellious brothers, and several other chiefs. Cabul was in no situation to resist; and his hostile brother fled to Bicker, a wild and desert province toward the mouth of the Indus, governed by a relation. When Cabul was subdued, Humaioon crossed the mountains to the north, for the purpose of reducing Buducshan, that district of the Mogul kingdom of Transoxiana which had remained united to the dominions of Baber. In the mean time his brother returned from Bicker, and in the absence of Humiaoon and his army obtained possession of Cabul. Humaioon hastened from Buducshan, gave battle to his brother's army, routed it, and laid siege to Cabul. His brother seeing no hopes of success, fled from the city by night, and made his way to Balk, where he received assistance from the governor, marched against Humaioon's new conquest of Buducshan, and expelled his governor. Humaioon left him not to enjoy his acquisition in peace: he marched against him, and forcing him to submit, treated him with lenity and

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respect. Humaioon next involved himself in hostilities with the Usbeks of Balk, over whom at first he gained advantages, but at last was routed, and obliged to retreat to Cabul. In this retreat he was deserted by his perfidious brother, whom he had recently spared. Some of the chiefs of his army wrote to that deserter, that if he could attack the army of Humaioon, they would betray him in the action. Humaioon was accordingly defeated; and obliged to fly towards Buducshan, leaving Cabul a third time to his foe. Being joined, however, by the second of his brothers, who now repaid by great services his former demerits; and by several other chiefs; he was speedily in a condition to march again to Cabul with a force which his brother was by no means able to withstand. After some resistance the brother was obliged to fly; and though he continued for several years to raise disturbance, he was no longer able to endanger the sovereignty of Humaioon.

That prince, though now in possession of part of his ancient dominions, though aware of the distractions which prevailed in the rest, and invited by the inhabitants of Agra and Delhi, paused at the thought of invading Hindustan. At first he was able to raise an army of only fifteen thousand horse. With that he began to advance towards the Indus, where he was joined by his veterans from Candahar. The governors of Punjab and Lahore fled before him; and those countries were regained without a contest. Secunder detached an army, which advanced towards the Sutledge. But the general of the advanced division of the army of Humaioon surprised the camp of Secunder in the night, and entirely dispersed the troops. This disaster made Secunder hasten with his main army to meet the enemy; a great battle was fought under the walls of Serhind, in which the young Akbar, son of Humaioon, showed remarkable spirit and resolution. Secunder, being routed, fled to the mountains of Sewalic.

BOOK III. Chap. 4. 1555.

Humaioon re-entered Delhi in the year 1554; but was not destined to a long enjoyment of the power which he had regained. As he was supporting himself by his staff, on the marble stairs of his palace, the staff slipped, and the emperor fell from the top to the bottom. He was taken up insensible, and expired in a few days, in the year 1555, the fifty-first of his age.

Tamasp still reigned in Persia. But the Usbecks had now possessed themselves of Bochara, and of the greater part of Transoxiana.

Akbar, the son of Humaioon, though not quite fourteen years of age, was placed on his father's throne. He had been nursed in difficulty and misfortune; and, young as he was, those powerful teachers had done much in forming his mind.

When Humaioon with the few friends who adhered to him first fled from India, they nearly perished in the sandy desert which lies between Ajmere and the Indus. With the utmost difficulty, and after the loss of many lives, they arrived at Amercot, the seat of a Hindu Rajah, about two hundred miles from Tatta. It was here that Akbar was born. Humaioon, proceeding to Candahar, where he still hoped for support, was attacked by the governor of Candahar, and obliged to fly, leaving his infant son and his mother behind him. Akbar was kept at Candahar by the governor, till Humaioon

was on his march from Persia, when he sent him to his uncle at Cabul. When Humaioon, after Cabul was taken, again beheld his son and his wife, he took the child in his arms, then four years of age, and exclaimed: "Joseph by his envious brethren was cast into a well; but he was exalted by Providence to the summit of glory." Akbar once more fell into the hands of his uncle, when that rebellious prince regained possession of Cabul. When Humaioon returned to besiege him, Akbar was bound to a stake, and exposed upon the battlements. Humaioon made proclamation, that if injury happened to Akbar, every human being in Cabul should be put to the sword. The wretched uncle was deterred, or forcibly restrained, from exposing it to such a disaster.

BOOK III. Chap. 4. 1557.

Byram, the chief of the Omrahs in the service of Humaioon, a man of talents, but of a severe, or rather of a cruel disposition, was appointed regent during the minority; which, in so unsettled and turbulent an empire, was not likely to be attended with general submission and peace.

The first object of the new government was to exterminate the party of the late pretended emperor Secunder; and for this purpose an army, with the young sovereign at its head, marched toward the mountains. Secunder fled; the Rajah of Nagracote made his submission; and the rainy season coming on, the army retired into quarters.

In the mean time, the Governor who had been left by Humaioon in the command of Buducshan assumed independence; and presumed so far upon the weakness of the new government, as to march against Cabul. The city stood a siege of four months; but at last submitted, and acknowledged the authority of the invader.

This calamity arrived not alone. Himu, the vizir of Mahomed, the usurper who retained a part of the eastern provinces, marched to the centre of the empire with a formidable army. He took Agra. He took Delhi. The young Shah still remained in his quarters. A council of war was held, in which Byram advised to march against the enemy. The principal part of the Omrahs, as the hostile army amounted to 100,000 horse, that of the king to scarcely 20,000, held it adviseable to retreat. But the young Shah supported the opinion of Byram with so much ardour, that he kindled the enthusiasm of the Omrahs, who declared their resolution to devote their lives and fortunes to his service.

BOOK III. Chap. 4. 1557-60.

While the army was on its march, the governor of Delhi, he by whom the city had just been surrendered, joined the King. Waiting for a time when the presence of the Prince offered no interruption, Byram called this governor into his tent, and beheaded him. It was to anticipate, he told the King, the clemency of the royal mind, that he had taken upon him, without consultation, to make this example; necessary to let the neglectful Omrahs know, that want of vigour was hardly less criminal than want of loyalty; and that, as meritorious services would be amply rewarded, so no failure in duty should pass with impunity. The Prince, whatever were his thoughts, thanked the regent for the care he bestowed upon his person and government.

The brave Himu made the necessary dispositions for encountering the imperial army. The contending parties arrived in presence of one another in the neighbourhood of Paniput. The Moguls, who had been reinforced on the march, fought with great constancy, and the enemy were thrown into disorder. Himu advanced, conspicuous on a towering elephant, and endeavoured by his example to reanimate his troops. He was shot with an arrow through the eye; and his followers, believing him killed, endeavoured to save themselves by retreat. Himu drew the eye out of the socket with the arrow; and continued the fight with unabated constancy. But the driver of his elephant seeing a mortal blow aimed at himself offered to direct the animal wherever he should be desired. Upon this, Himu was surrounded and taken.



When the battle ended, he was brought into the presence of Akbar, almost expiring with his wounds. Byram, addressing the King, told him it would be a meritorious action to kill that dangerous infidel with his own hands. Akbar, in compliance with the advice of his minister, drew his sword, but only touching with it gently the head of his gallant captive, burst into tears. This movement of generous compassion was answered by the minister with a look of stern disapprobation; and with one blow of his sabre he struck the head of the prisoner to the ground.

This important victory restored tranquillity to the principal part of Akbar's dominions. It is true that in the same year the invasion of a Persian army, under the nephew of Tamasp, rendered that prince for a time master of Candahar. And the late pretended emperor Secunder advanced into the western provinces, and made the governor fly to Lahore. But the imperial standards were carried with expedition towards the Indus; Secunder was cooped up in a fort; when, offering to surrender the place and all his pretensions, he was permitted to retire into Bengal, and Akbar returned to Lahore.

The overbearing pretensions of an imperious, though useful servant, and the spirit of a high-minded, though generous sovereign, could not long be reconciled. Mutual jealousies and discontents arose; the minister used his power with cruelty to deliver himself from those who stood in his way; he increased by that means the disgust of his master; yet he contrived for a time to preserve himself in power, by occupying the mind of the King with military preparation and action. An expedition, which ended successfully, was planned against Gualior, at that time a place of the highest importance. In the same year, one of Akbar's generals subdued all the country about Jion-poor and Benares, hitherto retained by the Omrahs who had derived their power from the gift or the weakness of the late princes of the Afghaun or Patan dynasty. Operations were commenced against Malwa, possessed by another of those Omrahs. But all this business and success served only to retard, not prevent, the fall of the minister. When the royal ear was found open to accusations against the harsh and domineering Byram, courtiers were not wanting to fill it. He was secretly charged with designs hostile to the person and government of the Shah; and the mind of Akbar, though firm, was not unmoved by imputations against the man he disliked, however destitute of facts to support them. After some irresolution and apprehension, a proclamation was issued to announce that Akbar had taken upon himself the government; and that henceforth no mandates but

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his were to be obeyed. Byram, who had shown so much resolution when serving his master, was full of indecision when called upon to act for himself. The sovereign advised him to make a voyage to Mecca. At one time Byram proceeded to obey; at another time he resolved to render himself independent in some of the provinces which Akbar had not yet subdued; and at another time conceived the design of seizing and governing the Punjab itself. He attempted arms, but met with no support; and, driven to his last resource, implored the clemency of his master. Akbar hastened to assure him of forgiveness, and invited him to his presence. When the unfortunate Byram presented himself with all the marks of humiliation, and bursting into tears threw himself on his face at the foot of the throne, Akbar lifted him up with his own hand, and setting him in



his former place at the head of the Omrahs, "If the noble Byram," said he, "loves a military life, he shall obtain the government of a province in which his glory may appear; if he chooses rather to remain at court, the benefactor of our family shall be distinguished by our favours; but should devotion engage the soul of Byram to make a voyage to the holy city, he shall be provided and escorted in a manner suitable to his dignity." Byram, desiring leave to repair to Mecca, received a splendid retinue and allowance; but in his passage through Guzerat, an Afghaun Chief, whose father he had formerly slain in battle, pretending salutation, stabbed him with a dagger, and killed him on the spot.

In the year 1560, a son of the late Shah Mahomed, who had found means to raise 40,000 horse, advanced with a design to recover the province of Jionpoor. The generals of Akbar, who had the province in charge, vanquished him with the forces under their command. Presuming, however, on their services or strength, they delayed remitting the plunder. Akbar went towards them without a moment's delay; upon which they made haste to meet him with the spoils. He accepted their obedience; praised their valour; and bestowed on them magnificent gifts. This is a specimen of the behaviour of Akbar to his Omrahs. Their proneness to seize every opportunity of disobedience he restrained by prompt and vigorous interference; seldom punished their backwardness; but always bestowed on their services honour and reward.

Hussun, the governor of Ajmere, made some progress in subduing several forts in that hilly country, yet held by Hindu Rajahs. The general, sent to reduce Malwa, had carried on the war in that province



with so much success as to drive the pretended king out of his dominions. He fled, however, to the sovereigns of Candesh and Berar; from whom he received such effectual support as to be able to defeat the army of the imperial general, which he pursued to the vicinity of Agra. Akbar gave commission to Abdalla, the Usbeck, governor of Kalpy, a city and province on the Jumna, to prosecute the war; and by him was Malwa annexed to the Mogul dominions. About the same time the Gickers, those restless tribes of Hindus, who so often from their mountains disturbed the obedience of the upper provinces, were united under a warlike chief, and assumed the appearance of a formidable enemy. They were attacked with the usual vigour of Akbar's government; and compelled to receive, though of their own nation, a sovereign named for them by the Moguls.

Notwithstanding the virtues of Akbar's administration, the spirit of rebellion, inherent in the principles of Indian despotism, left him hardly a moment's tranquillity, during the whole course of a long and prosperous reign. Hussun revolted in Ajmere, and gained a victory over the imperial troops who were sent to oppose him. Hakim, brother of Akbar, a weak man, the governor of Cabul, began to act as an independent prince. A slave of his, approaching the King, while marching with his troops, let fly an arrow which wounded him in the shoulder. Abdalla, the Usbeck, master of Malwa, believed himself so strong, and the King, pressed by rebellion in various quarters, so weak, that he might erect a throne for himself. He contrived artfully to spread a rumour, that the Shah had contracted a general hatred of the Usbecks in his service, and meditated their destruction. This gained over Secunder and Ibrahim, the governors of two of the eastern provinces. Asaph, who held the government of Corah, had obtained
great wealth by subduing and plundering a rajahship or Hindu kingdom, between Berar and Bengal, which till this time had escaped the ravage of a Mahomedan conqueror. Not wishing to part with any of this wealth and influence, he joined with the rebels, in hopes of being able to defy the imperial power. Even Zemaun, the captain-general of the empire, and his brother Bahadur, two chiefs of great power and renown, joined the enemies of Akbar, and hoped to raise themselves on the ruins of the king.



Akbar, whom neither exertion nor danger dismayed, opposed himself to his enemies with an activity, which often repaired the deficiencies of prudence. It would be tedious to follow minutely a series of expeditions, so much the same, to subdue one rebellious chieftain after another. Akbar had made considerable progress in reducing the eastern provinces to obedience, when he learned that Hakim, governor of Cabul, in hopes of advantage from his absence, had advanced towards Lahore. The tranquillity of the northern provinces, whose inhabitants were hardy and warlike, was always regarded by Akbar as worthy of more watchful solicitude than that of the east, where the people were effeminate and more easily subdued. Leaving therefore the reduction of the Usbeck rebels still incomplete, he hasted towards Lahore; and surprising his brother by the celerity of his appearance, he rendered opposition hopeless, and crushed the rebellion in its bud. In the mean time the Usbecks increased their army, and extended their conquests. The expeditious movements of Abkar left them little time to enjoy their advantages. Having returned with a recruited army, he came to an action with the combined forces of the insurgents, and gained
a great victory, which effectually quashed the rebellion in the east.



The unsettled state of the province of Malwa soon required the royal presence. Among other measures, for the secure possession of that important district, he advanced to the attack of Chitore, a fort of great natural strength, situated in a mountainous and difficult part of the province, inhabited by Hindus, who had been frequently subdued, by the more powerful of the Mahomedan princes, but had as often revolted when the reins of government were held by a feeble hand. After an obstinate resistance Chitore was taken. Rantampore, in the Arrabarreehills, in the province of Ajmere, was also a hill fort, of great strength, which had often been taken from the Hindus, and as often recovered. Having reduced Rantampore, as well as

Callinger, another strong hold of similar description and importance, in the same range of mountains, he directed his attention to Guzerat.

This was one of the provinces the governor of which, during the decline of the Patan or Afghaun dynasty, had assumed independence; and it had been governed as a separate kingdom for a number of years. After a time it had fallen into the same confusion, which seems the common fate of Asiatic sovereignties whether great or small. The Ormahs became too powerful for the sovereign; the different districts or governments assumed independence; and the royal power was reduced to a shadow. In this situation the province offered but little resistance to Akbar; the different leaders, who felt their inferiority, courted favour by hastening submission. Hussun, in Ajmere, was able to take the field with an army; but as the king was now at leisure to push the war against him, he was driven from the province, and, with the remains of his army, fled to Punjab. Attacked by a warlike tribe of the inhabitants, he was there taken prisoner, delivered up to the governor of Multan, and by him put to death. No sooner had the king turned his back on Guzerat, than some of the turbulent chiefs began to assemble armies, and prepare the means of resistance. The rainy season was now commenced, when the great army was unable to move; but Akbar, selecting a small body of cavalry, pursued his way with the utmost expedition to Guzerat, surprised the rebels in the midst of their preparations; offered them battle notwithstanding the inferiority of his force, and, contrary to all prudential calculation, gained a victory, which established his authority in Guzerat.

BOOK III. Chap. 4. 1560-80.

The province of Bengal paid a nominal submission to the throne of Delhi, but during several reigns had been virtually independent. After the other provinces of the empire were reduced to more substantial obedience, it was not likely that grounds of quarrel would long fail to be laid between Akbar and the King of Bengal. The governor or Subahdar of Oude being ordered, as contiguous, to begin operations against him, had gained some important advantages, and was besieging Patna, when he was joined by the Shah. The Bengal chief, seeing no chance of success, offered terms of accommodation. Akbar consented to engage for his life, but demanded that every thing else should be left to his clemency; to spare, however, the blood of their subjects, he offered to decide their disputes by personal combat. In the following night the Bengal chief went secretly down the river in a boat, and his troops immediately evacuated the city. Akbar returned to Agra; and the governor of Oude, to whose jurisdiction Patna was annexed, was ordered to complete the reduction of Bengal. The vanquished sovereign was allowed to retain Orissa. But unfortunately for him, the Zemindars of Bengal still adhered to his interests, and speedily assembled a considerable army for his restoration. Having put himself at the head of this armament, he was taken prisoner, and in the absence of Akbar put to death in cold blood, upon the field.

BOOK III. Chap. 4. 1580.

For a short space Akbar now enjoyed tranquillity and obedience throughout his extensive empire; and wisely made use of the interval to visit and inspect its several provinces. Soon was he recalled to his former troubles and exertions. The recently subdued Bengal furnished a variety of discontended spirits, who again appeared in

arms; and his brother, in Cabul, marched against Lahore. Akbar never allowed disobedience in the upper provinces to gain strength by duration. He hastened to Lahore, overcame his brother, followed him close to Cabul, and received a message from the vanquished prince, imploring forgiveness. Akbar, with his usual generosity, which was often inconsiderate, and cost him dear, replaced him in his government.

The peace of Bengal was in the mean time restored; but a formidable rebellion broke out in Guzerat, which the son of Byram, the late regent, was sent to subdue. He was opposed with great obstinacy; and some power. But being a man of talents, he restored the province in a little time to obedience, and was rewarded with its government.

The governor of Cabul, the king's brother, died. The state of the upper provinces seemed upon that occasion to require the presence of Akbar, and he marched towards Punjab. Here he projected the conquest of Cashmere, and dispatched an army for that purpose. The season being ill chosen and provisions failing, that army found itself unequal to the enterprise. Akbar, however, was not willing to be foiled: he dispatched a second army; and the conquest was made with little opposition. Soon after this, the Governor of Candahar, a province which hitherto had paid but a nominal submission to the Mogul throne, unable to defend himself against his rebellious brothers, and the Usbeks, who had now rendered themselves masters of Transoxiana and Bactria, and were formidable neighbours to the northern provinces of Hindustan, offered to deliver up his government to Akbar; and received that of Multan in exchange.



Akbar, who now beheld himself master, from the mountains of Persia, and Tartary, to the confines of Deccan, began to cast the eyes of ambition on that contiguous land. He gave directions to his governors, in the provinces nearest Deccan, to prepare as numerous armies as possible; and to omit no opportunity of extending the empire. He dispatched ambassadors to the kingdoms of Deccan, more with a design to collect information, than to settle disputes. And at last a great army, under Mirza, the son of Byram, who had reduced Guzerat, marched in execution of this project of unprovoked aggression, and unprincipled ambition.

We have already observed the circumstances which attended the first establishment of a Mahomedan empire in Deccan, and it will now be necessary to recount shortly the events which intervened from the death of Alla Bhamenee, in the year 1357, to the invasion of Akbar in 1593.[1] Alla was succeeded by his son Mahomed, who reigned seventeen years, and carried on successful wars against the Rajahs of Telingana and Beejanuggur,[1] a city on the Tummedra or Toombuddra, the most southern branch of the Kistna or Krishna, and at that time the capital of a considerable kingdom.[2] He stript these sovereigns of part of their dominions, and rendered them tributary for the rest. A circumstance is recorded by the historian, which indicates but a thin population in that part of India. The number of lives which were destroyed by his wars was computed at near 500,000, among whom was the natural proportion of both sexes, and of all ages; for Indian wars spare neither sex nor age: And by this loss, the regions of Carnatic, says the historian, were so laid

BOOK III. Chap. 4. 1593.

waste, that they did not recover their natural population for several kerruns, or revolutions of ten years: yet they had never before been more than slightly over-run by a foreign invader; and the virtues or vices of Hindu policy were here to be traced in their natural effects. Mujahid the son of Mahomed, was assassinated by his uncle after reigning three years. The murderer Daood placed himself on the throne, but lost his own life by assassination, after a month and five days. Of Alla, the first of the Bahmenee sovereigns, the youngest son was still alive, and had passed his life in confinement during the intermediate reigns. By the intrigues of the Haram, he was now acknowledged as king, and spent a mild and prudent reign of nineteen years, in almost uninterrupted tranquillity. His eldest son Gheause succeeded him; but having affronted one of his Turkish Omrahs, who disguised his resentment the more effectually to secure his revenge, he lost his throne and his eyes, after a reign of little more than a month; and his brother Shumse was made to possess it in his stead.



Shumse was but fifteen years of age; and was a passive instrument in the hands of the Turk. Of Daood, however, the usurper, who had enjoyed royalty a month, several sons remained, who, under the odium attending the present state of the government, conceived hopes of profiting by the usurpation of their father. By an alternation of force and artifice, they secured the persons of the king and his minister, after a reign of only five months and seven days, and one of the brothers, by name Firoze, took possession of the throne. He reigned upwards of five and twenty years; and is the most celebrated of all the sovereigns of Deccan. He was engaged in a variety of wars with the Hindu rajahs; but his acquisitions in point of territory were inconsiderable. His endeavours to secure the succession to his son, by the destruction of a brother of his own, whose power and talents excited his fears, involved the last months of his reign in trouble. But finding his efforts ineffectual, he submitted to necessity, and appointing his brother successor, died in a few days.

The new sovereign, Ahmed, was a man of talents; governed with moderation and prudence; and enjoyed a prosperous reign of twelve years and two months. He overthrew the Rajah of Warunkul, and added the city of Telingana to his dominions. The governors who, during the decline of the Afghaun or Patan dynasty of Delhi, had assumed independence in the provinces of Malwa, Candesh, and Guzerat, were now sovereigns, whose contiguity failed not to produce occasions of discord. At different times Ahmed was engaged in war with all these princes, but without any memorable result. He enlarged and beautified the city of Beder, which he called Ahmedabad, and removed to it the seat of government from Calburga. Toward the conclusion of his reign, he projected a partition of his kingdom among his sons. His acquisitions in Berar, with some contiguous districts, he assigned to Mahmood; he gave Telingana to Daood; and sent these princes to take possession of their shares. His two remaining sons, Alla and Mahomed, were destined to succeed him as colleagues on the throne of Calburga.



They ascended the throne without opposition; but Mahomed, dissatisfied with the share of power which his brother allowed him, was soon excited to rebel. He was

defeated, and treated with generosity by Alla. Their brother Daood having just died in Telingana, Mahomed was appointed governor of that kingdom, where he devoted himself to his pleasures, and lived in peace. Alla was at various times attacked, by the Rajah of Beejanuggur in the south, and the kings of Guzera, Candesh, and Malwa, in the north; but defended himself with success. He sent an army to invade Malabar, which at first gained advantages, but being artfully drawn into the difficult recesses of that mountainous and woody country, was almost totally destroyed. After a reign of nearly twenty-four years, he was succeeded by his son Humaioon, who meeting with opposition and rebellion, gave reins to the ferocity of a violent mind; but died, or was assassinated, it is uncertain which, after a reign of little more than three years. His eldest son, Nizam, was only eight years of age at his accession; but the reins of government were directed by the queen-mother, a woman of talents; and though the surrounding sovereigns endeavoured to avail themselves of the weakness of a minority, and the king of Malwa penetrated to the very capital, he was repulsed, and the Bahmenee empire remained entire. Nizam died in little more than two years after his father, when the crown devolved upon his second brother Mahomed, who was then in his ninth year. The abilities of the queen-mother, and of a faithful minister, conducted the state in safety through the difficulties and dangers of a second minority; and Mahomed, displaying, when he grew up, considerable talents for government, enjoyed prosperity for a number of years; took part of Orissa, and the island of Goa; and thus extended his dominions from sea to sea. At last, however, the jealous rivals of the minister forged an accusation, which they presented to the king at an artful moment, and surprised him into a sudden order for his destruction. Mahomed soon discovered, and soon repented, his fatal mistake. The ambitious Omrahs, whom the vigilance and talents of the minister had restrained, began immediately to encroach on the royal authority. Mahomed died within a year of the execution of his minister, having languished both in mind and body, from the day of that unfortunate and criminal act.



His son Mahmood ascended the throne of Deccan in the twelfth year of his age. The contentions of the great Omrahs now filled the state with disorder. The sovereign himself displayed no talents for government, and was a slave to his indolence and pleasures. After plotting and struggling for several years, four of the great Omrahs declared themselves independent in their several governments; and a fifth, who remained at the court, reduced the power of the sovereign to a shadow, and ruled in his name. Mahmood's nominal sovereignty lasted for thirty-seven years; during which the Deccanee empire was divided into five several kingdoms; that of Beejapore or Visiapore, founded by Esuff Adil Khan; that of Ahmednuggur, founded by Ahmed Nizam Beheree; that of Berar, founded by Ummad al Mulk; that of Golconda, founded by Koottub al Mulk; their respective governors; and that of Ahmedabad Beder, founded by Ameer Bereed, who rendered himself master of the person and throne of his master, and retained the provinces which had not been grasped by the other usurpers. This revolution, after being several years in progress, was consummated about the year 1526. These sovereigns were engaged in almost perpetual wars with one another, with the Rajah of Beejanuggur, and with the Sultan of Guzerat, who was so powerful as to hold in a species of subjection the Sultans of

both Malwa and Candesh. A temporary union of the Shahs of Beejapore, Golconda, and Ahmednuggur, in 1564, enabled them to subvert the empire of Beejanuggur, and reduce the power of its chief to that of a petty Rajah. The kingdom of Beder, which had fallen to the share of Ameer Bereed, was conquered during the reign of his grandson; and its territories, which were not large, were divided among the other usurpers of the Bahmenee dominions. A similar fate awaited the portion of Ummad, which consisted of the southern part of Berar; it subsisted as a kingdom only four generations; and was annexed to his dominions by the king of Ahmednuggur in the year 1574. Deccan was, therefore, at the time when its invasion was projected by the Moguls, divided among the sovereigns of Beejapore, Ahmednuggur, and Golconda. At the time when the Bahmenee empire of Deccan was first divided into separate kingdoms, the Portuguese began their conquests on the coast of Malabar, and took possession of the island of Goa.

BOOK III. Chap. 4. 1598.

In addition to the army which Akbar had dispatched under Mirza towards Deccan, he sent orders to his son Morad, to whom he had committed the government of Guzerat, to join him with all his forces: Mirza had already been reinforced with the troops of Malwa, governed by another son of the Emperor, and by six thousand horse belonging to the king of Candesh, who had endeavoured, by submission, to avert the ruin which resistance would ensure. The combined army marched upon Ahmednuggur, to which they laid siege. The place was defended with great bravery, till provisions began to fail in the Mogul army, when the generals opened a negociation, and agreed, upon condition of receiving Berar, to raise the siege of Ahmednuggur, and evacuate the kingdom. The pain felt by the king at the loss of Berar soon prompted him to an effort for its recovery. His army fought a drawn battle with the Moguls. The resolution and ardour of Mirza led him to renew the engagement on the following day, when he defeated indeed the enemy, but was so weakened by his loss, as to be unable to pursue the fugitives, or to improve his victory. Mirza was soon after recalled. In his absence the Ahmednuggur arms gained some advantages; and the Mogul interests declined. But in 1598 Mirza was restored to the army in Deccan, to which the Emperor proceeded in person. Ahmednuggur was again besieged; and at last compelled to open its gates. The territory of Ahmednuggur was formed into a province of the Mogul empire; and its government conferred upon Danial, one of the sons of Akbar. The Emperor did not long survive these new acquisitions. He returned to Agra, and died in the fifty-second year of his reign.

BOOK III. Chap. 4. 1605.

At the time of the death of this successful prince, his great empire was divided into fifteen vice-royalties, called Subahs; each governed immediately by its own viceroy called Subahdar. The names of the Subahs were, Allahabad, Agra, Oude, Ajmere, Guzerat, Bahar, Bengal, Delhi, Cabul, Lahore, Multan, Malwa, Berar, Candesh, and Ahmednuggur.[1]

Shah Tamasp, the second in the line of the Sophis, held the sceptre of Persia till the twentieth year of the reign of Akbar; when there was a rapid succession of several princes, most of whom were cut off by violence. During these disorderly reigns, the Usbecks made dangerous inroads upon the eastern provinces of Persia, and even

threatened the security of the northern provinces of India. At the time of the death of Akbar, Shah Abbas the great was upon the throne, a prince who made both his neighbours and his subjects tremble at his name.

Selim was the only surviving son of Akbar; but even this fortunate circumstance did not save him from a rival. Selim's own son Chusero was destined to supersede his father, by Azim Khan, whose daughter was the wife, and by Rajah Man Sing, whose sister was the mother of Chusero. Azim Khan was vizir; Man Sing had a powerful government as an Omrah of the empire, and an army of twenty thousand Rajpoots, his countrymen, in his service. The schemes of these powerful chiefs were rendered abortive, by a decisive resolution of the commander of the City guards; who ordered the gates to be shut, and delivered the keys to Selim on his knees. Selim assumed the title of Mahomed Jehangire, or conqueror of the world, and dated his reign from October 21, 1605, being then in the thirty-seventh year of his age. Jehangire, for whom it would have been difficult, in the commencement of his reign, to contend with the power of Azim Khan, and Rajah Man Sing, contented himself with sending them to their respective governments; the vizir to his Subah of Malwa; the Rajah to that of Bengal; and Chusero was received into favour. A short time elapsed, when Chusero again rebelled, but, rejecting the advice of Azim Khan, and Rajah Man Sing, to assassinate his father, he taught those artful chiefs to despair of his cause, and they abstained from lending him any open support. So many followers crowded to his standards, as enabled him to seize and ravage some extensive districts. Unable to contend with the army which pressed him, he retired towards the Indus, when his followers dispersed, his principal friends were punished with all the ferocity of Oriental despotism, and he himself was placed in confinement.



One of the circumstances which had the greatest influence on the events and character of the reign of Jehangire was his marriage with the wife of one of the Omrahs of his empire, whose assassination, like that of Uriah, cleared the way for the gratification of the monarch. The history of this female is dressed in romantic colours by the writers of the East. Chaja Aiass her father, was a Tartar, who left poverty and his native country, to seek the gifts of fortune in Hindustan. The inadequate provision he could make for so great a journey failed him before its conclusion. To add to his trials, his wife, advanced in pregnancy, was seized with the pains of labour in the desert, and delivered of a daughter. All hope of conducting the child alive to any place of relief forsook the exhausted parents; and they agreed to leave her. So long as the tree, at the foot of which the infant had been deposited, remained in view, the mother supported her resolution; but when the tree vanished from sight, she sunk upon the ground, and refused to proceed without her. The father returned; but what he beheld was a huge black snake, convolved about the body of his child, and extending his dreadful jaws to devour her. A shriek of anguish burst from the father's breast; and the snake, being alarmed, hastily unwound himself from the body of the infant, and glided away to his retreat. The miracle animated the parents to maintain the struggle; and before their strength entirely failed, they were joined by other travellers, who relieved their necessities.

Aiass, having arrived in Hindustan, was taken into the service of an Omrah of the court; attracted after a time the notice of Akbar himself; and by his abilities and prudence rose to be treasurer of the empire. The infant who had been so nearly lost in the desert was now grown a woman of exquisite beauty; and, by the attention of Aiass to her education, was accomplished beyond the measure of female attainments in the East. She was seen by Sultan Selim, and kindled in his bosom the fire of love. But she was betrothed to a Turkman Omrah; and Akbar forbid the contract to be infringed. When Selim mounted the throne, justice and shame were a slight protection to the man whose life was a bar to the enjoyments of the King. By some caprice, however, not unnatural to minds pampered, and trained up as his; he abstained from seeing her, for some years, after she was placed in his seraglio; and even refused an adequate appointment for her maintenance. She turned her faculties to account; employed herself in the exquisite works of the needle and painting, in which she excelled; had her productions disposed of in the shops and markets, and thence procured the means of adorning her apartments with all the elegancies which suited her condition and taste. The fame of her productions reached the ear, and excited the curiosity of the emperor. A visit was all that was wanting to rekindle the flame in his heart; and Noor Mahl (such was the name she assumed) exercised from that moment an unbounded sway over the Prince and his empire.



Through the influence of the favourite Sultana, the vizirit was bestowed upon her father; her two brothers were raised to the first rank of Omrahs, by the titles of Acticâd Khan, and Asiph Jah; but their modesty and virtues reconciled all men to their sudden elevation; and though the emperor, naturally voluptuous, was now withdrawn from business by the charms of his wife, the affairs of the empire were conducted with vigilance, prudence, and success; and the administration of Chaja Aiass was long remembered in India, as a period of justice and prosperity.

The Afghauns broke from their mountains into the province of Cabul, in the sixth year of the reign of Jehangire; but an army was collected with expedition, and drove them back to their fastnesses with great slaughter. About the same time, one insurrection was raised in the province of Bengal, and another in that of Bahar. But the springs of the government were strong; and both were speedily suppressed.

More serious hostility began in Odipore, a mountainous district lying between Ajmere and Malwa, the prince of which, though he had acknowledged subjection to the Mahomedans, yet, protected by his mountains, had never been actually subdued. Amar Sinka, the present Rana or prince of Odipore, attacked and defeated the imperial troops in Candesh.



Purvez, the second son of the Emperor, at the head of 30,000 horse, was sent to take the command of all the troops on the borders of Deccan, and to oppose him. But Amar Sinka was no contemptible foe, possessing great authority among his countrymen, and the obedience of a great proportion of the people called Mahrattas, who inhabited the mountains on the southwest, adjoining those of Odipore. Dissensions prevailed among the Omrahs of the imperial army, which the youth and easy character of Purvez made him unable to repress. Encompassed with difficulties, and fain to retreat, he was

pursued with loss to Ajmere. Purvez was recalled; a temporary general was sent to take charge of the army; the Emperor himself prepared to march to Ajmere, whence he dispatched his third son Churrum, to prosecute the war. Churrum entered the mountains with a force which alarmed the Hindus, and induced the Rana after a few losses to offer terms of accommodation. It suited the views of Churrum to show liberality on this occasion, and to conclude the war with dispatch. Peace was effected; and Sultun Churrum returned to his father, with a vast increase of reputation and favour at the expense of Purvez; who was left, notwithstanding, governor of Candesh; and lived in royal state at his capital Burrahanpore.1

It was at the time of which we are now speaking, that Sir Thomas Roe arrived at Surat, ambassador to the Great Mogul. In his way to the imperial presence he repaired to Burrahanpore, to pay his respects to the Prince, and solicit permission for his countrymen to establish a factory in his province. Purvez, whose good nature, affability, and taste, were better fitted for display, than his facility, indolence, and diffidence, for the duties of government,
received the European messenger with magnificence and
distinction. From Burrahanpore, Sir Thomas repaired to Ajmere,
where the Emperor still remained. Jehangire was flattered by the
compliments and solicitations of a distant monarch. But the rude court of India was not a place where the powers of an ambassador could be exerted with much effect.



In the year 1615, disturbances arose both in Guzerat and Cabul. In the most inaccessible parts of Guzerat lived a race of men, known by the name of Coolies, who exercised perpetual depredations and cruelties upon the inhabitants of the open and cultivated districts. The enormities of this people had lately risen to an extraordinary height, when Jehangire issued a sanguinary order for the utter extirpation of the race. Many were slaughtered; the rest hunted to their mountains and deserts. Cabul was again over-run by the Afghauns, who issued from the mountains adjoining that province on the north. But the Subahdar, collecting an army, overcame them in battle, and drove them back to their own country.

The provinces of the south were still unquiet. Purvez was engaged in a war with the princes of Deccan, which, from the dissensions and treachery of his Omrahs, was not successful, and encouraged the Rana of Odipore “to draw his neck from the yoke of obedience.” The hopes of the Emperor were again cast upon his younger son; and though his counsellors set before him the danger of sending the younger to supersede the elder, he made light of the menaced evil; bestowed upon Churrum the title of Shah Jehan or King of the World, and vested him with the conduct of the war. The easy and unambitious Purvez contested not the royal appointment; fortune, rather than any merit of Shah Jehan, induced the opposing
princes to offer terms of accommodation without trying the
fortune of the sword; and the prudent desire of Jehan to obtain
the credit of terminating the war, without running any of its
dangers, made him eagerly remove every obstacle to the conclusion of the peace. In the mean time the Emperor, accompanied by the English ambassador, departed from Ajmere, to Mando, the capital of Malwa, where he presided at the settlement of the affairs of the south; and having spent at Mando seventeen months in business and

pleasure, he conveyed the royal camp, which was a prodigious moving city, into the kingdom of Guzerat, and thence to Agra, where he arrived after an absence of little less than five years.

It was shortly after this arrival, that Chaja Aiass, the Vizir, now dear to the nation for the blessings conferred upon it, ended a life which had been checquered by so great a diversity of fortune. The sympathies of the Sultana with such a father appear to have been strong, in spite of that loss of heart, which flows almost inevitably from the enjoyment of boundless power. She was inconsolable for his loss: and her inconsiderate mind, and gaudy taste, made her conceive the design of raising a monument of silver to his memory, till reminded, by her architect, that one of less covetable materials stood a fairer chance for duration. Her brother Asiph Jah sustained the weight of administration, in the room of Chaja Aiass, and inherited the virtues and capacity of his father. But he dared not contend with the haughty and uncontrolable disposition of his sister. And from the death of her father, the caprices and passions of the Sultana exercised a calamitous influence over the fate of the empire.

As the other parts of his dominions were now at peace, Jehangire marched toward Sewalic, or that part of the mountains, separating Tartary from Hindustan, which lies near the spot where the Ganges descends upon the plain. In the recesses and valleys of these mountains, lived tribes of Hindus, which, protected by the strength of their country, had escaped subjection to a foreign yoke, and exercised the depredations, common to the mountaineers of Hindustan, upon the fertile provinces below. The Emperor wished to subdue them; his army penetrated into the mountains; and after enduring a variety of hardships, for nearly two years (so long the war continued), brought twenty-two petty princes to promise obedience and tribute, and to send hostages to Agra. During this expedition the Emperor paid a visit to the delightful valley of Cashmere, where he spent several months. His partiality produced one good effect. A command was issued to improve the road, for the future visits of the Emperor; and this grand improvement, once begun, was extended to various parts of the empire.



In the mean time, the south engendered new disturbances, which led to important events. The princes of Deccan withheld their tribute, and raised an army to make good their disobedience. Intelligence arrived that they had crossed the Nerbudda in great force, and were laying waste the adjacent provinces. A great army was placed under the command of Shah Jehan, with which he was dispatched to repel and chastise the enemy. As the greatness of the force with which he advanced took from the confederates all hope of successful resistance, they hastened to make their peace, paid arrears, and promised punctuality and obedience. The success and power of Shah Jehan encouraged him now to commence the execution of designs which had long existed in his mind. His eldest brother Chusero, confined in a fortress in Malwa, from the time of his last rebellion, he prevailed on his father, before departing, to permit him to relieve from his confinement, and carry along with him. That prince was taken off by assassination, and all men ascribed the murder to Shah Jehan: The emperor loudly expressed his suspicions and resentment. Shah Jehan conceived the

time for revolt to be now arrived; assumed the royal titles, and marched to attack his father. They came to action not far from Delhi, and empire was staked on the turn of a die. After an obstinate struggle, the troops of the father prevailed; and the son, who in his rage and grief had with difficulty been restrained from laying hands on himself, fled in great consternation toward the mountains of Mewat. He was pursued to Deccan; one province was wrested from him after another; and he lost a battle on the banks of the Nerbudda, which broke up his army, and obliged him to fly to Orissa. Here fortune seemed to dawn upon him anew. The governor of Orissa retired at his approach. He made himself master of Burdwan. He next entered Bengal, and defeated its Subadhar. He then marched to Bahar, which also yielded to his arms; and the impregnable fortress of Rotas, of which the governor came to deliver the keys into his hands, presented to him the inestimable advantage of a place of security for his family. In the mean time, the imperial army advanced. That of Shah Jehan was routed, in spite of all his exertions, and he again fled towards Deccan. All men now deserted him. After some time spent in eluding his pursuers; his spirits sunk, and he wrote a contrite letter to his father. Pardon was obtained, but with an order to deliver up the forts which were held in his name, and to repair with his family to Agra. That part alone of the command which regarded his own person, he endeavoured to elude, alleging the shame he should feel to
behold the face of an injured sovereign and father; and occupied himself under the guise of pleasure in travelling with a few attendants, through different parts of the empire. During this rebellion Abbas, the Persian Shah, attacked and conquered Candahar. The Usbecks also penetrated to Ghizni, but were successfully resisted, and compelled to retreat.



The general to whose valour and conduct, on the late extraordinary and critical occasions, the Emperor owed his success, was Mohâbet, from whom, also, on many former emergencies, he had reaped the most important services. The first movement in the breast of Jehangire was gratitude to his benefactor. But Mohâbet possessed a dangerous enemy in Noor Mahl. The slave, she said, who had power to keep the crown upon the head of the Emperor, had power to take it off. Fear is nearly allied to hatred in the breast of an emperor. The power of Mohâbet was curtailed; offensive mandates were addressed to him; a strong fort, which he held, was transferred to a creature of the Sultana. He was commanded to court. His friends represented the danger; but an angry and more peremptory order following his apology, Mohâbet resolved to obey. Five thousand Rajputs, who had served with him in the imperial army, offered themselves for his escort. When Mohâbet approached the imperial camp, he was ordered to stop, till he should account for the revenues of Bengal, and the plunder acquired in the recent battle. Mohâbet, deeply affected with this injurious treatment, sent his own son-in-law to the Emperor to represent his loyalty, and expose the injustice of his enemies. His son-in-law was seized in the royal square, stript of his clothes, bastinadoed, covered with rags, placed backwards on a horse, of the most miserable description,
and sent out of the camp amid the shouts and insults of the rabble. Mohâbet separated his retinue from the camp; and resolved to watch his opportunity. Next morning, the royal army began to cross the bridge which lay upon the river Jylum, or Behut, on the road between Lahore and Cabul. The greater part of the army had now passed, and the

BOOK III. Chap. 4. 1615-28.

royal tents were yet unstruck; when Mohâbet, with two thousand of his Rajputs, galloped to the bridge, and set it on fire. Hastening thence, with a few followers, to the royal quarters; he secured the person of the Emperor, and conveyed him without opposition to his camp. Noor Mahl, in the mean time, contrived to make her escape. Next day Asiph Jah, the vizir, made an obstinate attempt to ford the river, and rescue the Emperor; but was repulsed with great slaughter. Unable after this, to keep the army from dispersing, he fled to the castle of New Rotas on the Attock, where he was besieged and soon obliged to surrender at discretion, while his sister the Sultana fled to Lahore. The Emperor was treated by Mohâbet with profound respect; assured that no infringement of his authority was designed; that the necessity alone under which the enemies of Mohâbet had criminally placed him, was the lamented cause of the restraint which his imperial master endured. The generous Mohâbet, who really meant as he spoke, was well aware that for him there was no security, under Jehangire, while influenced and directed by Noor Mahl. She was repairing to the Emperor upon his own request, when met by an escort of Mohâbet, who, under pretence of guarding, kept her a prisoner. He accused her immediately of treason and other high crimes; and the Emperor, on whose feeble mind absence had already effaced in some degree the impression of her charms, signed without much reluctance the order for her execution. She only begged,

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that she might have leave, before her death, to kiss the hand of her lord. She was admitted, but in the presence of Mohâbet. She stood in silence. The Emperor burst into tears. “Will you not spare this woman, Mohâbet? See how she weeps.” “It is not for the Emperor of the Moguls,” cried Mohâbet, “to ask in vain.” At a wave of his hand, the guards retired, and she was that instant retored to her former attendants. In a few months Mohâbet restored to the Emperor the full exercise of his authority, and, to show the sincerity of his obedience, dismissed the greater part of his attendants and guards. No sooner did the Sultana conceive him in her power, than she importuned the Emperor for his death. The Emperor had virtue to reject her proposal; but the consequence only was, that she resolved to employ assassination. Jehangire himself discovered to Mohâbet his danger; and he fled without attendants from the camp. The man who had saved the Emperor; and spared both his life and authority, when both were in his hands, was now the object of a command to all the governors of provinces to suffer him no where to lurk in existence; and a price was set on his head. Mohâbet seized a resolution which accorded with the boldness and generosity of his nature. In a mean habit, he secretly entered the camp of Asiph Jah when it was dark, and placed himself in the passage which led from the apartments of the vizir to the haram. He was questioned by the eunuch on guard, who recognized his voice, and carried to Asiph his request to see him on affairs of the utmost importance. Asiph was not ignorant of the baneful effects of his sister’s passions; nor unmoved by the generosity with which Mohâbet had lately treated both her and himself. He took him in

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his arms, and conveyed him in silence to a secret apartment; Mohâbet opened his mind with freedom on the misconduct of the Sultana; the weakness of Jehangire; and the necessity of another sovereign to cure the evils of an afflicted state. “The elder of the princes,” said he, “is a virtuous man, and my friend; but we must not exchange one feeble sovereign for another. I know the merit of Shah Jehan; for I have fought against him; and though his ambition knows no restraint either of nature or justice, his vigour will prevent

intestine disorders, and give power to the laws." The views of Asiph, whose daughter was the favourite wife of Shah Jehan, corresponded, it seems, with those of Mohâbet: a plan of co-operation was concerted at that moment; and Mohâbet, with letters from the vizir, retired to the court of the Rana of Odipore, to wait for events.

The death of the prince Purvez, which happened soon after, of an apoplexy; and the death of Jehangire, which followed at a short interval, saved the conspirators from many difficulties, and probably crimes. It was found, when the will of the Emperor was opened, that he had named Shariar, his youngest son, successor; at the instigation of the Sultana, whose daughter, by her first husband, that prince had espoused. As a temporary expedient, the vizir placed Dawir Buksh, the son of the late prince Chusero, upon the throne; but at the same time dispatched to Mohâbet the concerted signal for commencing operations in behalf of Shah Jehan. Asiph conquered the troops of Shariar, and put out his eyes. Shah Jehan proceeded towards Agra; and every obstacle was removed by the death of Dawir Buksh. Shah Jehan was proclaimed Emperor of the Moguls in the beginning of the year 1628.

He began his reign by removing all danger of competition. The whole of the male posterity of the house of Timur, with the exception of himself and his sons, were dispatched by the dagger or the bow-string. His sons were four in number; Dara surnamed Shêko, Suja, Aurungzebe, and Morad; the eldest, at this time, thirteen; the youngest, four years of age. Even the daughters of Shah Jehan were important actors in the scenes of his eventful reign. They were three in number, women of talents and accomplishments, as well as beauty. The eldest, Jehânara, was her father's favourite, with a boundless influence over his mind; lively, generous, open; and attached to her brother Dara, whose disposition corresponded with her own. The second, Roshenrai Begum, was acute, artful, intriguing, and from conformity of character, favoured Aurungzebe. The gentleness of Suria Bânu, the youngest, kept her aloof from the turbulence of political intrigue and contention.

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The two chiefs, Asiph and Mohâbet, who had conducted Shah Jehan to the throne, and were the most able and popular men of the empire, were appointed, the first, vizir; the latter, commander-in-chief of the forces. Through the wide dominions of the Shah, Lodi, who commanded the army in Deccan, was the only disobedient chief. Even he submitted, as soon as an army approached.

The dissensions and weakness usually attending a change of sovereign in the disjointed governments of the East, persuaded the leader of the Usbecks, that conquests might be achieved in Hindustan. Though Abbas still reigned in Persia, and the Usbecks had lately shed their blood in torrents, in disputes about the succession to their throne, they still possessed the regions of the Oxus, of which Abbas had in vain attempted to deprive them. Ten thousand horse, with a train of artillery, penetrated through the mountains into Cabul. They first laid siege to the fortress of Zohâc; but, finding it strong and well defended, proceeded to Cabul. The city made a vigorous resistance; but was at last reduced to extremity. The defenders, resolving however upon one desperate struggle, sallied forth, and

BOOK III. Chap. 4. 1632.

repulsed the enemy, who evacuated the province, before Mohâbet, on his march from Deccan, whither he had been sent for the subjugation of Lodi, could reach the scene of action.

The disobedience of the Rajah of Bundelcund, who was so imprudent as to take offence at an increase of tribute, was chastised by an overwhelming force. But the heart of the generous Mohâbet was gained by the bravery of his enemy; and he obtained for him pardon and restoration.

All the merit of Mohâbet, and all his services, only inflamed the dark suspicions which usually haunt the mind of an Oriental despot. Shah Jehan regarded him with terror; and by such steps as it appeared safe to venture upon, proceeded to deprive him of his power.

The jealous and revengeful passions of the Emperor involved him in difficulties through another channel. When Lodi submitted upon terms, he was appointed to the government of a province, but not forgiven. He was now ordered to court, and received with so much studied insult, that both his pride and his prudence taught him to look for safety in his independence alone. He escaped with much difficulty; was reduced to the deepest distress; but, having talents and perseverance, he baffled the imperial pursuers, and reached Deccan. The resources which such a man as Lodi might find in the south made the Emperor tremble on his throne. He raised a large army; placed himself at its head; hastened to the scene of action; and engaged in those struggles for the subjugation of Deccan, which formed so large a portion of the business of this, and of the following reign.



Since the fall of Ahmednuggur, at the close of the reign of Akbar, the following are the principal events which had taken place in Deccan. The territories of the Nizam Shawee or Ahmednuggur sovereignty were divided between Mallek Umber, who possessed the country from the Telingana frontier to within eight miles of Ahmednuggur, and four of Dowlatabad; and Rajoo Minnaun, who ruled from Dowlatabad northward to the borders of Guzerat, and southward to within twelve miles of Ahmednuggur; while Mortiza II. a prince of the royal house of Ahmednuggur, with the empty name of sovereign, was allowed to hold the fortress of Ouseh, with a few villages to yield him subsistence. Perpetual contests subsisted between the usurpers; and Umber succeeded at last in taking Rajoo prisoner, and seizing his dominions. Umber was now a sovereign of high rank among the princes of Deccan, governed his dominions with wisdom, and, exacting something more than respect from the kings of Beejapore and Golconda, held in check the arms of Jehângîre himself. He built the city of Gurkeh, now called Aurungabad, five coss from Dowlatabad, and died, two years before the present expedition of Shah Jehan, at eighty years of age, leaving his dominions the best cultivated, and the happiest, region in India. Futteh Khan, the son of Umber, succeeded him. Mortiza II., still alive, got him by treachery into his power; and recovered once more to the house of Nizam Beheree the remaining part of the Ahmednuggur territories. He did not retain them long; Futteh Khan regained his liberty and ascendancy; and, with the concurrence of Shah Jehan, whom he

consulted, put Mortiza to death; and placed his son, only ten years of age, upon a nominal throne.[1]

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The Beejapore and Golconda sovereignties remained nearly in the same situation in which they had been found and left by Akbar. Mahomed Adil Shah was now on the throne of the former; Abdoolla Koottub Shah, on that of the latter kingdom.[2]

The Emperor arrived at Burrahanpore, the capital of Candesh, and sent his mandates to the princes of Deccan, to disband their forces, deliver up Lodi, and make their submissions in person, on pain of destruction. The celerity of the Emperor had allowed to Lodi too little time to make the preparations which resistance to so formidable an enemy required. But he had already engaged the three sovereigns of Deccan in a confederacy for his support, and had influence to make them reject or evade the commands of the Emperor. He was entrusted with a body of troops, and, seizing the passes of the mountains, opposed the entrance of the Mogul army into Golconda. The Emperor, impatient of delay, removed his general, and commanded the vizir to take upon himself the charge of destroying Lodi, and chastising the insolence of the princes of Deccan. The princes were already tired of the war, and alarmed by its dangers. The reputation and power of the vizir augmented their apprehensions. Lodi was deserted by all on the day of battle, except by a few chiefs, his friends, who adhered to him, with their retinues. With these he posted himself on an advantageous ground; and long arrested victory against the whole might of the imperial

BOOK III. Chap. 4. 1640-55.

arms. A neighbouring Rajah, to gain the favour of the Emperor, set upon him unexpectedly, as he was pursuing his way to some place of safety, and he lost his brave son with the greater part of his followers. A party of those who were sent in all directions to scour the country, at last came upon him in a place from which there was no retreat; and he fell defending himself to the last extremity. Shah Jehan exhibited the most indecent joy when assured of his destruction; the measure of his terrors, while this brave man was alive. After the conquest of Lodi, the war in Deccan was little else than a series of ravages. The princes were able to make little resistance. A dreadful famine, from several years of excessive drought, which prevailed throughout India and a great part of Asia, added its horrid evils to the calamities which overwhelmed the inhabitants of Deccan. The princes sued for peace, and the Emperor agreed to withdraw his army, which he now found it difficult to subsist, retaining, as a security for good behaviour, the forts which had fallen into his hands.

During the famine, religion had made the Hindus desert cultivation, and betake themselves to the supplications, penances, and ceremonies, pleasing to their gods. The calamities which sprung from this act of devotion raised the indignation of Shah Jehan. Though no fanatic in his own religion, he pronounced that “an army of divinities who, so far from benefitting their votaries, led them to inflict upon themselves worse evils than the wrath of an enemy, were unfit to be endured in his dominions.” The Hindus however took arms in defence of their gods; and after some unavailing and unhappy efforts, he desisted, declaring, “that a prince who wishes to have subjects

must take them with all the trumpery and baubles of their religion."



The Portuguese, who had established themselves at Hoogley, in Bengal, and whose presumption rose with their success, gave displeasure to the Subahdar. He transmitted a complaint to the Emperor. "Expel those idolaters from my dominions;" was the laconic answer. The Portuguese defended themselves bravely. When compelled to lay down their arms, the principal evil which they were doomed to suffer, was, to see their religious images broken and destroyed. To this affair succeeded a second revolt of the Rajah of Bundelcund, who warded off the destruction now decreed for him with obstinate bravery for two years. The third son of the Emperor, Aurungzebe, with an experienced general for his guide, had the nominal command of the army, though only thirteen years of age; and showed that ardour in the work of destruction which distinguished his riper years.

When the Emperor marched from the borders of Deccan, he offered the government of Candesh and of the frontier army, for which he saw that great talents were required, to the Vizir, who, fearing the consequences of absence from the court, recommended successfully the virtues and capacity of Mohâbet. Adil Shah, the King of Beejapore, threatened to wrest Dowlatabad from Futteh Khan, who governed in the name of the young Shah of Ahmednuggur. To prevent the annexation of this important fortress to the dominions of his rival, Futteh Khan offered it to Shah Jehan, and Mohâbet marched to receive possession. Futteh Khan repented of his offer; and Mohâbet laid siege to the fortress. Dowlatabad is a place of great natural strength, standing upon a detached and precipitous rock, and had been fortified with the highest efforts of Oriental skill; but famine at last made Futteh submit. The young prince, his master, was carried a prisoner to Gualior. Futteh Khan was allowed to retain his private property, and was destined to become one of the high Omrahs of the empire; but being seized with insanity, the consequence of a wound formerly received in his head, he was carried to Lahore, where he lived many years on a liberal pension. The fall of Dowlatabad put a period to the dynasty of Nizam Shah, which had swayed the sceptre of Ahmednuggur for 150 years.[1] Mohâbet, resolving to pursue the reduction of Deccan, marched towards Telingana, and laid siege to a fortress; but falling sick, and finding himself unable to superintend the operations of the army, he withdrew the troops to Burrahanpore, where he died at an advanced age.

BOOK III. Chap. 4. 1640–55.

The tranquillity of the empire permitted the ambition of Shah Jehan to attach itself to the subjugation of Deccan. He began to march from Agra. That time might be afforded to the governors of the provinces for joining him with their troops, his progress was purposely slow. In rather less than a year he arrived at Dowlatabad with an accumulated army. This great host was divided into twelve bodies, and poured upon the kingdoms of Golconda and Beejapore, with orders not to spare the severities of war: "because war (such was the reflection of Shah Jehan) was the scourge of humanity, and compassion served only to prolong its evils." One hundred and fifteen towns and fortresses were taken in the course of a year. The unfortunate sovereigns were overwhelmed with calamity; and solicited peace on any terms. It was granted; but on condition that they should resign

their dominions, and be contented to hold them as tributaries of the Mogul. The province of Candesh, with the army in Deccan, was left under the command of the son of the late Mohâbet, an accomplished chief. But he died in a little time, and Aurungzebe, the Emperor's aspiring son, was appointed to succeed him.

About this time a refractory Rajah of Berar drew upon himself the imperial arms. That large district of Hindustan was regularly subdued; and bestowed as a Subah upon the successful general. Another event yielded high satisfaction to the Emperor. The province of Candahar, which had been wrested from the Moguls by the power of Abbas, Shah of Persia, was now recovered by the treachery of its governor, disgusted with the cruel and capricious sway of Sefi, the successor of Abbas on the Persian throne.

Of the operations next in order it is to be lamented that our information is very imperfect. The province of Bengal, we are told, was invaded from the kingdom of Assam, the enemy descending the Brahmapootra in boats till its junction with the Ganges below Dacca. The Subahdar of Bengal experienced little difficulty in repelling the invaders; and, not contented with an easy triumph, pursued them into their own country, took possession of several forts, and reduced some provinces; but he was obliged to return for want of subsistence, and suffered extremely in his retreat by the commencement of the rains and the badness of the roads. It is related also, that the kingdom of Tibet was reduced about this time by another of the generals of Shah Jehan, who was delighted to conquer in regions, which the arms of his predecessor had never reached. But to these conquests no effects are ascribed; and of that which is said to have been accomplished in Tibet we are told neither the place, nor the extent, nor the circumstances, neither the
road by which the army was led to it, nor that by which it was conducted back.

BOOK III. Chap. 4. 1640-55.

The numerous subjects of Shah Jehan now enjoyed a tranquillity and happiness such as had seldom, if ever, been experienced in that portion of the globe. The governors and officers, in every part of his dominions, were strictly watched; and not only their obedience to himself, but their duty to his subjects, was vigorously enforced. His reign is celebrated for the exact execution of the laws. And the collection of the revenue, which affects so deeply the condition of the people, and had, in the time of Akbar, been very much improved, was advanced to greater perfection under the diligent administration of Shah Jehan.[1]

This tranquillity was scarcely affected by an incursion of the Usbecks into Cabul, the governor of which not only repulsed them, but, following the invaders, ravaged their country as far as Balk, and returned with considerable booty. This success of the governor of Cabul encouraged him to make an incursion into the territory of the Usbecks the following year. But he was on the point of paying dear for his temerity, his communications being intercepted, and his retreat rendered in the highest degree dangerous and difficult. The Emperor himself was, at last, infected with the ambition of conquering the Usbecks. His

youngest son, Morad, was sent with an army, and over-ran the country without much difficulty; but offended his father by returning from his command, not only without, but contrary to, orders. The Usbeck sovereign had fled into Persia, but one of his sons solicited and obtained the co-operation of the kindred tribes beyond the Oxus. Aurungzebe was sent to cope with the new adversary; and his talents, and persevering courage were not more than necessary. In a desperate battle victory hung suspended, and fortune was more than once on the point of declaring against the Moguls. After much difficulty, and much loss, the country was indeed subdued; but its ancient sovereign, writing a most submissive letter to the Emperor, was, on promise of a slight tribute, reinstated in his dominions.

It was mortifying to the Emperor, in so high a tide of his power, that Candahar, regarded as the key of his dominions on the side of Persia, was wrested from his hands. Shah Abbas the second had succeeded the wretched Sefi, on the throne of Persia: and taking advantage of the removal of the Mogul troops from the northern provinces, and of the subjugation of the Usbecks, which seemed to deliver those provinces from danger, he marched towards Candahar with a great force, and obtained the city by capitulation, before the Mogul army was able to arrive. The strongest efforts were made for its recovery. Aurungzebe besieged it two several times; and Dara, the eldest son of the Emperor, once. It baffled the operations of both.

The most memorable transaction in the reign of Shah Jehan was the renewal of the war in Deccan. The frontier provinces, and the army appointed to hold in check the sovereigns of the south, had been entrusted to the command of Aurungzebe; but the suspicions and jealousy of his father and brothers had made them seek occasions to remove him, at one time to command in Guzerat, at another in the war against the Usbecks; he had still, however, found means to regain that important government, and was at Dowlatabad when an occasion offered which a mind like his was not apt to despise. A chief, in the service of the king of Golconda, who had carried the arms of that sovereign against the Rajahs of the Carnatic, and added extensive districts to his dominions, fell, at last, from apprehension of his power, under the hatred of his master; and perceived that his life was no longer safe. He transmitted private intelligence to Arungzebe of his readiness to co-operate with him in surprising the city of Hyderabad, not far from Golconda, where the sovereign resided, and where his treasures were deposited. Aurungzebe, covering his designs under the pretence of an embassy, was admitted into the city, but the king discovered the treachery in sufficient time to make his escape to Golconda; and as Hyderabad was set on fire in the confusion of the attack, the greater part of the riches which had tempted Aurungzebe was consumed in the flames. Siege was laid to Golconda; but orders arrived from court, suggested by the jealousies which there prevailed, that the king of Golconda should be offered terms of peace. The troops were withdrawn, after the beautiful daughter of the king had been given in marriage to the eldest son of Aurungzebe.

BOOK III. Chap. 4. 1640-55.

The chief, at whose instigation Aurungzebe had undertaken the expedition, was the famous Emir Jumla, born in a village near Ispahan in Persia, and of parents so

extremely poor that they had scarcely the means of procuring him instruction to read. A diamond merchant, who travelled to Golconda, carried him to that city as a servant or clerk; at this place he left his master, and began to trade on his own account. With the first of his gains he purchased a place in the service of the king. His talents and address attracted favour; and he ascended by rapid gradations to the summit of command. During his public services he forgot not the arts of private acquisition; he had vessels trading to various places, and farmed under borrowed names the whole of the diamond mines. He greatly added to those riches by his successful wars in Carnatic; and was supposed to posses enormous treasures at the time when he connected himself with Aurungzebe. That prince immediately received him into his inmost friendship; and sought the benefit of his counsels and co-operation in his most important affairs. As it appeared that his talents might be employed advantageously for Aurungzebe at the court of his father, he was sent with such recommendations as helped him quickly to the highest rank. When the office of vizir became vacant, the remonstrances of Dara could not prevent the Emperor from bestowing it upon Jumla, in the sordid hope of receiving, upon his appointment, a magnificent present, suited to the riches he was supposed to possess.



Meanwhile, a new event demanded the presence of Emir Jumla in Deccan. The king of Beejapore died: and his Omrahs, without consulting the Emperor, placed his son upon the throne. The Emperor, who now affected to reckon the sovereigns of Deccan among his dependants, construed this neglect into a crime, which his new vizir was sent with an army to chastise. He joined Aurungzebe at Burrahanpore; and that ambitious, but artful prince, affected to act with profound submission under the orders of his father's vizir. These two leaders understood one another. The war was conducted with concert and ability.

The city of Beder was taken. The Beejapore army was defeated in the field. Calburga, the ancient capital of the Deccanee empire, submitted; and the King threw himself at the feet of the conqueror. After settling the terms of submission which were severe, Aurungzebe returned to Burrahanpore, and the vizir was recalled to Agra.[1]



After these events, the health of the Emperor excited alarm;[2] when the flames, which had for some time been with difficulty compressed, broke out with irresistible fury. To every brother under an Oriental despotism the sons of the reigning monarch look, as either a victim, or a butcher; and see but one choice between the Musnud and the grave. The usual policy of Oriental fear is to educate the royal youths to effeminacy and imbecility in the haram; but the sons of Shah Jehan had been led into action, and indulged with the possession of power. They were not all men of capacity; but they were all ardent, brave, and aspiring; and each thought himself worthy of empire. Dara, the eldest, gallant, open, sincere, but impetuous, thoughtless, and rash, was destined to the sovereignty by his father, and generally kept near himself; Sujah, the second, was now Subahdar of Bengal, with more prudence and discretion than his elder brother, but far inferior in those qualities to the deep and dissembling Aurungzebe, who had from an early age affected a character of piety, pretending to hate the business and vanities of the world, and to desire only a retreat, where he might practise the austerities and devotions

pleasing to God. Morâd, the youngest of the sons of Shah Jehan, was conspicuous, chiefly, for his courage; popular, from his affability and generosity; but credulous and weak. When his father's illness gave fire to the combustibles which filled the imperial house, this Prince was serving as Subahdar in Guzerat.

As the illness of the Emperor was from the first regarded as mortal, Dara took into his hands without hesitation the reins of government; and with his usual precipitation and violence began to show what he apprehended from his brothers, and what his brothers had to expect from him. All communication with them was interdicted on pain of death. Their agents, papers, and effects at the capital were seized. Jumla, and such of the other high officers of the state as were suspected of attachment to any of the younger princes, were removed from their situations. And orders were issued to place the imperial forces in a state of preparation for the field.

Suja, who was nearest the scene of action, was the first to appear in hostile array. From the government of the richest province of the empire, which he had severely pillaged, he was master of a large treasure, the best sinew of war; and he had collected an army with a view to that very contest which was now impending. Solimân, the eldest son of Dara, was dispatched without loss of time to oppose him; found means to cross the Ganges unexpectedly; surprised the camp of Suja, and forced him to retreat precipitately to Mongeer; where he was immediately besieged.

In the mean time, Aurungzebe was employing the resources of his fertile mind for strengthening his hands, and making sure his blow. He persuaded Morâd, that with regard to himself his views were directed to heaven, not to a throne; but as his brothers Dara and Suja, compared with Morad, were unworthy to reign, he was desirous from friendship of aiding him with all his resources; after which the only boon he should crave would be to retire into obscurity, and devote his days and his nights to the service of his Maker.

BOOK III. Chap. 4. 655-58.

Though Emir Jumla had been dismissed from the vizirit, he was sent, through some influence which Dara could not resist, to the command of an army in Deccan, where it was the business of Aurungzebe to obtain the benefit of his talents and resources. But the family of Jumla, detained at Delhi, still retained that chieftain in bonds. The expedient which presented itself to the mind of Aurungzebe, fertile in contrivances, was, to seize the person of Emir Jumla. The appearance of constraint would deprive Dara of a pretext for taking revenge on his family. The sudden resentment of his army could be appeased by promises and bribes. The stratagem succeeded, and the talents and army of Jumla were both added to the resources of Aurungzebe.

Having concerted with his brother, from Guzerat, to join him at Oojeen, he took the route from Burrahanpore, and arrived at the Nerbudda, where he learned that Jesswint Sing, who had married the daughter of the Rana of Odipore, and through her succeeded to most of the dominions of her father, was in possession of the city of Oojeen, and prepared to dispute the passage of the army. The Rajah lost the favourable opportunity of attacking the troops of Aurungzebe, when, spent with heat and fatigue, they first arrived on the banks of the Nurbudda. The

wily Mogul delayed some days, till joined by Morad; when the brothers crossed the river, and, after a well contested action, put the Rajah to flight. Aurungzebe, who never trusted to force what he could effect by deceit, had previously debauched the Mahomedans in the army of the Rajah, by disseminating among them the idea that help to the infidels was treason to the faithful.

In the mean time, the Emperor Shah Jehan had recovered from the violent effects of his disorder; and resumed the exercise of his authority. Dara, who during the royal illness had behaved with tenderness and fidelity truly filial, and delayed not a moment to restore the reins of government when his father was capable to receive them, was exalted to a still higher place in the affections of the Emperor; who dispatched his commands to the Princes Aurungzebe and Morad to return to their respective governments. Aurungzebe was little inclined to intermit the efforts he had so happily begun; but to make war upon his father, beloved both by the soldiers and people, was to ruin his cause, and make even his own army desert him. Under colour of refreshing his troops, he waited several days at Oojeen; and the impetuosity of Dara, which the counsels of Shah Jehan were unable to restrain, speedily afforded him a pretext to cover his designs. The news of the passage of the Nerbudda, and of the defeat of the Rajah, kindled Dara into a flame. He marched out of Agra at the head of the imperial forces; and enabled Aurungzebe to give out that he fought by necessity; against his brother merely, not his father; and in self-defence. Dara sent to his son Soliman, who was besieging Suja in Mongeer, to make what terms he could with that Sultan, and march with all expedition to join him against Aurungzebe. Suja was allowed to resume the government of Bengal: Soliman hastened toward the new scene of action: And, could the impatience of Dara, have waited, till joined by his son, who was beloved by the soldiers, and at once prudent and brave, the career of Aurungzebe might perhaps have been closed. The emperor trembled at the prospect of a battle; he threatened to take the field in person, which would have been effectual; because no authority would have been obeyed in opposition to his. But the infatuated Dara found means to prevent the execution of this design; and marched to occupy the banks of the river Chumbul, and the passes of the mountains which extend from Guzerat to the Jumna. Aurungzebe found the passes so strongly guarded, and the enemy so advantageously posted, that he durst not attack them; and fearing the approach of Soliman, he was thrown into the greatest perplexity. In this situation he received, from a treacherous Omrah in the army of Dara, information of a byeroad among the hills, which would conduct him to an unguarded part of the river. He left his camp standing, to amuse the eyes of Dara; whose first intelligence was, that Aurungzebe was in his rear, and in full march towards the capital. By great exertion Dara threw himself before the enemy, and prepared for action. Dara appeared to most advantage in the field of battle. His bravery animated his troops. The impetuous gallantry of Morad, and the cool and inventive intrepidity of Aurungzebe, were balanced by the spirit of the imperial army and its leader. The elephant of Dara was wounded; and in an evil hour he was persuaded to dismount. The troops, missing the imperial houda, suspected treachery, and the death of their general; and every man began to provide for himself. Aurungzebe found himself master of the field of battle, at the moment when he despaired

of any longer being able to make his soldiers maintain the contest.



Dara fled to Agra, and, after a short interview with his father, departed with his family and a few attendants to Delhi, where some imperial troops and treasures were placed at his disposal, and whence he proposed to effect a junction with Soliman. All the cunning and diligence of Aurungzebe were now exerted to the utmost, to improve his victory. He affected to treat Morâd as Emperor; and began to make preparations for himself, as intending immediately to set out on a religious pilgrimage to Mecca. In the mean time he wrote letters, and exhausted the arts of seduction, to detatch the Omrahs from the cause of Dara. His principal solicitude was to debauch the army of Soliman; which he accomplished so effectually, that the unfortunate Prince found at last he could place no dependance on its obedience, and was not even safe in its power. He fled from his danger; and took shelter with the Rajah of Serinagur, an unconquered kingdom of Hindus, among the northern mountains. The victorious army advanced towards Agra; but the Emperor ordered the gates of the citadel to be shut, and Aurungzebe was still afraid to offer violence to his father. He wrote a letter, replete with the strongest professions of loyalty, and of the most profound submission to his parent and sovereign. The Emperor, with the hope of drawing him into his power, affected to be satisfied, and invited him to his presence. Aurungzebe every day pretended that he was just about to comply; but every day found an excuse for delay. After a series of intrigues, he pretended that to set his mind at ease, in appearing under humiliation and abasement before his father, it was necessary that his son should previously be admitted into the citadel with a guard for his person. The Emperor, who was blinded by his desire to have Aurungzebe in his hands, assented to a condition which seemed indispensable. When he found himself a prisoner in the hands of his grandson, his rage and vexation exceeded bounds; and he offered to resign to him the crown, if he would set him at liberty, and join him in defeating the schemes of Aurungzebe. But the youth, though not averse to the prospect of reigning, and not much restrained by the sense of filial duty, refused to comply; and, after some hesitation and delay, Shah Jehan sent the keys of the citadel to Aurungzebe. The hypocrisy of Aurungzebe was not yet renounced. By a letter, which was carefully made public, he declared; that with the utmost grief he had been reduced to these extremities; and that as soon as Dara, to whose crimes every evil was owing, should be disabled from future mischief, the happiest event of his life would be, to restore to his father the plenitude of his power.



To deliver himself from Morad was the next study of Aurungzebe. The friends of that thoughtless prince had at last brought him to look with suspicion upon his brother's designs; and even to meditate an act which might deliver him finally from so dangerous a rival. The sagacity of Aurungzebe enabled him to discover the intended blow, which he contrived to elude at the very moment, when it was aimed and ready to fall. In his turn he inveigled Morad to an entertainment, and, having intoxicated him with wine, withdrew his arms while he slept; seized him without any commotion, and sent him a prisoner to the castle of Agra.[1]

It was now useless, if not hurtful to the cause of Aurungzebe, any longer to disavow his ultimate purpose. But he waited till he was importuned by his nobles; and then, on the second of August, 1658, in the garden of Azabâd, near Delhi, pretending to be overcome by their entreaties, he submitted to receive the ensigns of royalty; and assumed the pompous title of Aulum gîr, or Conqueror of the world.

Aulum gîr allowed not what he had already achieved to slacken his efforts in finishing what remained to be done. Dara had taken the route towards Lahore; and had the resources of the northern provinces, Lahore, Multan, and Cabul, at his command: Soliman was ready to descend from the mountains with the assistance of the Rajah of Serinagur, and with a body of adherents who still approached the size of an army: And Suja was master of the rich province of Bengal. Aulum gîr saw, what every skilful leader has seen, that in the coarse business of war, expedition is the grand instrument of success. He hastened toward the Sutledge, from the banks of which Dara retreated upon the news of his approach. Aurungzebe, pressing on, drove him first from the Beyah, then from Lahore, and next from Multan; the unfortunate Prince, who might have resisted with some chance of success, having lost his resolution together with his fortune. From Multan, he fled across the Indus to the mountains of Bicker, when Aurungzebe, declaring the war against him to be closed, left eight thousand horse to pursue him, and returned with haste to Agra.

He had no sooner arrived at Agra, than he learned, what he partly expected, that Suja was already in force, and in full march toward the capital. He sent to his son Mahomed whom he had left at Multan, to join him with all his forces; and in the mean time
took the road to Bengal, but by slow marches, till Mahomed came up. Suja intrenched himself near Allahabad; and waited for the arrival of his enemy. Though Suja did not avail himself of all his advantages, he was able to join battle with a fair prospect of success. Nor was this all. In the very heat of the action, the Rajah, Jesswint Sing, who had made his peace with Aurungzebe, and joined him with his forces, turned his arms against him, and fell upon the rear of his army. The dismay and desertion which every unexpected incident scatters through an Indian army began to appear. But the firmness of the usurper recovered the blow. His elephant, which was wounded and began to be ungovernable, he ordered to be chained immoveable by the feet; the soldiers, still beholding the imperial castle opposed to the enemy, were rallied by the generals; Suja committed the same fatal mistake which had ruined Dara; he descended from his elephant, and his army dispersed.

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Emir Jumla, the ancient friend of Aurungzebe, who from his place of confinement, or pretended confinement in Deccan, had joined him on the march, performed eminent service in this battle. It is even said, that Aurungzebe, when his elephant became ungovernable, had one foot out of the castle to alight, when Jumla, who was near him on horseback, cried out sternly, “You descend from the throne!” Aurungzebe smiled, had a moment for reflection, and replaced himself in the houda.

Suja and his army fled during the night, while Aurungzebe was in no condition to pursue them. Jesswint Sing, and his rajaputs, who had plundered the camp, had the audacity to wait the attack of
Aurungzebe the following day; and were routed, but without being obliged to abandon their spoil. Leaving Mahomed with a force to pursue the vanquished Suja, Aurungzebe hurried back to Agra.



The haste was not without a cause. Dara, after having arrived at Bicker, crossed the desert with his family, and arrived in Guzerat, where he gained the governor. Aurungzebe, aware how small a spark might kindle into a flame, among the disaffected rajahs of the mountains, and the distant viceroys and princes of Deccan, was eager to allow the danger no time to augment. He courted Jesswint Sing, who had so recently betrayed him, to prevent his cooperation with Dara: and marched with all expedition to Ajmere. Dara had already seized an important pass, and entrenched himself. Aurungzebe was not a little startled when he first beheld the advantages of the position, and strength of his works. He set in motion his usual engines of treachery and deceit; and by their assistance gained a complete and final victory. Deserted by all, and robbed of his effects, by a body of Mahrattas in his service, Dara fled towards the Indus with his family, who, nearly destitute of attendants, were on the point of perishing in the desert. After many sufferings, he was seized by a treacherous chief, who owed to him his life and fortune; and delivered into the hands of Aurungzebe. His murder was only a few days deferred; during which he was ignominiously exposed about the streets of Delhi.

While the Emperor was engaged in opposing Dara, his son Mahomed and Jumla the Vizir prosecuted the war against Suja. That Prince had fled from the battle to Patna, from Patna to Mongeer, from Mongeer to Rajamahl, and from Rajamahl he was forced to retreat to Tanda. Sujah was still possessed of resources;
his courage and resolution failed not; and an event occurred which promised a turn in the tide of his affairs. Mahomed had been formerly enamoured of the daughter of Suja; and their union had been projected, before the distractions of the royal family had filled the empire with confusion and bloodshed. It is said that the Princess wrote to Mahomed a letter, reminding him of his former tenderness, and deprecating the ruin of her father. The impatient and presumptuous Mahomed was little pleased with the treatment he sustained at the hands of Aurungzebe; his heart was touched with the tears of the princess; and he resolved to desert the cause of his own father, and join that of hers. He expected that the army, in which he was popular, would follow his example. But the authority and address of Jumla preserved order and allegiance. The news of his son's defection quickly reached Aulum gîr; who concluded for certain that he had carried the army along with him, and set out in the utmost expedition with a great force for Bengal. In the mean time Jumla attacked the army of Suja, which he defeated; and the conquered Princes retreated to Dacca. Aurungzebe, pursuing his usual policy, wrote a letter to Mahomed, which he took care that the agents of Suja should intercept. It purported to be an answer to one received; offering to accept the returning duty of Mahomed, and to pardon his error, on the performance of a service which was nameless, but seemed to be understood. This letter smote the mind of Suja

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with incurable distrust. After a time Mahomed was obliged to depart, and with a heavy heart to entrust himself to his unforgiving father. He was immediately immured in Gualior, where, after languishing for some years, he was entrusted with liberty, though not with power; but died a short time after.[1] Suja was speedily reduced to extremity in Dacca, and having no further means of resistance, fled from the province, and sought refuge in the kingdom of Arracân. But the wretched Rajah, who at once coveted his wealth, and dreaded his pursuers, violated without scruple the laws of hospitality and mercy. Death, in some of the worst of its forms, soon overtook the family of Suja.

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During these transactions, rewards, which were too powerful for the virtue of a Hindu, had been offered to the Rajah of Serinagur; and shortly after the ruin of Suja, Solimân, the last object of the fears of Aulum gîr, was delivered into his hands, and added to the number of the prisoners of Gualior.

From the time when Aulum gîr, having subdued all competition for the throne, found himself the undisputed lord of the Mogul empire, the vigilance and steadiness of his administration preserved so much tranquillity in the empire, and so much uniformity in its business, that the historians who describe only wars and revolutions, have found little to do. The most important series of transactions were these which occurred in Deccan; which ceased not during the whole of this protracted reign; laid the foundation of some of the most remarkable of the subsequent events; and had a principal share in determining the form which the political condition of India thereafter assumed. That we may relate these transactions without interruption, we shall shortly premise such of the other transactions handed down to us (for we have no complete history of Aurungzebe) as fell near the beginning of his reign, and merit any regard.

When Aurungzebe marched from Deccan to contend for the crown, he left Mahomed Mauzim, his second son, to command in his name. When established upon the throne, it was not altogether without apprehension that he contemplated so vast a power in hands which possibly might turn it against him. Mauzim, aware of the jealous disposition of his father, preserved the utmost humility of exterior; avoided all display, either of wealth or power; was vigilant in business; exact in obeying the commands of the Emperor, and in remitting the revenue and dues of his government. He was recalled, notwithstanding his prudence, and Shaista Khan made viceroy in Deccan. At the same time, Aurungzebe, seeking security for the present, by directing hope to the future, declared Mahomed Mauzim heir to the throne, and changed his name to Shah Aulum, or King of the World.

BOOK III. Chap. 4. 1661.

The third year of his reign was visited with a great famine, a calamity which ravages India with more dreadful severity than almost any other part of the globe. It was occasioned by the recurrence of an extraordinary drought, which in India almost suspends vegetation, and, throughout the principal part of the country, leaves both men and cattle destitute of food. The prudence of Aurungzebe, if his preceding actions will not permit us to call it his humanity, suggested to him the utmost activity

of beneficence on this calamitous occasion. The rents of the husbandman, and other taxes, were remitted. The treasury of the Emperor was opened without limit. Corn was bought in the provinces where the produce was *least*, conveyed to those in which it was *most* defective; and distributed to the people at reduced prices. The great economy of Aurungzebe, who allowed no expense for the luxury and ostentation of a court, and who managed with skill and vigilance the disbursements of the state, afforded him a resource for the wants of his people.



It was before the commencement perhaps of this calamity, that the empire was agitated by the prospect of a fresh revolution from a dangerous sickness of the Emperor.[1] The court was full of intrigues; on one hand, for Mauzim, the declared successor; on the other, for Akbar, a young, and even infant son of Aurungzebe. Shah Jehan himself was still alive; and the people in general expected that he would resume the reins of government. But the nation was relieved from its terrors, and from the calamities which too certainly would have fallen upon it. The usurper recovered. But the efforts of Sultan Mauzim, to secure the succession, expressed to the suspicious mind of Aulum gîr, more of the desire to obtain a throne than to preserve a father; and his purpose in regard to the succession, if his declaration in favour of Mauzim had ever been more than a pretence, was from this time understood to have suffered a radical change.

To forward his designs in favour of Akbar, he applied to Shah Jehan, to obtain for that prince, in marriage, the daughter of Dara, who remained in the seraglio of her grandfather. Shah Jehan, though strictly confined in the palace at Agra, had been treated with great respect; retaining his women and servants, and furnished with every amusement in which he was understood to delight. He had not, however, remitted his indignation against Aurungzebe,
and now sent a haughty and insulting refusal. Aurungzebe had prudence not to force his inclination; and, so far from showing any resentment, redoubled his efforts to soften his mind.



The services of Emir Jumla had been rewarded with the government of Bengal. But the mind of Aurungzebe, and indeed the experience of Oriental government, told him, that he was never safe while there was a man alive, who had power to hurt him. He wished to withdraw the Vizer from his government, but without a rupture, which might raise distrust in the breasts of all his Omrahs. To afford him occupation which would detain his mind from planning defection, he recommended to him a war against the King of Assam, who had broken into Bengal during the distractions of the empire, and still remained unchastised. Jumla, who promised himself both plunder and reputation from this expedition, and whose exploring eye beheld an illustrious path through the kingdom of Assam to the conquest of China, undertook the expedition with alacrity. He ascended the Brahmapootra in boats. The Assamese abandoned the country which lies on the side of the mountains facing Bengal; but the fortress of Azo was garrisoned, and stood an attack. After the reduction of Azo, Jumla crossed the mountains of Assam, vanquished the King who took refuge in his capital, forced him to fly to the shelter of the mountains, and became master of a great part of the kingdom. But the rains came on, which in that kingdom are peculiarly violent and lay

the greater part of the level country under water. Jumla found it impossible to subsist his army; and was under the necessity of returning to Bengal. Incredible were the difficulties with which he had to contend; necessaries wanting, the roads covered with water, and the enemy every where harassing his retreat. The capacity of Jumla triumphed over all obstructions; he brought back the greater part of the army safe; and wrote to the Emperor that he would next year carry his arms to the heart of China. But the army, on its return, was afflicted with a dysentery, the effect of the hardships it had endured. The general escaped not; and worn out, as he was, with years and fatigue, fell a victim to the violence of the disease. "You," said the Emperor to the son of Jumla, whom he had recently made generalissimo of the horse, "have lost a father; and I have lost the greatest and most dangerous of my friends."[1]



The next event is ludicrous, perhaps, in itself, but of high importance, as an instance of the power of superstition among the weak and credulous inhabitants of India. Of the professors of devotion and penance, going by the name of Fakîrs, one class is distinguished by wandering about the country in crowds, almost naked, pretending to live by mendicity, but stealing, plundering, and even committing murder, wherever prompted by the hope of advantage. In the territory of Marwâr, or Judpore, an old woman, possessed of considerable property, began to enlarge her liberalities towards the Fakîrs. The sturdy beggars crowded around her, to the number of some thousands, and not satisfied with the wealth of their pious patroness, made spoil of the neighbouring country, and rioted in devotion and sensuality at her abode. The people, exasperated by these oppressions, rose repeatedly upon the saints; but were defeated with great slaughter. The idea of enchantment was generated. The people regarded the old woman as a sorceress; and believed that she compounded for her followers a horrid mess which rendered them proof against human weapons, and invincible. What they were not rendered by enchantments, they were rendered by the belief of them. The Fakîrs, finding themselves, under the auspices of the old woman, too formidable for resistance, assembled in great numbers, and spread their devastations to a wide extent. The Rajah of Marwar attacked them, but was defeated. The collectors of the imperial revenue marched against them with the troops under their command; but sustained a similar disaster. Becoming presumptuous from unexpected success, they resolved on a march to the capital, to the number of twenty thousand plundering saints, with the sacred old woman at their head. About five days' journey from Agra, they were opposed by a body of imperial troops, under the collector of the district. Him they overcame; and now grasped in their imaginations the whole wealth and authority of the state. They set up their old woman as sovereign. Aurungzebe felt the danger to be serious; for the soldiers were infected with the superstitions of the people; and it was hazardous to the last degree, from the terrors with which they might be disordered, to permit them to engage with the sainted banditti. What was first demanded; an antidote to the religious contagion; was invented by Aurungzebe. His own sanctity was as famous as that of the old woman; he pretended that by means of incantation, he had discovered a counter-enchantment; he wrote with his own hand, certain mysterious words upon slips of paper, one of which, carried upon the point of a spear before each of the squadrons, he declared would render impotent the spells of the enchantress. The

Emperor was believed, and though the Fakîrs fought with great desperation, they were all cut to pieces,
except a few whom the humanity of the general led him to spare. "I find," said Aurungzebe, "that too much religion among the vulgar is as dangerous as too little in the monarch."

BOOK III. Chap. 4. 1665.

In the seventh year of the reign of Aurungzebe his father died. The life of Shah Jehan had reached its natural period; but his death did not escape the suspicion of the *pousta*, that detestable invention of despotic fears.1

After the death of Jumla, the Rajah of Arracan had invaded the contiguous quarter of Bengal, and possessed himself of Chittagong and all the country along the coast to the Ganges. He availed himself of the Portuguese settlers, who were numerous at Chittagong, and of their ships, which abounded in the bay of Bengal, and it is said infested the coast and every branch of the Ganges as plunderers and pirates. These evils it consisted not with the vigilance of Aurungzebe to leave without a cure. A new deputy was appointed for Bengal; an army collected itself at Dacca; and descended the river. The enemy, though master of the forts and strong holds of the country, without much resistance retired. The Portuguese were invited to betray them, and made no hesitation by their obedience to purchase for themselves privileges and settlements in Bengal.1

BOOK III. Chap. 4. 1668.

The mistake of a secretary was near involving the empire, not only in hostilities with the whole force of Persia, but in all the horrors of a civil war. Aurungzebe, who had been complimented upon ascending the throne by embassies from the Khan of the Usbeks, and from Abbas II. Shah of Persia, proposed, after settling the affairs of his government, to make the suitable return. The secretary who composed the letters, addressed to the respective sovereigns, inadvertently designated the Shah, by no higher title than belonged to the Khan of the Usbeks. This was interpreted as a meditated insult: and resented by a declaration of hostilities. Aurungzebe wished to explain the mistake, but his ambassador was not admitted even to an audience. His own weapons were tried against him; and he added an illustrious instance to prove, that he who is most practised in the arts of deception is not always the hardest to deceive. Of the Mahomedan army and officers of the Mogul empire, as some were Moguls, some Afghauns, some Turks, and some Usbeks, so a large proportion were Persians, among whom was the Vizir himself. The fidelity of this part of his subjects, Aurungzebe was by no means willing to try, in a war with their native country. A letter was intercepted from Abbas, addressed
to the Vizir himself, importing that a conspiracy existed among the Persian nobles to seize the Emperor when he should take the field. Aurungzebe was transported with apprehension and rage.

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He issued a sudden order to the city guards to surround the houses of the Persian Omrahs, which they were forbidden to quit under pain of death. Aurungzebe found himself on the brink of a precipice. The Persian chiefs were numerous and powerful; a common danger united them; the descendants of the Afghaun nobility, who formed a considerable proportion of the men in power, and hated the Moguls, by whom the Afghaun dynasty had been driven from the throne, were very likely to make common cause with the Persians. Even if guilty, he beheld appalling danger in attempting to

punish them; but he now reflected that he might have been deceived, and wished only for the means of a decent retreat. He sent for some of the principal Omrahs; but they excused themselves from attendance. All had assembled their friends and dependants; fortified their houses, and waited the appeal to arms. After a suspense of two days, the princess Jehanara arrived. She had been sent for, express, upon the first alarm. The favourite daughter of Shah Jehan, by whom the Persians had always been distinguished and exalted, might render, by her mediation, the most important assistance. After a short conference with the Emperor, she presented herself in her chair at the door of the Vizir. This was an act of supreme confidence and honour. The doors of the mansion flew open; the Vizir hastened to the hall of audience, and prostrated himself at the foot of the throne. Aurungzebe descended, and embraced him. Convinced that he had been deceived, he now sought only to obliterate all memory of the offence; and with some loss of reputation, and a remainder of disgust in the breasts of some of the Omrahs, he recovered himself from the dangerous position in which a moment of rashness had placed him. Shah Abbas in the mean time, with a large army, was upon his march toward the confines of India; and Aurungzebe, who had sent forward his son Mauzim to harass the enemy, but not to fight, made rapid preparations to meet him in person. Shah Abbas, however, died in the camp, before he arrived at the scene of action. His successor wished to mount the throne, free from the embarrassment of an arduous war; and Aurungzebe was more intent upon gaining conquests in Deccan than in Persia. An accommodation, therefore, was easily made.1

These transactions were all contained within the first ten years of the reign of Aurungzebe, during which several events had already occurred in Deccan. A new enemy had arisen, whose transactions were not as yet alarming, but who had already paved the way to revolutions of the greatest importance. This was Sevagee, the founder of the Mahratta empire; a power which began when the empire of the Moguls was in its utmost strength; and rose to greatness upon its ruins. In the mountainous regions which extended from the borders of Guzerat to Canara, beyond the island of Goa, lived a race of Hindus, who resembled the mountaineers in almost all the other parts of Hindustan, that is, were a people still more rude and uncivilized than the inhabitants of the plains, and at the same time far more hardy and warlike. They consisted of various tribes or communities, to some of which (it appears not to how many) the name of Mahratta, afterwards extended to them all, was applied.2 Sevagee was the son of Shahjee, a Hindu in the service of Ibrahim Adil Shah, King of Beejapore, from whom he received a jahgire in the Carnatic, with a command of ten thousand horse. Sevagee, when very young, was sent along with his mother to reside at Poonah, of which as a Zemindary, his father had obtained a grant, and of which he entrusted the management, together with the charge of his wife and son, to one of his officers, named Dadajee Punt. The mother of Sevagee was an object of aversion to her husband; and the son shared in the neglect which was the lot of his mother. He grew up under Dadajee, to vigour both of body and mind; and at seventeen years of age engaged a number of banditti, and ravaged the neighbouring districts. Dadajee, afraid of being made to answer for these enormities, and unable to restrain them, swallowed poison, and died; when Sevagee took possession of the Zemindary, increased the number of his troops, and raised

contributions in all the neighbouring districts. Such was the commencement of the fortunes of Sevagee.1

Of his ancestry, the following is the account presented to us. His father was the son of Malojee; and Malogee was the son of Bauga Bonsla, a son of the Rana of Odipoor, by a woman of an inferior caste. The degradation of Bauga Bonsla, from the impurity and baseness of his birth, drove him to seek, among strangers, that respect which he was denied at home. He served, during a part of his life, a Rajah, possessing a Zemindaree in the province of Candesh; and afterwards purchased for himself a Zemindaree in the neighbourhood of Poonah, where he resided till his death. His son Malojee entered the service of a Mahratta chief, in which he acquired so much distinction as to obtain the daughter of his master in marriage for his son. This son was Shajee, and Sevagee was the fruit of the marriage. But Shajee, having quarrelled with his father-in-law, repaired to the king of Beejapore, and received an establishment in Carnatic. He here joined the Polygar of Mudkul in a war upon the Rajah of Tanjore; and having defeated the Rajah, the victors quarrelled about the division of the territory. Shajee defeated the Polygar, took possession of both Mudkul and Tanjore; and having married another wife, by whom he had a son named Ekogee, he left him and his posterity Rajahs of Tanjore, till they sunk into dependants of the East India Company.1



When Sevagee, upon the death of Dadajee, seized the Zemindaree of Poonah, his father was too much occupied in the East to be able to interfere. Aurungzebe was at the same moment hastening his preparations for the war with his brothers; and invited Sevagee to join his standards. The short-sighted Hindu insulted his messenger, and reproached Aurungzebe himself with his double treason against a King and a father. He improved the interval of distraction in the Mogul empire; took the strong fortress of Rayree, or Râjegur, which he fixed upon as the seat of his government; and added to it Porundeh, Jegneh, and several districts dependant on the King of Beejapore. The threats of that power, now little formidable, restrained not his career of plunder and usurpation. He put to death, by treachery, the Rajah of Jaowlee, and seized his territory and treasure; plundered the rich and manufacturing city of Kallean; took Madury, Purdhaungur, Rajapore, Sungarpore, and an island belonging to the Portuguese. At length the Beejapore government sent an army to suppress him. He deceived the general with professions of repentance and offers of submission; stabbed him to the heart at a conference; cut to pieces his army deprived of its leader; and rapidly took possession of the whole region of Kokun or Concan, the country lying between the Ghauts and the sea, from Goa to Daman.



When Aurungzebe, upon the defeat of his rivals, sent Shaista Khan, with the rank of Ameer al Omrah, or head of the Omrahs, to command in Deccan, the Rajah Jesswunt Sing, who had redeemed his treachery in the battle against Suja, by his subsequent dereliction of the cause of Dara, was invested about the same time with the government of Guzerat. As soon as Aurungzebe had leisure to attend to the progress of Sevagee, the viceroy of Guzerat was commanded to co-

operate with the viceroy of Deccan, in reducing and chastising the Mahratta adventurer. Sevagee could not resist the torrent which now rolled against him. The strong fortress of Jegneh was taken. The Ameer al Omrah advanced to Poonah, where he took up his residence. Here a band of assassins made their way to his bed in the night. He himself was wounded in the hand, by which he warded off a blow from his head, and his son was slain. The assassins escaped, and Sevagee himself was understood to have been among them. Circumstances indicated treachery; and the suspicions of Shaista Khan fell upon Jesswunt Sing. These two generals were recalled; and after an interval of two years, during which the Prince Mahomed Mauzim, or Shah Aulum, held the government of Deccan, the two generals, Jey Sing and Dilleer Khan were sent to prosecute the war against the Mahratta chief. Jey Sing was the Rajah of Abnir,1 and Dilleer was a Patan Omrah, who both had obtained high rank as generals in the service of Shah Jehan; and being chosen for their merit as the fittest to guide and enlighten Soliman, when sent against Suja, were the chiefs whom Aurungzebe had gained to betray their master, and debauch his army.



Before the arrival of these generals, Sevagee had with great address surprised and plundered Surat; a city of importance and renown; the chief part of the Mogul empire; and that from which the holy pilgrims commenced their voyage to the tomb of the prophet. The operations of the new commanders turned the tide in Mahratta affairs. The armies of Sevagee were driven from the field; his country was plundered; and Poorundeh, a strong fortress, in which he had placed his women and treasures, was besieged. It was reduced to the last extremity, when Sevagee, unarmed, presented himself at one of the outposts of the imperial camp, and demanded to be led to the general. Professing conviction of his folly, in attempting to contend with the Mogul power, he craved the pardon of his disobedience, and offered to the Emperor his services, along with twenty forts which he would immediately resign. Jeysing embraced the proposal; and Sevagee obeyed the imperial order, to wait upon the Emperor at Delhi. Sevagee had offered to conduct the war in Candahar against the Persians. Had he been received with the honour to which he looked, he might have been gained to the Mogul service, and the empire of the Mahrattas would not have begun to exist. But Aurungzebe, who might easily have dispatched, resolved to humble the adventurer. When presented in the hall of audience, he was placed among the inferior Omrahs; which affected him to such a degree that he wept and fainted away. He now meditated, and with great address contrived, the means of escape. Leaving his son, a boy, with a Brahmen whom he knew at Mutterah, and who afterwards conducted him safe to his father, he travelled as a pilgrim to Juggernaut, and thence by the way of Hyderabad to his own country.1



The prince Shah Aulum, and the Rajah Jesswunt Sing, were sent to supersede the Rajah Jey Sing, who was suspected of an understanding with Sevagee, and died on his way to the imperial presence.2 The change was favourable to Sevagee; because Jesswunt Sing, who had but little affection to the imperial service, allowed the war to linger, and discontents and jealousies to breed in the army. Sevagee was not inactive. Immediately upon his arrival he took royal

titles, and struck coins in his name. His troops, in consequence of his previous arrangements, had been well kept on foot during his absence; and he attacked immediately the Mogul territories and forts. Surat was again plundered; he recovered all the forts which he had resigned, and added some new districts to his former possessions.

BOOK III. Chap. 4. 1668.

The weakness of Beejapore made him look upon the territories of that declining state as his easiest prey. Neither upon that, however, nor any other enterprise, could he proceed with safety, till his forts were supplied with provisions; and provisions, while pressed by the Mogul arms, he found it difficult, if not impossible, to supply. He seems never to have distrusted his own address any more than his courage. By a letter to Jesswunt Sing, he averred, that only because his life was in danger had he fled from the imperial presence, where his faithful offer of services had been treated with scorn; that still he desired to return within the walks of obedience; and would place his son in the imperial service, if any command in the army, not dishonourable, was bestowed upon him. The stratagem succeeded to his wish; he obtained a truce, during which he supplied his forts; he dexterously withdrew his son from the Mogul army; with little resistance he took possession of several important districts belonging to Beejapore; compelled the King to pay him a contribution of three lacs of pagodas, and the King of Golconda to pay him another of four.[1]

The Emperor, displeased with Jesswunt Sing, as well on account of the ill success of the war, as the divisions and jealousies which reigned in the army, recalled him; and several generals were successively sent to conduct affairs under Aulum Shah. In the mean time, the Mahrattas plundered the adjoining countries, retreating with the spoil to their forts, in spite of all the efforts of the imperial commanders. At last, in 1671, the Prince himself was recalled. An Omrah, titled Bahadur Khan, succeeded him; and retained the government till the year 1676. During these years the war produced no remarkable event, though it was prosecuted with considerable activity, and without intermission. The efforts of the Viceroy were divided and weakened, by hostilities with Beejapore and Golconda; which, though they had contributed to the fall of those languishing states, had aided the rising power of Sevagee. In 1677 that chieftain affected to enter into an alliance with the King of Golconda against the King of Beejapore and the Moguls; and marched into the territory of Golconda at the head of an army of 40,000 horse. He proceeded to make conquests with great appearance of fidelity; but placed Mahratta governors in all the fortresses, and enriched himself by plunder. He obtained possession of the impregnable fortress of Gingee by treachery. He laid siege to Vellore, which defended itself during more than four months. An interview took place between Sevagee and Ekojee, the latter of whom, perceiving the insatiable appetite of his brother for power, trembled for his dominions. Before he had time, however, to conquer every thing to the north of the Coleroon, he was recalled to his western dominions.[1] Dilleer Khan, who succeeded Bahadur, carried on the war in a similar manner, and was superseded by Bahadur, who received the command anew, in 1681. The most remarkable occurrence, during the administration of Dilleer, was the arrival in his camp of the son of Sevagee, who had incurred the displeasure of his father, and fled for protection to the Moguls. The event was

BOOK III. Chap. 4. 1671-81.

BOOK III. Chap. 4. 1681.

regarded as fortunate, and a high rank was bestowed upon the young Mahratta; but Sevagee soon found means to regain his confidence, and he had the good fortune to make his escape a little time before his father terminated his indefatigable and extraordinary career.

During all the time of these great and multiplied transactions, a naval war, which we hear of for the first time in the history of India, was carried on between Sevagee and his enemies. At the commencement of his exploits, a chief, distinguished by the name of Siddee Jore, had the government of the town of Dunda Rajapore, a sea-port, to the southward of Bombay, belonging to the king of Beejapore; and at the same time, the command of the fleet, which that sovereign had formed to protect his maritime dominions, and their trade, from the naval enemies which now infested the coasts of India. While Siddee Jore was endeavouring to signalize himself against Sevagee in another quarter, that ingenious adventurer arrived unexpectedly at Dunda Rajapore, and obtained possession of it by a stratagem. The loss of this important place so enraged the King against Siddee Jore that he procured his assassination. At the time of the capture of Dunda Rajapore, however, the heir of Siddee Jore was in the command of the fleet, which lay at the fortified island of Gingerah, before the town. When the outrage was committed upon his father by the king of Beejapore he tendered his services to Aurungzebe, with the fort of Gingerah, and the whole of the Beejapore fleet. The offer, of course, was greedily accepted. Siddee, it appears, was a name, which was applied in common to those Abyssinian adventurers, who had passed over, in great
numbers, from their own country into the service of the kings of Deccan; and had there frequently engrossed a great proportion of the principal offices of state. Of this class of men was the
admiral who had now enlisted himself in the Mogul service. He was joined by a great number of his family and countrymen. He himself was called *the* Siddee, by way of distinction; his principal officers had the term Siddee prefixed to their names; and his crews and followers were in general denominated the Siddees. They carried on an active warfare along the whole western coast of India, and were not only dangerous and troublesome enemies to Sevagee, but formidable even to the British, and other European traders, who frequented the coast.[1]



Sevagee breathed his last, in his fortress of Rayree on the 5th of April, 1682, of an inflammation in his chest, at the early age of fifty-two; having displayed a fertility of invention, adapted to his ends; and a firmness of mind in the pursuit of them, which have seldom been equalled, probably never surpassed. With the exception of the few small districts possessed by the Europeans, his dominions, at the time of his death, comprehended, along the western coast of India, an extent of about 400 miles in length by 120 in breadth, and from the river Mirzeou in the south, to Versal in the north. Of the detached forts, which at one time he had garrisoned in Carnatic, only one or two appear to have at this time remained in his hands.[2]

During these transactions in the south, we are not informed of any other emergency which called the attention of Aurungzebe from the ordinary details of his administration; excepting a war with the Patans

or Afghauns who infested the northern provinces; and another, which the Emperor himself provoked, with the rajpoots of Ajmere and Malwa.

The Governor of Peshawir, to punish an incursion of the Patans, had, in 1673, pursued them to their mountains, where he allowed himself to be entangled in the defiles, and was cut off with his whole army. A Patan, who had served in the armies of Sultan Sujah, and bore a strong resemblance to his person, gave birth to a report, that the Sultan had made his escape from Arracan. The Patans proclaimed him King of India; and all the tribes of that people were summoned to join their forces to place him upon his throne. They were able, it is said, had they united, to bring into the field 150,000 men; and Aurungzebe was roused by the magnitude of the danger. He took the field in person, and crossed the Indus, about the close of the year 1674. The war lasted for about fifteen months, during which the Patans were driven from the more accessible country; and Aurungzebe was too cautious to penetrate among the mountains. A chain of forts was established to restrain them; and the governor whom he left at Peshawir, having exerted himself to gain the confidence of the Patan chiefs, drew them to an entertainment at that place, and murdered them along with their attendants. Though Aurungzebe disowned the action, he obtained not the credit of being averse to it.[1]

It is probable that Aurungzebe, from political motives, projected the reduction of the rajpoot states, viewing with jealousy the existence of so great an independent power, (able, it is said, to bring 200,000 men into the field) to the heart of his dominions. He put on however the mask of religion, and began the execution of a project, or pretended project, for the forcible conversion of the Hindus to the religion of the faithful. Jesswunt Sing, the Maharajah, or Great Rajah, as he was called, having died, near Cabul in 1681, his children, on their return to their native country, were ordered to be conducted to court; where he insisted on their being rendered Mahomedans. Their rajpoot attendants contrived their escape, and fled with them to their own country. The Emperor revenged the disobedience by a war; which he conducted in person. His numerous forces drove the rajpoots from the more accessible parts of their difficult country; but they held possession of their mountains and fastnesses; and the war degenerated into a tedious and ineffectual struggle. Aurungzebe sat down at Ajmere, where he superintended, at a less inconvenient distance, the operations in Deccan, as well as the war with the rajpoots.[1]

Sambah, or Sambagee, the eldest son of Sevagee, succeeded to his throne, but not without a competitor, in a younger brother, whose adherents created him considerable danger, till the principal among them were all put to death. While the war was carried on between the Mahratta and the imperial generals in Deccan, as it had been for several years, by sudden inroads on the one side, and pursuit on the other; but with few important advantages on either; Akbar, one of the younger sons of Aurungzebe, who was employed in the war against the rajpoots, turned his standards against his father, being offered assistance by the enemy whom he was sent to subdue. One of Aurungzebe's tried artifices, that of raising jealousy between associates, enabled him to defeat the

first attempt of Akbar, who fled from the country of the rajpoots, and took refuge with Sambagee.

BOOK III. Chap. 4. 1687.

Both Sambagee and Aurungzebe knew the value of the acquisition. The prince was received with extraordinary honours, by the Mahratta chief, who would not sit in his presence. And Aurungzebe, resolving to extinguish the enemy who had so long troubled his government in the south, arrived with a vast army at Aurungabad, in 1684. After the attack and defence of some forts, with no important result, the prince Shah Aulum was sent into Concan, to reduce the Mahratta fortresses on the sea coast. He found it impossible to procure provisions; the climate disagreed with the Mogul troops; and he was obliged to return with only a remnant of his army.1

In 1687, the Emperor resolved upon the final reduction of the Mahomedan kingdoms of Deccan, Hyderabad or Golconda, and Beejapore, which displayed a greater residue of strength and resources, than their reduced condition had led him to expect. From Ahmednuggur, where the grand camp had already arrived, he moved as far as Sholapore, and sent one army towards Hyderabad, another towards Beejapore.

The general, who led the army of the King of Hyderabad, betrayed his trust, and passed over to the enemy; upon which the King abandoned the open country, and shut himself up in the fort of Golconda. Hyderabad was taken and plundered. That the Sultan Mauzim, however, who commanded, might not have the honour, which he was wise enough not to covet, of taking Golconda, Aurungzebe accepted the humble terms which were offered by the King, and reserved his destruction till another opportunity.

Beejapore made considerable resistance, which was aided by scarcity. After the city had been besieged
for some time, the Emperor proceeded to the attack in person. Famine at last compelled the garrison to surrender; and the young King was delivered into the hands of Aurungzebe.1

BOOK III. Chap. 4. 1690.

He received, about the same time, intelligence of another agreeable event, the departure of Sultan Akbar, from the Mahratta country to Persia. As this lessened greatly, in the eyes of Aurungzebe, the importance of immediate operations against the Mahrattas, he turned from Bejapore towards Golconda. Shah Aulum, with his sons, was seized and put in confinement, for remonstrating, it is said, against the treachery aimed at the unfortunate King of Golconda, who had submitted under pledge of honour to himself. Aurungzebe, in truth, was incurably jealous of his son, because heir to his throne; and was stimulated to ease his mind of a part of its load of terror and distrust. Golconda was invested, and, after a siege of seven months, fell by that treachery, the benefit of which Aurungzebe made it his constant endeavour to procure. He had now the two sovereigns of Deccan in his hands, and the reduction of the outstanding forts was all that remained to complete the extension of the Mogul dominion to the furthest limit of Carnatic.2

This important success was immediately followed by an event which the Emperor regarded as peculiarly fortunate. His spies brought intelligence, that Sambagee, at one

of his forts in the mountains not far distant, was spending his time in a round of his favourite
pleasures, and very imperfectly on his guard. A body of troops was dispatched to surprise him, and he was, in fact, taken prisoner. Sambagee was too formidable to be permitted to live; but the Emperor polluted his fortune by glutting his eyes with the butchery of his enemy; who relaxed not his haughtiness in the presence of death. The efficacy of Sambagee's talents, which were not inconsiderable, was obstructed by his immoderate passion for women, which his father predicted would lead him to his ruin.

BOOK III. Chap. 4. 1690-1700.

The Emperor followed up his advantage with activity, and immediately sent an army into Concan. Its operations were highly successful; and Rayree, which Sambagee and his father had made their capital, together with the wives and infant son of that chieftain, fell into the hands of the victor.1

Rama, however, the brother of Sambagee, escaped from Concan, and, crossing by the way of Seringapatam to Carnatic, threw himself into the fort of Gingee, which was a place of great strength, and by the obstinacy of its resistance, or the interested delays of the imperial generals, retarded the settlement of Deccan for several years. It gave occupation to a great part of the imperial army from the year 1692 to the year 1700; and during that period kept the reduction of Carnatic incomplete.

The Emperor turned his whole attention to the final subjugation of the Mahrattas, and penetrated into the country with his principal army. But while he was employed in the reduction of forts, the Mahrattas, under various chiefs, issued from their mountains, and spreading over the newly conquered countries of Beejapore and Golconda, and even the provinces of Berar, Candesh, and Malwa, carried great plunder back with them, and left devastation behind.
The imperial forces marched to oppose them in all directions, and easily conquered them in battle when they could bring them to an action. But the Mahrattas eluded rencounter, retired to their mountains when pursued, hung upon the rear of their enemy when obliged to return, and resumed their devastations whenever they found the country cleared of the troops which opposed them. The Emperor persevered with great obstinacy in besieging the forts in the accessible parts of the Mahratta country; the greater part of which fell into his hands. But during that time the Mahrattas so enriched themselves by plundering the imperial dominions, and so increased in multitude and power, being joined by vast numbers of the Zemindars in the countries which they repeatedly over-ran, that the advantages of the war were decidedly in their favour, and the administration of Aurungzebe betrayed the infirmities of age. The more powerful Omrahs, who maintained numerous troops, and were able to chastise invaders, his jealous policy made him afraid to trust with the command of provinces. He made choice of persons without reputation and power, who abandoning the defence of their provinces, to which they were unequal, were satisfied with enriching themselves by the plunder of the people. Under so defective a government, the Mahrattas found the whole country south from the Nerbudda open to their incursions. The Emperor persevered in his attempts to subdue them. In that harassing and unavailing struggle were the years consumed which intervened till his death. This event took place, in the camp at

BOOK III. Chap. 4. 1700-07.

Ahmednugger on the 21st of February 1707, in the forty-eighth year of his reign, and ninety-fourth of his age.[1]

BOOK III. Chap. 4. 1707.

At the time when the last illness of Aurungzebe commenced, his eldest son Mahomed Mauzim, who at an early age had received the title of Shah Aulum, was at Cabul, of which, as a distant province where he would be least dangerous, he was made governor, upon his liberation from the confinement in which he had languished for several years. His two remaining sons, Azim Shah, who was subahdar of Guzerat, and his youngest son Kam Buksh, who had been recently appointed to the government of Beejapore, were both in the camp. Aurungzebe, who forgot not his caution to the last, hurried them away to their stations, either fearing lest under his weakness they should seize upon his person while yet alive; or lest they should fill the camp with bloodshed immediately upon his dissolution. Azim had not yet reached his province, when he received the news of the Emperor's decease. He hurried back to the camp, and, no competitor being present, received without difficulty the obedience of the army.

As it was not, however, expected that Shah Aulum would quietly resign his throne and his life, Azim began his march towards the northern provinces. On the news of the Emperor's illness, Shah Aulum had dispatched his commands to his two sons; Moiz ad dien, the eldest, governor of Multan, and Azim Ooshaun, the second, governor of Bengal, to advance with their forces towards Agra. Azim Ooshaun had used so much diligence, that he was enabled to anticipate the arrival of Azim Shah, and got possession of Agra with its treasures. As the two armies were approaching one another in the neighbourhood

BOOK III. Chap. 4. 1707.

of Agra, Shah Aulum addressed a letter to his brother, offering to divide the kingdom. The presumptuous prince rejected the proposal; and the armies came to action; when Azim Shah lost the battle, and he and his two eldest sons their lives. He had committed many important errors; among others offended the generalissimo, the famous Zulfeccar Khan, the favourite general of Aurungzebe, and son of Assud Khan, his vizir. He rejected the advice of this commander at the commencement of the battle, and Zulfeccar with his forces withdrew from the field.[1]

Shah Aulum, who now assumed the title of Bahadur Shah, was chiefly indebted to the prudence and wisdom of Monâim Khan, his minister of finance, for his victory and throne. He rewarded him with the office of vizir; but Assud Khan, the late vizir, and Zulfeccar Khan his son, were received with extraordinary favour: the former being created vakeel muttulluck;[2] the latter meer bukshi;[3] and governor of all Deccan, with the title of Ameer ul Omrah.

Another contest, however, still remained. The throne was promised to Kâm Buksh by his own vanity, and by his astrologers; and though his brother, even when near him with an irresistible army, invited him to enjoy in peace his kingdom of Beejapore, to which he offered to add that of Golconda, the infatuated prince was resolved upon his destruction. It had been the object of his father to render

BOOK III. Chap. 4. 1708.

him, by his power in Beejapore, safe from the jealousy of any of his brothers who might ascend the imperial throne. For this

purpose, he had placed in his service the Turanee Moguls, or that part of the army which consisted of the Mogul adventurers, newly arrived from Tartary, and distinguished from those who had been bred in Hindustan. The chief of these Moguls was Ghazee ad dien Khan, a man of great years and experience; who had acquired high reputation and influence in Deccan during the wars of Aurungzebe. The light, inconsiderate, rash, and inconstant character of Kâm Buksh would have discovered to a less discerning mind than that of Ghazee, the speedy ruin of that prince's hopes; he therefore listened to the friendly proposals of the Emperor, and was appointed Subahdar of Guzerat, while his son Cheen Koolich Khan, a man of great celebrity in the subsequent history of India, was favourably received at court. Kâm Buksh was gradually deserted by almost all his followers; but rushed desperately into battle near Hyderabad with not more than a few hundred attendants. He was taken prisoner; but not till he received a mortal wound, of which he died the same evening.

The Emperor seemed afraid of becoming, like his father, entangled in the labyrinth of Deccanee affairs; and leaving to his officers whatever remained for the settling of those newly conquered regions, he began his march towards the capital, though in the middle of the rains. Zulfeccar Khan, the subahdar of Deccan, left Daood Khan Dunnee, a native of Deccan, his deputy; and followed his master, still further to push his ambitious designs.

The Emperor was not satisfied with the Rajpoot princes, whose disobedience had been provoked by the religious and mischievous war kindled against them at the end of the reign of Aurungzebe. Ajeet
Sing, the successor of Jesswunt Sing, Raja of Odeypore; and Jeysing, the successor of the Rajah, who had rendered himself famous in the wars of Aurungzebe, had formed an alliance, cemented by marriage; and without professing independence of the Mogul power, endeavoured to yield a very limited obedience. Some unavailing measures were taken to reduce them to more perfect subjection. But a new enemy, whose operations began to be serious, and even formidable, rendered it adviseable to accept for the present the nominal obedience of the Rajpoots.



The Seiks, now ravaging the province of Lahore and the northern part of the province of Delhi, committing outrages on the persons of the Moslem, inflamed both the religious and political indignation of the Emperor and his Omrahs. This people, of whom the history is curious, were advancing rapidly to that importance, which renders them at present one of the principal powers in Hindustan. Their origin is to be traced back to the time of the Emperor Baber, when a celebrated Dirvesh, being captivated with the beauty of the son of a grain merchant of the Cshatrya caste, by name Nannuk, brought him to reside in his house, and instructed him in the sublime doctrines and duties of Islamism. Nannuk aspired beyond the merit of a learner. From theological writings which he perused, he selected, as he went on, such doctrines, expressions, sentiments, as captivated his fancy. At length his selections approached to the size of a book; and being written (it is said with elegance) in the Punjabee dialect, or language of the country, were read by various persons, and admired. The fame of Nannuk's book was diffused. He gave it a name, *Kirrunt*,1 and, by degrees, the votaries

of *Kirrunt* became a sect. They distinguished themselves by a peculiar garb and manners, which resembled those of the Moslem fakîrs. They united so as to live by themselves apart from the other inhabitants; and formed villages or communities, called *Sangats*, in which some one, as head of the community, always presided over the rest. Nannuk was followed by nine successors in the office of chief, or patriarch of the whole sect; during whose time the Seiks led peaceable and inoffensive lives. Teeg Bahadur, the tenth in order, was perpetually followed by a large multitude of the enthusiasts of the sect; and united himself with a Mussulman fakîr who had a number of followers approaching that of his own. To subsist so numerous a body of idle religionists, the neighbouring districts were laid under contribution; and the saints having tasted the sweets of a life of plunder and idleness, pushed their depredations, and became the scourge of the provinces. Aurungzebe, who was then upon the throne, commanded the governor of Lahore to seize the two leaders of the banditti; to banish the Mussulman beyond the Indus; and to conduct the Hindu to the fort of Gualior; where he was put to death. The loss of their patriarch was far from sufficient to extinguish the religious flame of the Seiks. A son of Teeg Bahadur, whose family name was Govind, was raised to the vacant supremacy, and was distinguished by the name of Gooroo Govind, Gooroo being the title bestowed by a Hindu on his religious instructor. The fate of his father taught him audacity; he instructed his followers, hitherto unarmed, to provide themselves with weapons and horses; divided them into troops; placed them under the command of those of his friends in whose conduct and fidelity he confided; and plundered the country by force of arms. He was not, however,



able to withstand the troops of the province, which were collected to oppose him; his two sons were taken prisoners, and he himself fled among the Afghauns. After a time he came back, disguised as an Afghaun devotee; but falling into mental derangement, was succeeded by Banda, one of his followers, who assumed the name of Gooroo Govind, and resolved to take vengeance on the Moslems for the slaughter of the father and sons of his predecessor. To the robbery and plunder which had become the business of the Seiks, he added cruelty and murder. The Moslem historians of these events are filled with horror as well as indignation at the cruelties which he exercised upon the faithful (to them alone, it seems, did they extend) and describe as one of the most sanguinary of monsters the man whose actions, had infidels been the sufferers, and a Mussulman the actor, they might not, perhaps, have thought unworthy of applause. It was this Banda whose enormities Shah Aulum hurried from Deccan to interrupt and chastise. The rebels (so they were now denominated) deserted Sirhind upon the approach of the Emperor, and retired to Daber, a place of strength, at the entrance of the mountains, and the principal residence of the Gooroo. When Daber was reduced to the last extremity, Banda, with his principal followers, retired to the mountains during the night. The presence of the Emperor suspended, but did not extinguish, the depredations of the Seiks.[1]



Shah Aulum had reigned five years, counting from the death of Aurungzebe, with the praise of great humanity, having spilt the blood of no rival but in the field, and treating the sons of his rebel brothers like his own; when he was seized with a violent illness, and expired suddenly in his camp, near Lahore, in the year 1712.

The four sons of Shah Aulum, each with his army and retainers, were in the camp; Moiz ad dien Khan, the eldest; Azeem Ooshaun, the second, the favourite of his father; Ruffeh Ooshaun, the third; and Kojesteh Akter, the youngest. Of all the Omrahs, the vizir Monaim Khan being dead, Zulfeccar Khan was by far the most powerful; and doubted not to place on the musnud any of the princes whose cause he should espouse. Azeem Ooshaun, who had in the camp a large treasure of his own, and from his situation near his father was enabled to possess himself of all the imperial treasure and effects, assumed the sceptre without hesitation. Zulfeccar Khan sent to him a confidential messenger, to ask if, in that emergency, he could render him any service; and receiving a careless and disdainful answer, took his resolution. He passed to the camp of Moiz ad Dien, and formed or confirmed a union of the three brothers, who agreed to oppose Azeem Ooshaun, and afterwards to divide the empire. Azeem Ooshaun lost the favourable opportunity of attacking his brothers. He allowed the time to pass; till they made their preparations; and till his own army, becoming uneasy and dispirited, began to disperse. When the inevitable hour arrived, he was conquered without much difficulty, and disappeared in the battle; his wounded elephant, it is supposed,
rushed with him down the precipice into the river, where both sunk to appear no more.



To the surviving princes it remained to settle the partition on which they had agreed; but Zulfeccar Khan had other designs. Whether from selfish motives, or a patriotic dread of the consequences of division; whether because that prince was the weakest, and might be governed, or the oldest, and had the better title, the Ameer ul Omrah resolved to make Moiz ad Dien sole Emperor, and to defeat the expectations of the other two. By various artifices, creating difficulties and delay, he contrived to secure the greater part of the treasure to Moiz ad Dien. This roused the jealousy of Kojesteh Akter, and he prepared for action; but the night before the projected battle a fire broke out in his camp, and he lost the greater part of his ammunition. He and his son fought with gallantry, but his soldiers deserted him during the engagement, and gave an easy victory to his more fortunate brother. Ruffeh Ooshaun stood aloof during this action; still confiding in the friendship of Zulfeccar Khan, and reserving himself to fall upon the victor. While he waited with impatience for the morning, having been dissuaded from attacking the successful army the same night, intelligence of his design was carried to the Ameer ul Omrah, who made preparations to receive him. The victory was not a moment doubtful, for the army of the prince almost immediately dispersed, and he was slain, fighting bravely amid a few attendants.[1]



Moiz ad Dien was proclaimed Emperor with the title of Jehandar Shah. He possessed not abilities to redeem the weaknesses by which he exposed himself to the disapprobation of his people; and his government and person fell into contempt. He was governed by a concubine, who had belonged to the degraded and impure profession of public dancers, and shed infamy upon the man with whom she was joined. The favours of the crown were showered upon the mean relations, and ancient companions of Lall Koor (such was the name of the mistress), who did not always enjoy them with moderation. The Emperor, who loved the jollity of debauch, exposed himself about the city in company with Lall Koor and her favourites, in situations where dignity was apt to be

lost. The nobles were offended, because a new set of favourites intercepted the rays of imperial favour; and the people were disgusted at the sight of vices in their sovereign, which shed degradation on the meanest of themselves.

Jehandar Shah was, from these causes, ill prepared to meet the storm which shortly after he was summoned to face. When Azim Ooshaun marched from Bengal to assist his father in the struggle for the crown, he left behind him his son Feroksere. Upon the defeat of Azim Ooshaun, and the elevation of Jehandar Shah, it became necessary for Feroksere to think either of flight or of resistance. There were two brothers, Abdoolla Khan, and Hussun Khan, of the high birth of Syeds, or descendants of the prophet, who had distinguished themselves in the service of Azim Shah, and, having afterwards attached themselves to Azim Ooshaun, were by him appointed, the one to the government of Allahabad; the other, to that of Bahar. Feroksere succeeded in gaining the support of these brothers, whose talents were powerful, and their reputation high. The counsels of Jehandar were divided. The powers and services of Zulfeccar Khan were eclipsed by the favour of Kokultash Khan, the foster brother of the Emperor. The talents of Kokultash were unequal to the conduct of any important affair. The abilities of Zulfeccar were restrained, and his ardour cooled, by the success with which Kokultash thwarted his designs. Neither wished to take the command of the army, which, compelling him to quit the Emperor, left the imperial power in the hands of his rival. Time was consumed during these intrigues. In the end, Aiz ad Dien, the eldest son of the Emperor, and with him, for his guide, a relation of the foster brother, a man without talents or experience, proceeded to the reduction of Feroksere. The two armies met at Cudjwa, a town in the district of Corah, where Aurungzebe and Sujah had formerly engaged. But the conductor of Aiz ad Dien fled with him during the night which was expected to precede the battle; upon which the army either dispersed or joined Feroksere. By an advice of Syed Abdoolla, for which it is difficult to account, Feroksere halted for several days, instead of rapidly improving his advantage. Jehandar Shah had now to put life and empire upon the fate of a battle. All that could be assembled of the imperial forces marched towards Agra, with the Emperor himself at their head. Feroksere also arrived on the opposite side of the river, and the two armies faced one another for several days. At last Feroksere unexpectedly crossed the river in the night; and battle was joined the following day. The line of the imperial army was soon broken, and confusion ensued. Zulfeccar Khan, indeed, fought with a gallantry not unworthy of his former renown, and kept the field when he and his followers remained alone. Not despairing to rally the army, and renew the action on the following day, he dispatched messengers in all directions, but in vain, to search for the Emperor during the night. That unhappy prince had taken the road in disguise toward Delhi, of which Assud Khan, the father of Zulfeccar, was governor. After intelligence of his arrival, the friends of the late Azim Ooshaun surrounded his palace, and demanded the custody of his person. To quiet their clamours, or to lay a foundation of merit with the future sovereign, Assud Khan placed him in confinement; and wrote to Feroksere that he waited for his commands to dispose of the prisoner. So gracious an answer was received, as dissipated the fears of Assud Khan, and enabled him to prevail upon his son, who had arrived at Delhi, to trus himself in the hands of Feroksere. The credulity of Zulfeccar deceived him; for



BOOK III. Chap. 4. 1713.

he might have escaped to his government of Deccan, where his talents would have enabled him to set the imperial power at defiance. He was strangled by order of Feroksere, and his dead body was exposed about the streets of Delhi, at the same time with that of his master Jehandar Shah.1

Feroksere began his reign in the year 1713, with the usual performances of an Oriental despot; that is, the murder of all who were the objects of his apprehension. After this the two Syeds, to whom he owed both his life and his throne, were elevated; Hussun to the post of Bukshi, or paymaster of the forces, with the title of Ameer ul Omrah; and Abdoolla to that of Vizir, with the title of Koottub al Mulk, or axis of the state. Cheen Koolich Khan,

BOOK III. Chap. 4. 1713.

the son of Gazee ad Dien Khan, who was chief of the Tooranee Moguls in the Deccan at the end of the reign of Aurungzebe, was known to have lived on adverse terms with Zulfeccar Khan; and by this circumstance, as well as by the weight which was attached to his reputation for talents, and his connexion with the Tooranee lords, was recommended to the attention of the new government. He was appointed to the regency or subahdarry of Deccan, and decorated with the title of Nizam al Mulk, or composer of the state; a common title, which he rendered remarkable, in the modern history of India, by transmitting it to his posterity, and along with it a kingdom, in that very region which he was now sent, and but for a little time, to superintend.

Ferokscre was a weak prince, governed by favourites. The two Syeds had laid such obligations upon their sovereign, and possessed such power, chiefly from the inconsiderate cruelty of Ferokscre, who had killed Zulfeccar and others by whom they might have been restrained, that they could brook neither rival nor partner in disposing of the state. Their chains soon became heavy on Ferokscre. A ware of his impatience, they made such efforts to render themselves secure against the effects of his malice, as embroiled the state from the very commencement of his reign.

The first of the contrivances of Emir Jumla (this was the name of the favourite, a man who had formerly been cauzy at Dacca,) was to separate the brothers, under the pretence of honourable employment. The Rajah Ajeet Sing, whom we have already mentioned as the successor of Jesswunt Sing, in that district or division of Rajpootana which was known by the name of Marwar or Rhatore, and of which Chitore and Odeypore had been successively the capitals,

BOOK III. Chap. 4. 1718.

had stood out against the operations of Aurungzebe, and remained in a state little short of independence, during the reigns of Shah Aulum and Jehandar Shah. Hussun, the Ameer al Omrah, was required to undertake the reduction of the rebellious Hindu. He marched with so great a force that the Rajah deemed it better to yield than contend; and though he received private encouragements from the court, where he was assured that opposition would be gratefully considered, he concluded an agreement with Hussun, impatient to return to the capital, where his brother's letters assured him, that designs were ripening for their common destruction.

Though Abdoola, the Vizir, had talents and other eminent qualities; he was so addicted to women and other pleasures, that he neglected business; and let the affairs

of his high office devolve into subordinate hands, whose mismanagement shed discredit and unpopularity on himself. His enemies therefore enjoyed advantages, which in the absence of his brother they were eager to improve. Upon the return of Hussun from Marwar, he demanded the regency of Deccan, with a view to govern it by deputy, and remain at court; and he received the appointment, in expectation of his being called to that distant province by the duties of his trust. When it was found, at last, that he had no intention to depart for Deccan, the misunderstanding between the court and the brothers became public and undisguised. They forbore attendance upon the Emperor; assembled their followers, and fortified themselves in their palaces; while the weak and timid Feroksere, who desired, without daring to attempt, their destruction, formed and abandoned twenty resolutions in a day. After a period of anxiety and alarm, a reconciliation was effected by mediation of the empress-mother, who was favourable to the Syeds, and by whom, it is said, that intelligence was sometimes conveyed to them of the plots by which their lives were essayed. The agreement was, that Meer Jumla, being appointed to the government of Bahar, should depart for that province, at the same time that the Ameer al Omrah should proceed to Deccan.[1]



Hussun told the Emperor, that if mischief were aimed at his brother, he would in twenty days be in the capital from Deccan. The first danger, however, regarded himself. Daood Khan Punnee, the Afghaun, who had been left deputy by Zulfeccar, and obtained the province of Guzerat, upon the appointment of Nizam al Mulk to the regency of Deccan, was ordered to Boorahanpore, ostensibly to wait upon the Subahdar of Deccan, and receive his commands; but with secret instructions to assail the Syed and cut him off. Great expectations were entertained of the Afghaun, who, being a man of prodigious bodily strength, great courage, and not devoid of conduct, had risen to the highest repute as a warrior. It is not unworthy of remark, that he had associated with himself a Mahratta chief, named Neemajee Sindia, who had been taken into the imperial service by Shah Aulum, honoured with a high rank, and gifted with several jagheers in the vicinity of Aurungabad. Hussun had a severe conflict to sustain; and had not a matchlock ball struck Daood, at the moment when the advantage seemed hastening to his side, the day might have been fatal to the fortune of the brothers. When the Emperor heard of the failure of his project, he could not, even in the presence of Abdoolla, suppress his chagrin; and observed that Daood was a brave man unworthily used. Abdoolla replied, that if his brother had fallen, the victim of perfidy, the imperial mind would have experienced more agreeable sensations.

BOOK III. Chap. 4. 1719.

About this time, Banda, the patriarch and captain of the Seiks, fell into the hands of his enemies. He had soon collected his followers, after they were dispersed by Shah Aulum; and spread more widely his depredations and authority in the contiguous provinces. The Subahdar of Lahore had been sent against him, shortly after the accession of Feroksere; but was defeated with great slaughter. The Faujdar, or military and judicial chief of Sirhind, was next commanded to take the field; but was assassinated in his tent, by a Seik, especially commissioned for that purpose. The governor of Cashmere was then removed to the government of Lahore, and appointed

to act against the heretics or infidels, with a great army. After many severe engagements, Banda was driven to seek refuge in a fort; where famine at last compelled him to surrender. Great cruelty was exercised upon his followers; and he himself was carried to the capital, where he was ignominiously exposed, and afterwards put to death by torture.

It would be useless and disgusting to describe the scenes to which the hatred of the Emperor and the jealousy of the Vizir gave birth in the capital. When the Ameer al Omrah arrived in Deccan, he found the power of the Mahrattas arrived at a height which was not only oppressive to the provinces but formidable to the imperial throne. Sahoo Rajah, or Sahogee
the son of Sambagee, had succeeded to the authority of his father and grandfather, as head of the Mahrattas, and had, during the distractions in the Mogul empire, experienced little resistance in extending the sphere of his domination and exactions. Towards the close of the reign of Aurungzebe, the widow of Rama, the brother of Sambagee, who during the minority of Sahogee enjoyed a temporary authority, had offered to put a stop to all the predatory incursions of the Mahrattas under which the imperial provinces in Deccan so cruelly suffered, on condition of receiving a tenth part, which they call Deesmukkee, of the revenues of the six provinces which composed the viceroyalty of Deccan. The pride of Aurungzebe revolted at the humiliating condition; and the offer was rejected with scorn. Daood Khan Punnee, however, who governed the country, as deputy of Zulfeccar, during the reigns of Shah Aulum and Jehandar, and who cultivated the friendship rather than the enmity of the Mahrattas, agreed to purchase deliverance from their incursions by the payment of even the chout, or fourth part of the revenues of the Deccanee provinces, reserving only such districts as were held in jagheer by any princes of the blood royal, and excluding the Mahrattas from the collection, which was to be performed by his own officers alone. Upon the arrival of Nizam al Mulk as Viceroy of Deccan, the chout gave rise to dispute and hostilities; in which the Viceroy gained a battle, and might have further checked the pretensions of the freebooters, had he not been recalled, after enjoying the government one year and some months. The Ameer al Omrah sent a force to dislodge a Mahratta chief who had established a chain of mud forts along the road from Surat to Boorahanpore; and by means
of them plundered or levied a tax upon the merchants who trafficked between the two cities. The commander allowed himself to be drawn by the wily Mahratta into a place of difficulty; where he and the greater part of his soldiers lost their lives. A still stronger force was sent to dislodge the plunderer; who declined an action; and was followed by the imperial general as far as Sattara, the residence of Sahogee. But before Sattara was besieged, the Ameer al Omrah, understanding that danger was increasing at Delhi, and that even Sahogee had received encouragement from the Emperor to effect his destruction, resolved, on any terms, to free himself from the difficulties and embarrassment of a Mahratta war. He not only granted the chout, but he added to it the deesmukkee; nay, admitted the Mahratta agents, with a respectable force at Aurungabad, to perform the collection of their own portion of the taxes. The provinces were thus freed from the ravages of military incursion; but the people were



BOOK III. Chap. 4. 1719.

oppressed by three sets of exactors, one for the imperial revenue, one for the chout, another for the deesmukkee.

Meanwhile a new favourite had risen at court, recommended to the Emperor by a double tie, a fellowship in disreputable pleasures, and promises to cut off the Syeds without the danger of a contest. By his advice, the most powerful chiefs in the empire were invited to court; Nizam al Mulk, from his government of Morâdabad; Sirbullund Khan, from that of Patna; and the Rajpoot princes, Jeysing of Ambere or Jagenagur; and, the father-in-law of the Emperor, Ajeet Sing of Rhatore. Had these chiefs perceived a prospect of sharing among themselves the grand posts of the empire, they would have undertaken the destruction of the Syeds; but they found the despicable Feroksere so infatuated with his unworthy favourite, that he alone was destined to be the organ of power. Ajeet Sing, perceiving the miserable state of the imperial councils, lost no time in uniting himself with the Vizir.



The increasing violence of the councils pursued for the destruction of the Syeds, and the union, which the removal of the favourite would suffice to form against them, of so many powerful chiefs, induced Abdoolla to summon his brother from Deccan, and to meditate a decisive step. No sooner did the Emperor hear that Hussun was in motion, than, struck with apprehension, he solicited reconciliation with the Vizir. They exchanged turbans, and vows of fidelity, which were equally sincere on both sides. A messenger of rank was dispatched towards Hussun, to declare the reinstatement of his family in the plenitude of imperial favour; while Hussun, giving up to the Mahrattas such forts as he could not garrison, proceeded to the capital with an army, of which ten thousand were Mahrattas; attended by a youth, whom he received from Sahogee as a son of Sultan Akbar, and treated with all the respect due to a grandson of Aulumgir, and a competitor for the imperial throne. In the mean time the Vizir had found little difficulty in detaching from the hopeless cause of the Emperor, Nizam al Mulk, and the other chiefs of the intended conspiracy. Jeysing alone adhered to Feroksere, advising him to take the field in person, and, by the weight of the imperial name, bear down the cause of rebels and traitors. The pride and the resentments of Feroksere made him incline to violent measures during one moment; his fears and pusillanimity made him incline to submissive measures the next. After an interval, during which these passions violently alternated in his breast, he threw himself upon the mercy of the Syeds, and submitted to all their demands. It is not certain that they meant to depose him; but during these violent proceedings, tumults arose in the city; Feroksere shut himself up in the women's apartments, and refused to come out; his friends and servants took arms; the commotions became alarming, and a moment might be productive of fatal events. After repeated entreaties, the Vizir was at last compelled to violate the sanctity of the secret apartments; Feroksere was dragged forth, and put in confinement; Ruffeh al Dirjaut, son of Ruffeh al Kudder, a grandson of Aurungzebe by a daughter of Akbar, was taken from among the confined princes, and seated on the throne; his accession was announced by the sound of the nobut, and firing of cannon; and, in a few hours, the commotions, which seemed ready to overwhelm the city, gave place to tranquillity and order.

Feroksere was rather more than six years on the throne. His successor was labouring under a consumption, and died in five months after his exaltation. During this interval, Feroksere suffered a violent death, but whether at his own hand, or that of the brothers, is variously affirmed. Except in the palace, the offices of which were filled entirely with the creatures of the Syeds, the different functionaries of the state were confirmed in their situations. Nizam al Mulk, who liked not the complexion of the times, desired leave to retire; but he was prevailed upon to accept the government of Malwa.

Ruffeh al Dowlah, the younger brother of Ruffeh al Dirjaut, was chosen to supply the vacancy of the throne. But the Governor of the citadel of Agra had under his charge a son of Akbar, the youngest son of Aulumgîr; and, in hopes of being joined by other lords, inimical to the Syeds, as well as by Jeysing, who, through influence of the brothers, had been dismissed to his own country before the dethronement of Feroksere, proclaimed the son of Akbar, King. The Syeds left no time for the disaffected to combine; and the Governor, finding his undertaking desperate, put an end to his life. The sickly youth, who this time also was placed upon the throne, followed his predecessor in three months. Rooshun Akter, a son of Kojesteh Akter, the youngest son of Shah Aulum, was the Prince who now was taken to fill the dangerous throne.



Mahomed Shah (that was the name which the new sovereign adopted) began his reign in the year 1720. He was in his seventeenth year; had been confined along with his mother, a woman of judgment and prudence, from the beginning of the reign of Jehandar Shah, and reared by her in great silence and obscurity.

The Syeds were now deprived of all grounds of jealousy and resentment towards the throne; for the Empress-mother advised, and the Emperor practised the most perfect submission to their will. But among the great lords of the empire were some, who beheld not their triumphs and power, without envy and hatred. The Governor of Allahabad had been guilty of some marks of disrespect. Shortly after the accession of Mahomed, Hussun marched to chastise him. The Governor died while Hussun was yet upon the march; and his nephew, though he stood upon the defensive, offered to lay down his arms, provided Rajah Ruttun Chund, the famous Duan of the Vizir, were sent to negociate the terms of his submission. The difficulty of besieging Allahabad, strongly defended by the Jamna and the Ganges, which meet under its walls, allayed in the bosom of Hussun, the thirst of revenge. He listened to the proposition of the nephew, and gave him the government of Oude, in exchange for that which his uncle had enjoyed.



Mahomed Ameed Khan, one of the Tooranee Omrah, remaining at court, began to excite the suspicions of the Syeds; but Nizam al Mulk soon became the principal object of their attention and fears. Upon taking possession of his government of Malwa, he found the province, owing to the late distractions of the empire, overrun with disorder; the Zemindars aiming at independence, and the people either become robbers themselves, or suffering from bands of robbers, who plundered the country with impunity. The vigorous operations demanded for the suppression of these enormities, justified the Nizam in raising and maintaining troops; in providing

his garrisons; in adopting all the measures, in short, which were best calculated to strengthen his position. The Syeds were not slow in discerning that these preparations looked beyond the defence of a province. Policy required the removal of the Nizâm. The most respectful intimations were conveyed to him, that as Malwa lay half way between Deccan and the capital, it was pointed out as peculiarly convenient to form the place of residence for the Ameer al Omrah, who, from that station, could both superintend his viceroyalty in Deccan, and watch the operations of the court; and four Subahs were pointed out to Nizam al Mulk; Multan, Candesh, Agra, and Allahabad; of which he was invited to make his election in exchange. Policy might counsel the non-compliance of the Nizam; but pride and vanity counselled an insolent reply, which precipitated hostilities on both sides. The brothers sent an army against Malwa. The Nizam resolved to take possession of Deccan. He crossed the Nerbudda: got, through bribery, possession of the strong fortress of Asere, and the city of Boorahanpore; was joined by Eiwuz Khan, Subahdar of Berar, his relation; by a Mahratta chief, who had quarrelled with Sahogee; and, by a variety of Zemindars. He encountered and defeated the army which the brothers had sent to oppose him; conquered, and slew in battle the governor of Aurungabad, who marched out to meet him; and remained without a rival in Deccan. The Governor of Dowlatabad held out; but the Governor of Hyderabad joined him with 7000 horse. In addition to all these fortunate events, he was encouraged by messages from the court, from Mahomed Ameen Khan, and from the Emperor himself, that his opposition to the Syeds should meet with their support.

BOOK III. Chap. 4. 1720.

The brothers wavered; and permitted time to be lost. Ruttun Chund recommended, what was probably wise, to gain Nizam al Mulk by resigning to him Deccan; and, with vigilance, to guard the rest of the empire. Pride rejected this proposal. It was at last determined, that Hussun, accompanied by the Emperor, should proceed with a great army to Deccan, while Abdoola should remain to guard the capital. The troops were assembled; the march began; and had continued during four or five days, when Mahomed Ameen Khan conceived his plan to be ripe for execution. He had associated with himself Saadut Khan, afterwards Nabob of Oude, progenitor of the now reigning family; and another desperado, named Hyder Khan, in a conspiracy, with the privity of the Emperor, to assassinate the Ameer al Omrah. The lot fell upon Hyder to strike the blow. Hussun, who received a mortal stab, had strength to cry, “Kill the Emperor!” but the conspirators had taken measures for his protection; and, though the nephew of the deceased armed his followers, and endeavoured to penetrate to the Emperor, he was overpowered and slain, while his tents were plundered by the followers of the camp.

BOOK III. Chap. 4. 1720-32.

The dismal news was speedily conveyed to Abdoolla, who was on his march to Delhi. He advanced to that city; took one of the remaining princes, and proclaimed him Emperor; found still the means to assemble a large army, and marched out to oppose Mahomed. A great battle was fought at Shahpore; but the Vizir was vanquished and taken prisoner. The Emperor, after little more than a year of tutelage, entered his capital in great pomp and ceremony, and was hailed as if it had been his accession to the throne.

The weakness of Mahomed Shah's administration, whose time was devoted to pleasure, and his mind without discernment and force, was soon felt in the provinces. The Rajah, Ajeet Sing, with a view to bind him to the cause of Mahomed, had, through the hands of the Empress-mother, at the time of the accession, received a firmaun appointing him Governor of Guzerat and Adjmere during life. The grant was now revoked, and Ajeet Sing rebelled. After some vain demonstrations of resentment, the Emperor was obliged to submit to concessions and indulgence.

The Afghauns about Peshawir rose in arms; and, after an obstinate engagement, defeated and took prisoner the son of the Governor of the province.

These, and other disorders, were expected to be redressed upon the arrival of Nizam al Mulk, who was invited from Deccan to receive the office of Vizir. He earnestly exhorted the Emperor to apply his own mind to affairs, and to infuse vigour into government, now relaxed and dissolving, through negligence and corruption. But the pleasantries of his gay companions, who turned the person and the counsels of the old and rigid Vizir into ridicule, were more agreeable to the enervated mind of Mahomed; and the Nizam, in disgust, under pretence of coercing a refractory Governor in Guzerat, withdrew from the capital. Saadut Khan was about the same time appointed Subahdar of Oude.

BOOK III. Chap. 4. 1732.

The Nizam, having reduced to his obedience the province of Guzerat, and taken possession of Malwa, which was also added to his extensive government, paid another visit to the capital, where he found the temper of administration as negligent and dissolute as before. Despairing, or careless of a remedy, and boding nothing but evil, he only thought of securing himself in his extensive dominions; and, under pretence of a hunting excursion, left the capital without leave, and pursued his march to Deccan. The Emperor, who now both hated and feared him, dispatched a private message to the Governor of Hyderabad to oppose and cut him off, with a promise of all his government of Deccan, as the reward of so meritorious a service. The bribe was too great to be resisted; but the undertaker paid the forfeit of his temerity with his life. The Nizam, however, was deprived of his Vizirit, and of his new governments of Malwa and Guzerat. To be revenged he encouraged his deputy in Guzerat to resist the imperial commands; and the Mahratta chiefs Peelajee and Coantojee to invade the provinces. Some inadequate and unavailing efforts were made to oppose the progress of these Mahratta chiefs; who were afterwards joined, still at the instigation, it is said, of the old Nizam, by Bajeeraow, the general of Sahogee. The struggle was upheld, with more or less of vigour, by the imperial deputies, till about the year 1732; when the provinces of Guzerat and Malwa might be regarded as completely reduced under Mahratta dominion. Never contented with present acquisitions, the Mahrattas made endless encroachments; and, by degrees, seized upon several districts in the Subahs of Agra and Allahabad, plundering even to the vicinity of Agra. When opposed by an army, they retreated; scoured the country; cut off supplies; and made flying attacks. When the opposing army was obliged to retrace its steps, they immediately re-seized the country; and still more extensively diffused their depredations.

BOOK III. Chap. 4. 1735.

During the calamities of the empire, Saadut Khan alone, among the different Omrahs and Governors, exhibited any public spirit, or any manliness and vigour. Though his province, placed beyond the Ganga, was little exposed to the devastations of the destructive Mahrattas, he marched out, in 1735, to chastise a body of them, who were plundering to the very walls of Agra; overtook them by forced marches, brought on a battle, and gave them a signal overthrow. The wreck of the army joined Bajeeraow, in the neighbourhood of Gualior. Saadut Khan intended to follow up his blow, to pursue the marauders to their own country, and redeem the lost honour of the imperial arms. But the Ameer al Omra, jealous of the glory, sent him orders to halt, till he should join him with the troops of the capital. Bajeeraow, having time to restore animation to the Mahrattas, and learning the removal of the troops from Delhi, marched with Mahratta speed towards that capital, and communicated the first intelligence of his stratagem by the fires which he lighted up in the suburbs. He was in possession of the outskirts of the city for three days before the approach of the imperial army made it necessary for him to decamp. He took the road to Malwa; and the pusillanimous monarch was advised by his dissolute courtiers to purchase the promise of peace by paying the chout, or fourth, of his revenues to the Mahrattas.

BOOK III. Chap. 4. 1735.

A more dreadful enemy was now about to fall upon the misgoverned empire. The Sophis, whom in the reign of Shah Jehan we left sitting upon the throne of Persia, had sunk into that voluptuousness and neglect of the business of government, which so uniformly accompany the continued possession of power; relax the springs of the existing government; and prepare the way for an usurper. In this state of the country, the range of mountains placed near the confines of Persia and India, which had already given a race of sovereigns to Hindustan, produced a chief, who with his rude and hardy countrymen, the mountaineers of Afghaunistan, invaded Persia, and pushed his conquests against the feeble Hussun Shah; whose government was, moreover, distracted, by the wretched factions of the black eunuchs, and the white. Though the Afghaun was assassinated, he was succeeded by a nephew, an enterprising youth of eighteen years of age. The provinces near the Caucasus and the Caspian, as well as those near the Indus, revolted. The Afghaun in 1722 laid siege to Ispahan itself, and the wretched Hussun laid his crown at his feet. In the mean time a son of Hussun, whose name was Thamas, escaped from massacre, and was joined by as many people as still adhered to his family or person, in the neighbourhood of Tauris; among others by Nadir, the son of a shepherd of Chorasan, who, by the sale of part of his father's flocks, had hired a banditti, with whom he scoured and plundered the country. By his daring courage, and indefatigable activity, he soon distinguished himself among the followers of the fugitive Prince. He took the name of Thamas Koolee Khan, or Khan the slave of Thamas.

Such a man found it easy in Persia to increase the number of his followers, whom he subsisted and rewarded by the plunder of the country. In a short time he was daring enough to measure swords with the Afghaun himself, and prevailed. In 1729 he retook Ispahan, pursued the usurper to Afghaunistan itself, vanquished and took him prisoner. Thamas, whom he acknowledged as king of Persia, he retained in confinement, and, governing in his name, turned his arms against the Turks, who had made encroachments on the western provinces of Persia during the declining vigour of the Sophis. Having

BOOK III. Chap. 4. 1736.

conducted this war with success, he felt his power sufficient to pull off the mask. He proclaimed himself King, by the title of Nadir Shah, in the year 1736; and put out the eyes of the unfortunate Thamas.

The restless and enterprising Afghauns, who regretted the loss of Persia, still kept up disturbance on its eastern frontier; and they provoked the proud and furious Nadir to undertake a war of little less than extermination. Not satisfied with driving them from all the accessible parts of their own country, he made his way into Candahar, which had for some generations been detatched from the Mogul empire, and annexed to that of Persia. Cabul, which already contained a great mixture of Afghauns, was now crowded with that people, flying from the cruelties of the foe. Nadir was not soon tired in the pursuit of his prey. He had reason to be dissatisfied with the government of Hindustan, to which he had sent repeated embassies; received with something more than neglect. In the general negligence and corruption which pervaded the whole business of government, the passes from Persia into Cabul were left unguarded. The Persian protested that he meant neither hostility nor disrespect to his brother of Hindustan; and that, if not molested, he would chastise the accursed Afghauns, and retire. The opposition he experienced was, indeed, so feeble, as hardly to excite the resenment of Nadir; and, after slaughtering the Afghauns in Cabul, he was ready to withdraw; when a circumstance occurred, which kindled his rage. A messenger and his escort, whom he had dispatched from Cabul to the Emperor at Delhi, were murdered at Jellalabad by the inhabitants; and, instead of yielding satisfaction for the injury, the silken courtiers of Mahomed counselled approbation; and ridiculed the supposition of danger from the shepherd and freebooter of Chorasan.



That furious warrior hastened to the offending city, and slaughtered the inhabitants without mercy. From this he pursued his route to Peshawir, and thence to Lahore: at both of which places he experienced but little opposition. He then turned his face directly to the capital, where Mahomed and his counsellors, wrapped in a fatal security, were not prepared to believe that the Persian usurper would dare to march against the Majesty of Hindustan. The Hindustanee army, which had been two months in the field, had only advanced to Carnal, four days march from Delhi, where it was surprised by the appearance of the enemy, while Mahomed and his friends were yet ignorant of his approach. The hardy and experienced valour of Nadir's bands quickly spread confusion among the ill conducted crowds of Mahomed. The Ameer al Omrah was mortally wounded, and died after leaving the field of battle. Saadut Khan fought till he was deserted by his followers, and taken prisoner. Nadir, who had no project upon Hindustan, left the disordered camp the next day without an attack; and readily listened to the peaceful counsels of his prisoner Saadut Khan, who hoped, if now set free, to obtain the vacant office of Ameer ul Omrah. Mahomed honoured the Shah with a visit in his camp, and the Shah consented to evacuate Hindustan, upon receipt of two crores of rupees. The insatiable avidity, however, of Nizam al Mulk fatally defeated this happy agreement. He demanded, and was too powerful to be refused, the office of Ameer al Omrah. The disappointed and unprincipled Saadut hastened to inform Nadir, that two crores of rupees were no adequate ransom for the empire of Hindostan; that he himself, who was but an individual, would yield as great a sum; that Nizam al Mulk,

who alone had power to offer any formidable resistance, ought to be secured; and that Nadir might then make the wealth of the capital and empire his own. A new and dazzling prospect was spread before the eyes of the ravager. Mahomed Shah, and Nizam al Mulk were recalled to the Persian camp; when Nadir marched to Delhi, the gates of which were opened to receive him. For two days had the Persians been in Delhi, and as yet observed the strictest discipline and order. But on the night of the second, an unfortunate rumour was spread that Nadir Shah was killed; upon which the wretched inhabitants rose in tumult; ran to massacre the Persians; and filled the city throughout the night with confusion and bloodshed. With the first light of the morning, Nadir issued forth; and dispersing bands of soldiers in every direction, ordered them to slaughter the inhabitants without regard to age or sex in every street or avenue where the body of a murdered Persian should be found. From sun rise to mid day the sabre raged; and by that time not less than 8000 Hindus, Moguls, or Afghauns, were numbered with the dead. During the massacre and pillage, the city was set on fire in several places. The destroyer at last allowed himself to be persuaded to stay the ruin; the signal was
given, and in an instant, such was the authority of Nadir, every sword was sheathed.



A few days after the massacre, a nobleman was dispatched by Nadir, to bring from Oude the two crores of rupees, promised by its governor Saadut Khan; who, in the short interval, had died of a cancer in his back. On the same day he commenced his seizure of the imperial treasure and effects; three crores and fifty lacks in specie;1 a crore and fifty lacks in plate;2 fifteen crores in jewels;3 the celebrated peacock throne, valued at a crore;4 other valuables to the amount of eleven crores;5 besides elephants, horses, and the camp equipage of the Emperor. The bankers, and rich individuals were ordered to give up their wealth, and tortured to make discovery of what they were suspected to have concealed. A heavy contribution was demanded of the city, and exacted with cruel severity; many laid violent hands upon themselves to escape the horrid treatment to which they beheld others exposed. Famine pervaded the city; and pestilential diseases ensued. Seldom has a more dreadful calamity fallen upon any portion of the human race, than that in which the visit of Nadir Shah involved the capital of Hindustan. Yet a native and cotemporary historian informs us, such is the facility with which men accommodate themselves to their lot, “that the inhabitants of Delhi, at least the debauched who were by far the most numerous part, regretted the departure
of the Persians; and to this day (*says he*), the excesses of their soldiery are topics of humour in the looser conversation of all ranks, and form the comic parts of the drolls or players. The people of Hindustan at this time regarded only personal safety and personal gratification. Misery was disregarded by those who escaped it, and man, centred wholly in himself, felt not for his kind. This selfishness, destructive of public and private virtue, was universal in Hindustan at the invasion of Nadir Shah; nor have the people become more virtuous since, consequently not more happy, nor more independent.”1



Nadir having ordered, as the terms of peace, that all the provinces on the west side of the Indus, Cabul, Tatta, and part of Multan, should be detached from the dominions of

the Mogul, and added to his own, restored Mahomed to the exercise of his degraded sovereignty; and, bestowing upon him and his courtiers some good advice, began on the 14th of April, 1739, his march from Delhi, of which he had been in possession for thirty-seven days.2

In regulating the offices of state, Mahomed was obliged to confirm the vizarut, which he intended for other hands, to Kummir ad dien Khan, the relation and partisan of Nizam al Mulk. At the request of that domineering chief, the office of Ameer al Omrah was transferred to Ghazee ad dien Khan, his eldestson, while he himself was in haste to depart for Deccan, where Nazir Jung, his second son, whom he had left his deputy, was already aspiring at independence. After several months spent without avail in messages and negotiations, the father was obliged to draw his sword against the son. A victory, gained in the neighbourhood of Ahmednuggur, restored his government to the Nizam, and made Nazir Jung his prisoner. To compose the provinces subject to his command, which had been governed so irregularly and feebly for many years, and were over-run by innumerable disorders, required both vigour and time. The war which he carried on in Carnatic was the most remarkable of his subsequent transactions. Its result is the only circumstance material to us. Nearly the whole of that great province was reduced to his obedience.1



Saadut Khan Boorahan al Mulk, the deceased governor of Oude, was succeeded by his son in law, Abul Mansoor Khan Suffder Jung; who subsequently received the dignity of grand master of the household. A new governor was appointed for Guzerat, and an effort was made, but without success, to ravage that important province from the Mahrattas.

A refractory chief called the Emperor into the field, in the year 1745. This was Ali Mahomed Khan, the founder of the power of the Rohillas, a name of some celebrity in the modern history of Hindustan. The Afghauns, inhabiting the district of Roh, bordering on Cabul, were known by the name of Rohillas.1
Ali Mahomed himself is said to have been of Hindu extraction; the son of a man of the caste of cow-keepers. He was adopted, however, and reared by an Afghaun of the Rohilla clan; a man of a rank no higher than his own. He entered into the army as a common soldier; and after a time acquired the command of a small body of Afghaun cavalry, with which he served in the army of the Vizir, governor of Moradabad. His conduct gained him distinction; he was recommended to promotion by the Vizir; received some lands in grant from the Emperor; and was appointed to manage certain districts in Moradabad by the Vizir. Under the negligent government of Mahomed, and the disorders which ensued upon the invasion of Nadir Shah, scope was afforded to the ambition of such a man as Ali Mahomed, the Rohilla. He acquired possession of the lands of some neighbouring jagheer holders, under pretence of taking them in lease: He increased the number of Afghauns in his pay; many of whom the severities of Nadir Shah had driven to look for a home beyond the reach of his destructive sword, and to seek employment and protection under Ali Mahomed their countryman. The supposition of power produced its usual consequence. The remittances from his government were delayed and evaded. The Vizir sent a new governor with an army to enforce

obedience. Him the Rohilla conquered and slew: and the Vizir, who hated every thing which disturbed his pleasures and ease, thought it better to make an accommodation with Ali than contend with him. He was confirmed in the government of certain districts; and by one acquisition after another, extended the limits of his authority, till they comprehended Moradabad, Bareilly, Aunlah, Sambal, Bangur, Budaoon, and Amroah, districts of Kutteer,



a province henceforward known by the name of Rohilcund, from the Afghaun clan, to whom, more particularly, Ali and his followers were regarded as belonging. The progress of this adventurer alarmed at last the Viceroy of Oude; whose representations of danger prevailed upon the Emperor to take the field in person. The Rohilla was unable to resist the imperial army; but was underhand supported by the Vizir, in opposition to the Viceroy of Oude. He was besieged in one of his fortresses; but receiving the promise of the Vizir to make his peace with the Emperor, he sent away his treasures to a place of safety, and surrendered. As a compensation for the territory which he had governed, he received the fojdary, or military and judicial authority of Serhind, a district in the upper part of the province of Delhi.[1]

In the second year after this imperial expedition, happened the invasion of Ahmed Abdallee, a man destined to be the founder of a formidable empire in the contiguous provinces of Persia and Hindustan. He was an Afghaun chief of the tribe of Abdal, inhabiting a district of the mountains of Gaur, near the city of Herat. When yet very young he was taken prisoner by Nadir Shah, and was for some time one of the slaves of the presence; till, attracting the notice of his master, he was raised to the office of Yessawal, or mace-bearer. He was by degrees promoted to a considerable rank in the army, and accompanied Nadir in his invasion of India. Nadir Shah was massacred in his tent, not far from Meshed, on the 8th of June, 1747. Ahmed Abdallee had acquired so



great an ascendency among the troops, that upon this event several commanders and their followers joined his standard; and he drew off toward his own country. He fell in with and seized a convoy of treasure, which was proceeding to the camp. This enabled him to engage in his pay a still larger body of his countrymen. He proclaimed himself king of the Afghauns; and took the title of Doordowran, or pearl of the age, which being corrupted into Dooranee, gave one of their names to himself and his Abdallees.[1] He marched towards Candahar, which submitted to his arms; and next proceeded to Cabul. The inhabitants had resisted the proposal of the governor to purchase tranquillity by the payment of a contribution, but they deserted him on the approach of danger; and this province also fell into the hands of the Afghaun. The governor of Lahore sent him a proposal, offering to betray his trust, and become the servant of Ahmed, on condition of being appointed his Vizir; and though be repented of his engagement and came to blows, his troops made a feeble resistance; and Lahore was added to the dominions of the conqueror. He now directed his ambitious thoughts to the capital of Hindustan, with the feeble government of which he was not unacquainted. A large army, under the Emperor's eldest son, the Vizir, and other distinguished chiefs, advanced as far as the Sutledge to repel him; but he passed them artfully, and plundered the rich city of Serhind, where the heavy baggage of the prince was deposited. The imperialists made haste to overtake him: and, after several days of

skirmishing, the Vizir was killed with a cannon ball in his tent. The brittle materials of an Indian army were nearly broken asunder by this event; the Rajpoots, under their princes, "stretched,"
says the historian, "the feet of trepidation on the boundless plain of despondency, and marched back to their homes." However, the remaining chiefs, and among the rest the sons of the late Vizir, exerted themselves with constancy and judgment; and on the following day a still more disastrous accident took place in the camp of the Abdallees. A magazine of rockets and ammunition which had been taken at Serhind accidentally exploded, and killing a great number of people shed through the army confusion and dismay. Ahmed, no longer willing to risk an engagement, drew off his troops, and marched back unmolested to Cabul[1] .



The Emperor, who only survived a sufficient time to receive intelligence of this joyful event, expired in the thirtieth year of his reign, and forty-ninth of his age; his constitution exhausted by the use of opium.[2]

Ahmed Shah, his eldest son, succeeded him without opposition. The great character and power of Nizam al Mulk removed all competition for the vizirit, but he excused himself on account of his years, and actually died, about a month afterwards, in the hundred and fourth year of his age, leaving his government of Deccan to be seized by his second son Nazir Jung, whose good fortune it was to be present on the spot. After the refusal of the Nizam, the vizirit was bestowed upon Suffder Jung, the Viceroy of Oude, for whom it was originally intended.



The Rohillas and Abdallee Afghauns gave occasion to the most remarkable transactions of the reign of Ahmed Shah. Ali Mahomed, though removed from Rohilcund to Sirhind, found means to return, upon the invasion of the Abdallees, and being joined by the Afghauns, great numbers of whom had still remained in the country, he regained possession, and expelled the imperial governor, much about the time of the death of Mohamed Shah. He enjoyed not his prosperity long; but, dying of a cancer in his back, left discord and contention in his family. This circumstance encouraged the governor of Oude, who was now Vizir, and commanded the remaining resources of the state, to form the design of relieving himself from the dread of an aspiring neighbour, and of increasing his power and dominion by the country which that neighbour possessed. The district of Furruckabad was governed by an Afghaun of the Bungush tribe. This man the Vizir endeavoured to make his instrument in the destruction of the Rohillas. But the Bungush chieftain lost his life in the contest. The Vizir was not less greedy of the country of his Bungush friend, than he was of that of his Rohilla antagonist. The family of the Bungush chieftain, perceiving the designs of the Vizir, formed a confederacy with the neighbouring Afghauns. The Vizir was defeated in a great battle; after which the Afghauns proceeded in two bodies, one to Allahabad, where they plundered the city and besieged the citadel; the other to Lucknow, which they expected to surprise. The Vizir, now trembling for his own possessions, could think of nothing better than the wretched resource of calling in the Mahrattas to his aid. They fell upon the country with their usual rapidity; took the Afghauns in

a great measure by surprise; and compelled them after much slaughter to take shelter in the neighbouring hills. This done, the Mahrattas had no inclination to depart. They took up their quarters during the rainy season in the country which they had cleared; and the Vizir was fain to assign them a large portion of it in the name of a reward for their service. The Afghauns, as a welcome counterpoise, were allowed to re-occupy the remainder. These events occurred before the end of the year 1750.

In 1749, Ahmed Abdallee marched from Cabul, and advanced as far as Lahore. Meer Munnoo, the eldest son of the late Vizir, had been appointed Governor of Multan, and of as much of the other provinces of Upper India, as could be recovered from the Persians or Afghauns. Being unprepared for adequate resistance, he offered to purchase the retreat of the Dooranee by assigning to him the revenues of four districts; with which Ahmed, for the present, thought proper to content himself.1 In two years he repeated his visit; when Meer Munnoo, after some months of vigorous resistance, was betrayed by one of his generals, and defeated. The Dooranee Shah was not incapable of generosity; he soothed the vanquished leader by obliging expressions, and appointed him his deputy in the two provinces of Multan and Lahore, which were now finally severed from the dominion of the Moguls. A messenger was sent to Delhi to demand even a formal cession of the conquered territory; and, though Suffder Jung was summoned from his government, with a view to resist the Afghauns, the favourite eunuch, jealous of the honour which he might acquire by recovering those important provinces, persuaded the emperor to ratify the cession before he arrived. About the same time an expedition was undertaken against one of the nations of Rajpoots, who had seized, with a disputable title, upon certain districts in Ajmere. The war was ill conducted, and ended in disgrace.



A youth now appeared on the stage, who was destined to play a conspicuous part in the closing scenes of the Mogul sovereignty. This was the only son of Ghazee ad Dien Khan, the eldest son of Nizam al Mulk. Upon the death of Nazir Jung in Deccan, Gazee ad Dien, his elder brother, solicited the Viceroyalty of that important country for himself; and taking with him the Mahratta army, which had been in the pay of the Vizir, marched unmolested to Aurungabad. At this place he died only a few days after his arrival. His army immediately dispersed; and the Mahratta general took possession of Candesh, the government of which the deceased Viceroy had been obliged to assign him in security for the pay of his troops. His son Shaab ad Dien, whom he had left in the capital, made so good a use of his interest, chiefly with the Vizir Suffder Jung, that he received his father's titles of Ghazee ad Dien Khan Bahadur, and was raised to his office of Ameer al Omrah. This did not prevent him from joining immediately the party of the Emperor, and from seconding, with all his power, the machinations intended for the destruction of the Vizir. The military command of the palace was artfully taken out of the hands of that officer; and he and his dependants were refused admittance. The Vizir was alarmed at the prospect of a war with his master. He therefore solicited permission to retire to his government beyond the Jumna. This was refused. He marched out of the city and encamped at a few miles distance; with an intention of proceeding to his government without leave, but without drawing the sword, unless in self defence. Learning that an attack was certainly intended, he

BOOK III. Chap. 4. 1752.

invited to his assistance the Jaat Raja Soorâje Mul. This chief had already fought in his service, and readily joined his old friend and commander.[1] The Vizir set up a new Emperor, a youth whom he represented as one of the royal princes; and laid siege to the castle. It was vigorously defended by the spirit and bravery of the young Ameer al Omrah; and, after a fruitless contest of six months, both parties were glad to negotiate. Suffder Jung gave up his pretended Prince, and was allowed to retire to his government, but was deprived of the Vizirit, which was bestowed upon Intizam ad Dowlah, son of the late Vizir Kummir ad Dien Khan.



The Jaat Rajah, Sooraje Mul, had given sufficient umbrage by his support of the rebellious Vizir; but, during the weakness of the Mogul government, the Jaats had also extended their encroachments over a great part of the province of Agra. The youthful ardour of Ghazee ad Dien suggested to him an expedition for the entire reduction of the Jaat country. He called to his assistance a Mahratta general, Holkar Mulhar; and the Jaats, unable to keep the field, retired to their strong holds. To reduce them speedily, heavy cannon was required. For this Gazee ad Dien applied to the Emperor. But the aspiring temper of the Ameer al Omrah was already formidable to both the Emperor and Intizam ad Dowlah. Sooraje Mul, aware of their sentiments, conveyed intimation to the Emperor, that if he would meet him at Secundra, he would join him with all his forces, and deliver him at once from the dangers which, from the ambition of his Ameer al Omrah, impended over his person and throne. The scheme was relished; and the Emperor, under pretence of a hunting party, set forward with as great a force as possible on the road to Secundra. He had advanced as far as that city, when Holkar Mulhar surprised his camp in the night. The Emperor, the Vizir, and other leading officers, fled, disguised as women; leaving even their wives and daughters behind them. Upon this the army disbanded, and Gazee ad Dien marched to the capital, where nothing remained to oppose him. He invested himself with the office of Vizir; seized the Emperor and his mother; blinded them both; and bringing forth Yezzez ad Dien, son of the late Jehander Shah, proclaimed him Emperor, by the title of Aulumgeer the Second. This revolution occurred in the year 1753.[1]



During the same year died Suffder Jung, Subahder of Oude; and was succeeded by Sujah ad Dowlah, his son. About the same time died also Meer Munnoo, Viceroy, under the Abdalee King, of the provinces of Multan and Lahore. By the severe exactions of the government, and the interruptions of agiculture through the ravages and terror of war, these provinces had for some time been severely afflicted with scarcity. Of this, one important consequence was, an accession to the numbers and power of the Seiks; for that people making it a rule to provide maintenance and occupation for one another, great numbers of persons in distress were tempted to join them; and all were readily received upon adopting the garb and principles of the sect.[2] The Abdallee Shah withdrew not the government of Multan and Lahore from the family of Meer Munnoo. His son was a minor; but, in quality of guardian of the minor, his mother was allowed to act in his stead. Under this arrangement, the disorder of the provinces increased. The weakness of the administration suggested to the Vizir, who now had changed his title from that of Gazee ad Dien Khan to that of Umad al Mulk, the project of wresting the provinces at

once from the hands of this female superintendant, and from the dominion of the Afghauns. During the life of Meer Munnoo, the daughter of the Governess had been promised in marriage to Gazee ad Dien Khan, who now claimed fulfilment of the contract. The mother, to whom few events could yield greater pleasure, conveyed to him his bride, with all the magnificence
which the importance of the nuptials appeared to require. Under the confidence and security which this alliance inspired, the Vizir detached a body of troops to Lahore, who seized, and conveyed
to his camp, the deluded Governess, inveighing against his perfidy, and denouncing the vengeance which Ahmed Shah, her sovereign, would speedily exact.

BOOK III. Chap. 4. 1754.

The fulfilment of her angry predictions was not long deferred. The exasperated Afghaun hasted from Candahar to Lahore, which was evacuated on his approach; and thence directed his march to Delhi. The Vizir, sensible of his inability to contend with the storm, eagerly solicited reconciliation with his mother-in-law, and employed her as a mediator with the Shah. The invader rejected not the prayer, but demanded a large contribution as the price of his clemency; and, in the mean time, continued his march to Delhi. The wretched Aulumgeer having no means of resistance, opened to him the gates of the capital; and affected to receive him as a royal guest. For some weeks, Delhi was subject to all the enormities which are practised by a barbarian soldiery, on a prostrate foe. To gratify more fully the rapacity of the invader, Umad al Mulk offered to go in person to raise contributions in the Dooab, or country between the Jumna and Ganges; while the Dooranee Shah was to march against the country of the Jaat Rajah Sooraje Mul. He had reduced some fortresses, and was employed in besieging the citadel of Agra, when a plague broke out in his camp. Upon this he formed the resolution of returning immediately to his own country, without even waiting for the return of the Vizir. An interview, as he passed Delhi, again took place between him and Aulumgeer. The fallen Mogul entreated the invader of his country not to leave him in the hands of his overbearing Vizir. Nujeeb ad Dowlah, a chief of Rohillas, who had
lately acted a conspicuous part in the imperial service, was, at the request of the Emperor, appointed Ameer al Omrah; and to him the Dooranee recommended the protection of his master.

BOOK III. Chap. 4. 1756.

The Vizir, upon the retreat of the Abdalees, engaged in his party Ahmed Khan, the Bungush chief of Furrukhabad, whose father had lost his life in the contest with the Rohillas. To him and his Afghauns he joined an army of Mahrattas, under Ragonaut Raow and Holkar. With this force he marched to Delhi. The Emperor and Nujeeb ad Dowlah shut the gates of the city; but after a siege of forty-five days, the Emperor was obliged to submit; while Nujeeb ad Dowlah, by bribing the Mahrattas, obtained the means of escaping to his own district in Rohilcund; and his office of Ameer al Omrah was bestowed upon Ahmed Khan. Alee Gohur, the eldest son of Aulumgeer, was in the vicinity of Delhi, supporting himself with a small body of cavalry on some districts which he had in Jaghire. The Vizir made his father recall him; and the Prince repaired to Delhi, but refused to enter the citadel where he might easily be confined. He was, accordingly, besieged in his palace; but a few of his followers cut a passage for him through the troops of the Vizir, and he made his escape to Nujeeb ad Dowlah,

with whom, and with the Subahdar of Oude, he remained for some months; and then betook himself for an asylum to the English in Bengal.

The settlement which, with short-sighted policy, the viceroy of Oude had given to a body of Mahrattas in part of Rohilcund, had fired other Mahrattas with a passion for the fertile country beyond the Ganges. Of this passion, in labouring the ruin of Nujeeb ad Dowlah, and of the Nabob of Oude,[1] whose power he dreaded and whose government he desired, Umad al Mulk resolved to make his account. At his instigation two chiefs, Junkojee and Duttah Sindia, set out from Deccan, meditating no less than the entire subjugation of Hindustan. They crossed the Jumna; and driving Nujeeb ad Dowlah from the open country, besieged him in one of his forts, where he defended himself with obstinate bravery. Sujah ad Dowlah saw that the danger was common; and collecting an army marched to support him. He encountered the Mahratta army; gained the advantage, and forced it to cross the Jumna, where a considerable portion of it perished in the waters. Hearing at the same time of the march of the Abdalee Shah, its leaders were sufficiently disposed to accommodation.

BOOK III. Chap. 4. 1756.

As soon as Umad al Mulk, the Vizir, was made acquainted with the alliance of Sujah ad Dowlah and the Rohillas, it was his desire, as his interest, to march to the assistance of his Mahratta allies. But he was now beset with a number of difficulties. The Abdalee Shah, whom he had twice offended, was in motion: The Rohillas, with the Nabob of Oude, were opposing the Mahrattas: And Aulumgeer was in correspondence with all his enemies. He resolved, without scruple, to deliver himself from the last of these difficulties.

A trusty Cashmerian having received his commission, the Emperor was stabbed with poignards, and his body thrown out upon the strand of the Jumna; where it was stripped by the people, and remained exposed for eighteen hours. Mohee al Sunnut, a son or grandson of Kaum Buksh, the youngest son of Aurungzebe, was taken from confinement, and set up as the pageant of royalty; after which the Vizir hastened to join the conflict against Nujeeb ad Dowlah and the Nabob of Oude. He was on his march when he heard that peace was concluded; and that the Mahrattas were gone to oppose themselves to the approach of the Abdalee King. The means of personal safety now engrossed the mind of Umad al Mulk. He retired to the country of Suraje Mul, and shut himself up in one of the strongest of his forts.

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Upon the last retreat of Ahmed Dooranee Shah from Hindustan, he had left his son Governor of Lahore and Multan; disordered by revolutions, wasted and turbulent. A chief who had served with distinction under the late Meer Munnoo incited the Seiks to join him in molesting the Dooranees; and they gained several important advantages over their principal commanders. They invited the Mahratta generals, Ragonaut Raow, Shumsheer Bahadur, and Holkar, who had advanced into the neighbourhood of Delhi, to join them in driving the Abdalees from Lahore. No occupation could be more agreeable to the Mahrattas. After taking Sirhind, they advanced to Lahore, where the Abdalee Prince made but a feeble resistance, and fled. This event put them in possession of both Multan and Lahore. Placing the country under a temporary government, they marched

homeward at the approach of the rains; but left a Mahratta Subahdar, who next season extended his acquisitions as far as the river Attok. It was at this very time that the army, of which we have already spoken, marched to take possession of Rohilcund and Oude: And the whole Indian continent appeared now about to be swallowed up by the Mahrattas. Had not Ahmed Shah, the Abdalee, whose empire was in its youth and vigour, been upon the stage: had not the Mahrattas at that time been possessed of extraordinary power; the Mahrattas in the one case; the Abdalees, in the other, might have extended their dominion from Thibet and Persia to Cape Comorin. The opposition which they made to one another opened a way for a maritime nation to introduce itself from the other side of the globe, and to acquire by rapid strides a more complete ascendant over that extensive region than any single government had ever attained.

Ahmed Shah was not only roused by the loss of his two provinces, and the disgrace imprinted on his arms; but he was invited by the chiefs and people of Hindustan, groaning under the depredations of the Mahrattas, to march to their succour and become their King. The Mahrattas, flying before him, evacuated the two provinces at his approach; and assembled together from all quarters in the neighbourhood of Delhi. The Dooranee army was joined by the chiefs of Rohilcund, Nujeeb al Dowlah, Saadoollah Khan, Hafiz Rhamut, and Doondee Khan. For some days the Dooranees hovered round the Mahratta camp; when the Mahrattas, who were distressed for provisions, came out and offered battle. Their army, consisting of 80,000 veteran cavalry, was almost wholly destroyed; and Duttah Sindia, their General, was among the slain. A detachment of horse sent



against another body of Mahrattas, who were marauding under Holkar in the neighbourhood of Secundra, surprised them so completely that Holkar fled naked, with a handful of followers, and the rest, with the exception of a few prisoners and fugitives, were all put to the sword.

During the rainy season, while the Dooranee Shah was quartered at Secundra, the news of this disaster and disgrace excited the Mahrattas to the greatest exertions. A vast army was collected; and Suddasheo Raow, commonly called Bhaow, the nephew of Ballajee, the Peshwa, and other chiefs of the greatest note, assuming the command, the Mahrattas marched to gratify the resentments, and fulfil the unbounded hopes of the nation. Having been joined by Sooraje Mul the Jaat, and Umad al Mulk the Vizir, they arrived at the Jumna before it was sufficiently fallen to permit either the Mahrattas on the other side, or the Dooranees, to cross. In the mean time they marched to Delhi, of which after some resistance they took possession; plundered it with their usual rapacity, tearing away even the gold and silver ornaments of the palace; proclaimed Sultan Jewan Bukht, the son of Alee Gohur, Emperor; and named Sujah ad Dowlah, Nabob of Oude, his Vizir. Impatient at intelligence of these and some other transactions, Ahmed Shah swam the Jumna, still deemed impassable, with his whole army. This daring adventure, and the remembrance of the late disaster, shook the courage of the Mahrattas; and they entrenched their camp on a plain near Pannip?t. The Dooranee, having surrounded their position with parties of troops, to prevent the passage of supplies, contented himself for some days with skirmishing. At last he tried an assault; when

the Rohilla infantry of Nujeeb ad Dowlah forced their way into the Mahratta works, and Bulwant Raow with other chiefs was killed: but night put an end to the conflict. Meanwhile scarcity prevailed, and filth accumulated, in the Mahratta camp. The vigilance of Ahmed intercepted their convoys. In a little time famine and pestilence raged. A battle became the only resource. The Abdalee restrained his troops till the Mahrattas had advanced a considerable way from their works; when he rushed upon them with so much rapidity as left them hardly any time for using their cannon. The Bhaow was killed early in the action; confusion soon pervaded the army; and a dreadful carnage ensued. The field was floated with blood. Twenty-two thousand men and women were taken prisoners. Of those who escaped from the field of battle, the greater part were butchered by the people of the country, who had suffered from their depredations. Of an army of 140,000 horse, commanded by the most celebrated generals of the nation, only three chiefs of any rank, and a mere residue of the troops, found their way to Deccan. The Dooranee Shah made but little use of this mighty victory. After remaining a few months at Delhi, he recognized Alee Gohur, as Emperor, by the title of Shah Aulum the Second; and entrusting Nujeeb ad Dowlah with the superintendance of affairs, till his master should return from Bengal, he marched back to his capital of Cabul in the end of the year 1760. With Aulumgeer the Second, the empire of the Moguls may be justly considered as having arrived at its close. The unhappy Prince who now received the name of Emperor, and who, after a life of misery and disaster, ended his days a pensioner of English merchants, never possessed a sufficient degree of power to consider himself for one moment as master of the throne.[1]

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# CHAP. V.

*A Comparison of the State of Civilization among the Mahomedan Conquerors of India with the State of Civilization among the Hindus.*

After this display of the transactions to which the Mahomedan nations have given birth in Hindustan, it is necessary to ascertain, as exactly as possible, the particular stage of civilization at which these nations had arrived. Beside the importance of this inquiry, as a portion of the history of the human mind, and a leading fact in the history of India; it is requisite for the purpose of ascertaining whether the civilization of the Hindus received advancement or depression from the ascendancy over them which the Mahomedans acquired.

BOOK III. Chap. 5.

We have seen, in the comparisons adduced to illustrate the state of civilization among the Hindus, that the nations, in the western parts of Asia; the Persians, the Arabians, and even the Turks; possessed a degree of intellectual faculties rather higher than the nations situated beyond them toward the East; were rather less deeply involved in the absurdities and weaknesses of a rude state of society; had in fact attained a stage of civilization, in some little degree, higher than the other inhabitants of that quarter of the globe.

This is a statistical fact, to which it is not probable that much contradiction will hereafter be applied. The point of chief importance, for the present inquiry, is, to show, that the people who actually invaded Hindustan, and assumed the government over so large a portion of its inhabitants, were perfectly on a level with the Arabians and Persians, in the highest state of their civilization.

BOOK III. Chap. 5.

The Mahomedans, who established their dominion in Hindustan, were principally derived from the eastern portions of that great country which was contained within the limits of the Persian empire in its greatest extent.

These eastern provinces of the great Persian empire, Bactria and Transoxiana, with the contiguous regions, at the time when those men were formed who established the Mahomedan dominion in Hindustan, were remarkable rather for exceeding than falling short of the other parts of that empire, in the attainments of civilized life. The language of Balk was reckoned the most elegant dialect of the Persian tongue; and when God speaks mildly and gently to the cherubim surrounding his throne, this, according to the Mahomedans, is the language he employs. A large proportion of the men who have been most distinguished in all the different walks of Persian literature, have been natives of Balk; of whom it may suffice to mention Mahomed Ebn Emir Khowând Shah, better known to Europeans under the name of Mirkhond, the author of a great historical work, to which Europeans have been indebted for much of their knowledge of Persian history; Rashîd, a celebrated poet; and Anwari, famous both as a poet and astronomer. So greatly was Balk distinguished during the reigns of the immediate successors of Gingis Khan, that it was denominated Kobbat al Islâm, the

metropolis of Islamism. Bokhara was one of the greatest seats of learning in the East. Students flocked from all parts to the celebrated university of Bokhara. In the Mogul language, Bokhâr, we are told, is a common appellation for a learned man. Among the celebrated
men who have made illustrious the studies of Bokhara, is found a name, ranked high among his contemporaries in all the quarters of the globe, Ebn Sîna, or Avicenna, who wrote above one hundred volumes, and died in 1036, at the early age of fifty-eight.



The Moguls were not perfectly barbarous when they advanced upon the countries of the West. It is sufficiently proved that they had the use of letters; they had an alphabet of their own, in no degree corresponding with the troublesome characters of the Chinese, but as ingenious and simple as that of the Romans. The degree in which they approximated to the mental capacity of the most enlightened nations of Asia, is abundantly proved, not only by that power of combined action which enabled them to effect their conquests, but by the skill with which they regulated the government of China, as well as that of Persia and Transoxiana, to which they subsequently advanced. It appears not that the government in those several countries was more skilfully conducted in any hands, than in those of the immediate successors of Gingis. The Moguls, at the time of their conquests, were so fully prepared for a new step in civilization, that they assimilated themselves with wonderful rapidity, both in China and Persia, to the more cultivated people among whom they had arrived; and, in a short time, were to be distinguished from them rather by slight shades of character and manners, than any difference in point of civilization. In their new acquisitions in Persia and Transoxiana, they were celebrated for prosecuting the sciences with great ardour; and, in particular, for having laid astronomy, geography, and the mathematical sciences, under great obligations. In the city of Samarcand, the seat of government of one of the sons of Gingis and his successors, “the academy of sciences,” to use the words of the writer in the Universal History, “was one of the most
eminent to be found among the Mahomedans, who resorted thither to study from all the neighbouring countries.” Abulfeda mentions two decisive marks of a considerable degree of civilization. In his time the streets were paved, and water was conveyed into the city by leaden pipes. The silk-paper made here was the most beautiful in Asia; and in great request over all the East.[1]



Mahmood, of Ghizni, the founder of the first Mahomedan dynasty in Hindustan, was the most accomplished Prince in Asia. His court contained an assemblage of learned men. The greatest poet of Asia wrote in his capital, and was fostered by his bounty. He and his nobles adorned Ghizni with an architecture which rendered it the finest city in the East. He there erected an university, which he richly endowed, and made it one of the principal seats of learning in that quarter of the globe.[2]

Under Mahmood of Ghizni, the great sovereign of Persia, who combined in his service all the finest spirits that Persian civilization could produce, the Hindus could not be said to be over-run, or held in subjection by a people less civilized than themselves. As little could this be said under the descendants of Mahmood, who, though inferior to him in personal qualities, were themselves formed, and served by

men who were formed, under the full influence of Persian arts and knowledge. The same was undoubtedly the case with the princes of the Gaurian dynasty. They, and the leaders by whom they were principally served, were, in respect of training and knowledge, in reality Persians. It will not be denied, that the Moguls, the last of the Mahomedan dynasties of Hindustan, had remained a sufficient time in Transoxiana and Persia, to have acquired all the civilization of these two countries, long before they attempted to perform conquests in India. The Persian language was the language they used; the Persian laws, and the Persian religion, were the laws and religion they had espoused; it was the Persian literature to which they were devoted; and they carried along with them the full benefit of the Persian arts and knowledge, when they established themselves in Hindustan.



The question, therefore, is, Whether by a government, moulded and conducted agreeably to the properties of Persian civilization, instead of a government moulded and conducted agreeably to the properties of Hindu civilization, the Hindu population of India lost or gained. For the aversion to a government, because in the hands of foreigners; that is, of men who are called by one rather than some other name, without regard to the qualities of the government, whether better or worse; is a prejudice which reason disclaims. As India was not governed by the Moguls, in the character of a detached province, valued only as it could be rendered useful to another state, which is the proper idea of foreign conquest; but became the sole residence and sole dominion of the Mogul government, which thereby found its interest as closely united to that of India, as it is possible for the interest of a despotical government to be united with that of its people, the Mogul government was, to all the effects of interest, and thence of behaviour, not a foreign, but a native government. With these considerations before the inquirer, it will not admit of any long dispute, that human nature in India gained, and gained very considerably, by passing from a Hindu to a Mahomedan government. Of this, without descending to particulars, the situation of human nature, under the Hindu governments which we have seen; that of the Mahrattas, for example; that of Nepaul; that of Mysore, before the time of Hyder Ali; or that of Travancore; affords a very satisfactory proof. The defects of Mahomedan rule, enormous as they justly deserve to be held, can by no means be regarded as equal to those which universally distinguish the government of Hindus.

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The same minute analysis might here be instituted of the grand circumstances which constitute the marks of civilization among the Mahomedans of India, as has been already executed in regard to the Hindus. But it is by no means necessary. The state of civilization among the Hindus has been mysterious, and little known. With the state of civilization in Persia the instructed part of European readers are pretty familiar. Besides; in analysing the circumstances which constitute the marks of civilization among the Hindus, such comparisons, for the sake of illustration, were made with the corresponding circumstances among the Persians, as served to throw some light upon the state of civilization among the latter people, and to show in what position they stood as compared with the Hindus. A few short reflections under each of the heads will therefore suffice.

I. Classification andDistribution of thePeople. In this grand particular, the superiority of the order of things among the Mahomedans, over that among the Hindus, was inexpressibly great. The Mahomedans were exempt from the institution of caste; that institution which stands a more effectual barrier against the welfare of human nature than
any other institution which the workings of caprice and of selfishness have ever produced. Under the Mahomedan despotisms of the East, nearly as much as in republics themselves, all men are treated as equal. There is no noble, no privileged class. Legally, there is no hereditary property, as the king is the heir of all his subjects. The only thing which creates distinction, is office; or the exercise of some portion of the powers of government. For office, there is no monopolizing class. Men from the very lowest ranks of life are daily rising to the highest commands; where each of them is honoured, in proportion not to the opulence of his father, but the qualities which he himself displays. Though here, there is wanting that barrier to the unlimited progress of the power of the king, which was found in the hereditary nobility of Europe; yet the situation of Spain, of Poland, and, in a greater or less degree, of every country in Europe, shows that the body of the people is not much benefited, when the unlimited power of oppressing them, instead of being confined to the hands of the king and his servants, is shared between him and a body of nobles.



II. TheForm ofGovernment. In the simplicity of Oriental despotism, there is not much room for diversity of form. Yet there are circumstances which distinguish to a considerable extent the state of government among the Mahomedans from that among the Hindus; and all of them to the advantage of the former.

Under the Mahomedan sovereigns, there was a regular distribution of the functions of government, to certain fixed and regular officers; that of the Vizir, that of the Bukshee, Ameer al Omrah, and so on. Under the Hindu sovereigns, there appears to have been a confusion of all things together in one heterogeneous mass. The sovereign governed by a sort of
council, composed of Brahmens, who exercised the powers of government, according to no pre-established plan; but according as each by intrigue, or by reputation, could obtain an ascendancy among the rest.[1] The natural and common order of things, in this situation, was, that some one individual acquired a predominant influence; and employed the rest as merely his instruments. This man became, by way of distinction, *the* minister—peshwa, as he is called by the Mahrattas. Where the council of Brahmens is not a regular establishment; the sovereign chooses a minister, that is, a depositary of all his power; who disposes of it in portions, regulated by no rule, and by not much of established custom and habit.



To the abuse of the power which is placed in the hand of absolute sovereigns, there is no limit, except from three circumstances: 1. Religion, 2. Insurrection, 3. Manners.

1. When it is said that *Religion* opposes the will of the sovereign, it is meant that the ministers of religion oppose it; the priests: For, as a political engine, religion, without somebody to stand up for it, is a dead letter. Now the priests can only oppose the will

of the sovereign, when, by their influence over the minds of men, they have acquired a great portion of power, a power which the king is afraid to provoke. Again; this power of the priests will, or will not, be applied in a way to protect the people from the abuse of the sovereign power, according as the sovereign allies himself with it, or does not ally himself with it. If he allies himself with it; that is to say, if he associates the power of the priests with his own, and admits them to a due share of the benefits which he pursues, the power of the priests is employed, not in checking, but in supporting him in the abuse of his power. Now, so completely was the power of the priests associated with that of the sovereign, under the Hindu system of government, that the power of the sovereign was almost wholly transferred into the hands of the priests. As the benefit of abusing the sovereign power was shared so largely with themselves, they had no motive to check, but every motive to support. To misgovernment accordingly, under Hindu sovereigns, we find no where any symptoms of opposition from religion.



Under Mahomedan sovereigns, the alliance between the Church and the State is much less complete. The Caliphs, it is true, were at once head magistrates, and head priests: in other situations, under Mahomedan sovereigns, the priests have had little political power. Except in some matters of established custom, which by themselves are little capable of mending the condition of the people upon the whole, they have never had sufficient influence, nor apparently any inclination, to protect the people from the abuses of sovereign power. Herein they differ from the Hindu system of priesthood, and the difference is an important one, that they are not allied with those who abuse the sovereign power, and yield them no protection.

2. *Insurrection* is a principle of salutary operation, under the governments of the East. To that is owing almost every thing which the people are any where left to enjoy. I have already had some opportunities, and as I proceed shall have more, to point out remarkable instances of its practical effects. In a situation where there is no regular institution to limit the power of gratifying the will, the caprices, and the desires of the sovereign and his instruments, at the expense of the people, there is nothing which hinders the people from being made as completely wretched as the unbounded gratification, at their expense, of the will, caprices, and desires of those who have sovereign power over them, can render human beings; except *the dread of insurrection*. But, in a situation where the mass of the people have nothing to lose, it is seldom difficult to excite them to insurrection. The sovereigns of the East find, by experience, that the people, if oppressed beyond a certain limit, are apt to rebel; never want leaders of capacity in such a case to conduct them; and are very apt to tread their present race of oppressors under their feet. This prospect lays these rulers under a certain degree of restraint; and is the main spring of that portion of goodness which any where appears in the practical state of the despotisms of the East. But the dread of insurrection was reduced to its lowest terms, among a people, whose apathy and patience under suffering exceeded those of any other specimen of the human race. The spirit, and excitability, and courage of the Mahomedan portion of the Indian population, undoubtedly furnished, as far as it went, an additional motive to good government, on the part of the sovereigns of Hindustan.

3. It is in a higher state of civilization than that exemplified, either among the Mahomedans or among the Hindus, that *Manners* have great influence in limiting the abuses of sovereign power. It is only in proportion as the mind of man is susceptible of pleasure from the approbation, pain from the disapprobation, of his fellow-creatures, that he is capable of restraint from the operation of manners; unless in so far as they increase or diminish the chance of insurrection. Though no great amount of salutary effects is, therefore, to be ascribed to the operation of manners, under the sovereigns, either of Hindu or of Mahomedan breed, the benefit, as far as it went, was all on the side of the Mahomedans. There was, in the manners of the Mahomedan conquerors of India, an activity, a manliness, an independence, which rendered it less easy for despotism to sink, among them, to that disgusting state of weak and profligate barbarism, which is the natural condition of government among such a passive people as the Hindus.



Further, along with those remains of barbarism which in considerable amount adheres to the best of the Mahomedan nations, as well as to all the other inhabitants of Asia, a considerable portion of plain good sense marked the character of the conquerors of India; while the natives of that country are distinguished by a greater deficiency in the important article of practical good sense, than any people, above the rank of savages, of whom we have any record. The practical good sense of any people is not without its influence upon the mode of employing the powers of government, and upon the minds of some at least of the princes that wield them. Before the Moguls proceeded to Hindustan, we have a proof, in the Institutes of the conqueror Timur,[1] of the degree of beneficent contrivance, with which he laid down the plan of his administration.

"I appointed a Suddur, a man of holiness, and of illustrious dignity, to watch over the conduct of the faithful; that he might regulate the manners of the times; and appoint superiors in holy offices; and establish in every city, and in every town, a judge of penetration, and a doctor learned in the law, and a supervisor of the markets, of the weights, and the measures.



"And I established a judge for the army, and a judge for the subjects: and I sent into every province and kingdom, an instructor in the law, to deter the faithful from those things which are forbidden, and to lead them in the truth.

And I ordained that in every town, and in every city, a mosque, and a school, and a monastery, and an alms-house for the poor and the indigent, and an hospital for the sick and infirm, should be founded, and that a physician should be appointed to attend the hospital; and that in every city a government-house, and a court for the administration of justice should be built; and that superintendants should be appointed to watch over the cultivated lands, and over the husbandmen.

And I commanded that they should build places of worship, and monasteries in every city; and that they should erect structures for the reception of travellers on the high roads, and that they should make bridges across the rivers.

And I commanded that the ruined bridges should be repaired; and that bridges should be constructed over the rivulets, and over the rivers; and that on the roads, at the distance of one stage from each other, Kauruwansarai should be erected; and that guards and watchmen should be stationed on the road, and that in every Kauruwansarai people should be appointed to reside; and that the watching and guarding
of the roads should appertain unto them; and that those guards should be answerable for whatever should be stolen on the roads from the unwary traveller.



And I ordered that the Suddur and the Judge should, from time to time, lay before me all the ecclesiastical affairs of my empire; and I appointed a Judge in equity, that he might transmit unto me all civil matters of litigation, that came to pass amongst my troops and my subjects."

Here is a selection of four of the most important objects of government, in making a provision for which, the first care and attention of the Mogul sovereign are employed: The administration of justice; the instruction of the people; the facilitation of intercourse; and his own knowledge of all that is transacted in his name. That the provision for these objects was very incomplete, we have sufficient assurance; but some progress was made in the art and science of government, when they were pointed out as primary objects of regard; still more, when something considerable was really done for their attainment.

Of the twelve maxims of his government, the following is a selection:

"Persons of wisdom, and deliberation, and vigilance, and circumspection, and aged men endowed with knowledge and foresight, I admitted to my private councils; and I associated with them, and I reaped benefit, and acquired experience from their conversation.

The soldier and the subject I regarded with the same eye. And such was the discipline which I established amongst my troops and my subjects, that the one was never injured or oppressed by the other.

From amongst the wise and the prudent, who
merited trust and confidence, who were worthy of being consulted on the affairs of government, and to whose care I might submit the secret concerns of my empire, I selected a certain number, whom I constituted the repositories of my secrets: And my weighty and hidden transactions, and my secret thoughts and intentions I delivered over to them.



By the vizzeers, and the secretaries, and the scribes, I gave order and regularity to my public councils: I made them the keepers of the mirror of my government, in which they showed unto me the affairs of my empire, and the concerns of my armies and my people: And they kept rich my treasury; and they secured plenty and prosperity to my soldiers and to my subjects; and by proper and skilful measures they repaired the disorders incident to empire; and they kept in order the revenues and the expences of

government; and they exerted themselves in promoting plenty and population throughout my dominions.

Men learned in medicine, and skilled in the art of healing, and astrologers, and geometricians, who are essential to the dignity of empire, I drew around me: And by the aid of physicians and chirurgeons I gave health to the sick: And with the assistance of astrologers I ascertained the benign or malignant aspect of the stars, their motions, and the revolutions of the heavens: And with the aid of geometricians and architects, I laid out gardens, and planned and constructed magnificent buildings.

Historians, and such as were possessed of information and intelligence, I admitted to my presence: And from these men I heard the lives of the prophets and the patriarchs, and the histories of ancient princes, and the events by which they arrived at the dignity
of empire, and the causes of the declension of their fortunes: And from the narratives and the histories of those princes, and from
the manners and the conduct of each of them, I acquired experience and knowledge: And from those men I heard the descriptions and the traditions of the various regions of the globe, and acquired knowledge of the situations of the kingdoms of the earth.



To travellers, and to voyagers of every country, I gave encouragement, that they might communicate unto me the intelligence and transactions of the surrounding nations: And I appointed merchants and chiefs of Kauruwauns to travel to every kingdom and to every country, that they might bring unto me all sorts of valuable merchandize and rare curiosities, from Khuttau, and from Khuttun, and from Cheen, and from Maucheen, and from Hindostaun, and from the cities of Arabia, and from Missur, and from Shaum, and from Room, and from the islands of the Christians, that they might give me information of the situation, and of the manners and of the customs of the natives and inhabitants of those regions, and that they might observe and communicate unto me the conduct of the princes of every kingdom and of every country towards their subjects."

All these different points laid down, in writing, as main objects of attention in the conduct of government, undoubtedly indicate a state of the human mind very considerably removed from the lowest barbarism.

The following regulations respecting the collection of the revenues; of all the parts of an imperfect government that which most deeply affects the happiness of the people; indicate no common share of excellence in the spirit of administration:

"And I commanded that the Ameers, and the Mingbaushees, in collecting the revenues from the
subjects, should not, on any account, demand more than the taxes and duties established:



And to every province on which a royal assignment was granted, I ordained that two supervisors should be appointed; that one of them should inspect the collections, and watch over the concerns of the inhabitants, that they might not be impoverished, and

that the Jaugheerdaur might not ill use or oppress them, and that he should take an account of all the sums which were collected in the province; and that the other supervisor should keep a register of the public expenses, and distribute the revenues among the soldiers:

And every Ameer who was appointed to a jaugheer, I ordained that for the space of three years it should remain unto him, and that, after three years, the state of the province should be inspected: If the inhabitants were satisfied, and if the country was flourishing and populous, that he should be continued therein; but if the contrary should appear, that the jaugheer should return unto the crown, and, that for the three following years, subsistence should not be granted to the holder thereof:

And I ordained that the collection of the taxes from the subject might, when necessary, be enforced by menaces and by threats, but never by whips and by scourges. The governor, whose authority is inferior to the power of the scourge, is unworthy to govern.

I ordained that the revenues and the taxes should be collected in such a manner as might not be productive of ruin to the subject, or of depopulation to the country."

Of the produce of the fertile and cultivated lands, one third was taken for the government; and this was the principal, and almost the only source of the revenue.



"And I ordained, whoever undertook the cultivation of waste lands, or built an aqueduct, or made a canal, or planted a grove, or restored to culture a deserted district, that in the first year nothing should be taken from him, and that in the second year, whatever the subject voluntarily offered should be received, and that in the third year the duties should be collected according to the regulation.

And I ordained, that if the rich and the powerful should oppress the poorer subject, and injure or destroy his property, an equivalent for the damage sustained should be levied on the rich oppressor, and be delivered to the injured person, that he might be restored to his former estate.

And I ordained, that in every country three Vizzeers should be stationed. The *first*, for the subject—to keep a regular account of the taxes and the duties received, and what sums, and to what amount, were paid in by the subject, and under what denomination, and on what account, and to preserve an exact statement of the whole. The *second*, for the soldier—to take account of the sums paid to the troops, and of the sums remaining due unto them." The third was for certain miscellaneous services, too tedious to be specified.

These details are sufficient to show, that among the Moguls, even at their first irruption into Hindustan, the arts of government were considerably advanced; and that the Hindus had much to gain by a change of masters. In the hands of some of the most eminent of the Mogul princes, the Emperor Akbar, for instance, the powers of government were distributed, and employed with a skill which would

not disgrace a period of considerable knowledge and refinement.



Though in a pure despotism much depended on the qualities of the sovereign, yet when a good plan of administration was once fully introduced, a portion of its excellence always remained, for a time; and had a strong tendency to become perpetual.

III. TheLaws.—The laws of the Hindus, we have already seen, are such as could not originate in any other than one of the weakest conditions of the human intellect; and, of all the forms of law known to the human species, they exhibit one of the least capable of producing the benefits which it is the end and the only good consequence of law, to ensure.

The Mahomedan law, as introduced into India by its Mogul conquerors, is defective indeed, as compared with any very high standard of excellence; but compare it with the standard of any existing system, with the Roman law for instance, or the law of England, and you will find its inferiority not so remarkable, as those who are familiar with these systems, and led by the sound of vulgar applause, are in the habit of believing. In the following view of the most remarkable particulars in the state of Mahomedan law, a reference to the system of English law is peculiarly instructive, and even necessary; as it is by the English system that the Mahomedan has been superseded.

1. The civil, or non-penal branch of law, lays down the rights which, for the good of the species, should be constituted in behalf of the individual; in other words, prescribes the power which the individual for the good of the species, ought exclusively to possess, over persons, and over things.



The particular powers or privileges which it is expedient to constitute rights, are, in the great points, so distinctly and strongly indicated by common experience, that there is a very general agreement about them among nations in all the stages of civilization. Nations differ chiefly in the mode of securing those rights.

One instrument, without which they cannot be secured, is strict and accurate definition. In affording strict and accurate definitions of the rights of the individual, the three systems of law, Roman, English, and Mahomedan, are not very far from being on a level. Completeness, in point of definition, it seems, is a perfection in the state of law, which it requires a very advanced stage of civilization to bestow. At first, experience has provided no record of all the variety of material cases for which a provision is necessary. Afterwards, the human mind is not sufficiently clear and skilful to classify accurately a multitude of particulars; and without accurate classification useful definitions and rules can never be framed. Lastly (and that is the state in which the more civilized nations of Europe have long been placed) custom and habit acquire a dominion which it is not easy to break; and the professors of law possess an interest in its imperfections, which prompts them to make exertions, and a power, which enables them for a long time to make successful exertions, to defeat all endeavours for its improvement.

Until very lately, there was no civil code, that is to say, there was no description good or bad, in a permanent set of words, of almost any of the rights belonging to individuals, in any country in Europe. The whole was traditionary, the whole was oral; there was hardly any legislative writing. Of course, in the greater number of cases, nobody knew exactly what was a right. The judge, having no fixed definition for his guidance, made for himself, on each particular occasion, a definition to suit that particular occasion. But these numerous definitions, made by numerous judges on numerous occasions, were more or less different one from another. All the approximation to accuracy that was attained, or that was attainable, consisted in this, that the routine of decision fixed a certain sphere, within which the variation of the arbitrary definitions which the judges on each occasion made for themselves was, with a certain force, confined; as he, by whom a wider range was taken for injustice than what was usually taken, would expose himself to the consequences of blame. Within a few years some attempts have been made, in some of the German states, to supply a code; that is, to give fixed and determinate words to the laws, by the only instrument of permanency and certainty in language, writing. These attempts have been partial, and exceedingly imperfect, even as far as they went. The Emperor Napoleon was the first sovereign in modern Europe, who bestowed upon his subjects the inestimable benefit of laws, in written, fixed, and determinate words. Many are the faults which might be discovered in this code, were this the place to criticise the execution; but with all its imperfections, it placed the French people, with respect to law, in a situation far more favourable than that of any other people upon the globe. In England, the whole portion of the field, occupied by what is denominated the common law; that is, almost all the civil, and a great proportion of the penal branch, is in the unwritten, that is, the oral, and traditionary, or barbarous state. Lastly, that portion, which bears the character of written, or statute law, is so overloaded with useless words; so devoid of classification; and the expression is so ambiguous and obscure; that the lawyers declare it is far more polluted with the vice of uncertainty, than that which is in a state of necessary and perpetual fluctuation, the common law itself.



BOOK III. Chap. 5.

The form of the Mahomedan law, as exhibited to us in some of the best of its digests, as the Hedaya, for instance, is not much more rude and barbarous than this. To give any intelligible account of the powers which law converts into rights, it is necessary to make a distribution of the existences which are the subject of those rights, or over which the powers, converted into rights, are granted. This distribution is the same, in the Mahomedan, as in the European systems. The subjects of those rights, or the existences over which the powers are granted, are either, First, Persons; or, Secondly, Things. In the case in which *Persons* are considered as the subject of rights; 1. individuals, as individuals, are allotted rights, or exclusive powers, with respect to their own persons; 2. as husbands, fathers, sons, masters, servants, judges, suitors, kings, or subjects, &c. they are allotted rights or exclusive powers, with respect to the persons, (including the services) of others. In the case in which *Things* are considered as the subject of right, two circumstances principally require to be ascertained; First, the powers which are included in each right; Secondly, the events which cause, or give origin to the existence of a right. These points are determined upon the same

principles, and nearly in the same way, by the Mahomedan, as by European legislation: Every where law has been formed, not by a previous survey and arrangement of the matters which it belongs to a system of law to include; but by the continual aggregation of one individual case to another, as they occurred for decision: The only classifications, therefore, which have ever been attempted, are those of the cases which occur for decision; the states of circumstances which most frequently give occasion to
disputes about rights: Now, these states of circumstances are the more common of the events which constitute change of
ownership, or affect the transfer of property: Of these events, one set, which obviously enough fall into a class, are those of bargain and sale, or the exchange of one article of value for another; this constitutes a large chapter in the Mahomedan code: Another important class of such events are those which relate to inheritance: A third class are those which relate to wills: A fourth, those which relate to engagements either to pay a sum of money, or to perform a service: There are other inferior titles, of which those relating to deposits and to bail are the most considerable: And under these heads is the matter of civil law distributed in the Mahomedan code.



It will not be denied that this distribution very closely resembles that which is made of the same subject in the legal systems of Europe. It will hardly be denied that this combination of heads as completely includes the subject, or all the cases of dispute respecting ownership or right, as that combination of heads which we find in the codes of the west. To show the exact degree in which the Mahomedan system falls short of the Christian system, but exceeds the Hindu, in making clear and certain the rights which it means to create and uphold, would require a developement far too long and intricate for the present occasion. From the delineation of the great lines to which the present aim has been confined, it will appear, that a much higher strain of intelligence runs through the whole, than is to be found in the puerilities, and the worse than puerilities, of the Hindus.

2. So much for the comparison of Mahomedan law with that of the Hindus and Europeans, in regard to
the civil branch, or the constitution of rights. In the penal branch, beside the selection of the acts which shall be accounted
offences, in which selection there is great uniformity all over the globe, two things are necessary, an exact definition of the act which the law constitutes an offence, and an exact specification of the punishment which it adopts as the means of preventing that offence.



On the penal branch of law, the Mahomedan, like the Roman system, is exceedingly scanty. In the Institutes of Justinian, for example, three short titles or chapters, out of eighteen, in the last and shortest of four books, is all that falls to the share of this half of the field of law: And the whole is brought in under the subordinate title of "Obligations arising from delinquency." The arbitrary will of the judge (a wretched substitute) was left to supply the place of law. The same disproportion, (and it is one of the most remarkable points of inferiority in the ancient Roman as compared with the modern systems of jurisprudence) is observable in the Mahomedan books of law:

the portion which relates to the penal is very small in comparison with that which relates to the non-penal branch of the subject.

The Mahomedan system contained, indeed, one law comprehensive enough to supersede a number; viz., that, in all cases of injury to the person, retaliation should be the rule; An eye for an eye, and a tooth for a tooth. This recommends itself to a rude age by the appearance of proportion. But it recommends itself to no other but a rude age, because it possesses nothing but the appearance of proportion, and grossly violates the reality. In this the Mahomedan more nearly approached the Hindu, than the European systems of penal law. By this however it avoided the atrocity of some modern systems, particularly the English, in as much as it limited capital punishment, never allowed for offences against property, to the single case of murder. In practice too, "the Mussulman courts," says the translator of the Hedaya, "in all cases short of life, understand the words of the Koran, not as awarding an actual retaliation, according to the strict literal meaning, but an atonement in exact proportion to the injury."[1] This indicates a considerable refinement of thought on the subject of penal law; far removed from the brutality which stains the code of the Hindus.



The most atrocious part of the Mahomedan system of punishment is that which regards theft and robbery. Mutilation, by cutting off the hand, or the foot, is the prescribed remedy for all higher degrees of the offence. This savours strongly of a barbarous state of society; and in this the Mahomedan and Hindu systems resemble one another. The translator of the Hedaya, though he laments the *inhumanity, inconvenience*, and *inefficiency*, of this mode of punishment, yet tells his British countrymen; "They have nothing better to offer by way of substitute; for surely their penal laws are still more sanguinary." This is a heavy imputation on the legislature of his country; but surely no good reason hinders a better system of penal remedies, than that of either English or Mahomedan law, from being introduced into India, by an enlightened legislature, if such a thing were to be found.

One peculiarity, indicating the work of an immature state of the human mind, strongly distinguishes the Mahomedan system; while it distinguishes the English, in a degree scarcely, if at all, inferior. In framing the several rules or ordinances; which, of course, are intended, each, to include not a mere individual case (for then to be complete they must be innumerable), but sets or classes of cases; it is not the specific, or the generic differences, but the individual differences, upon which a great proportion of the rules are founded. Their mode of proceeding is the same, as if (taking a familiar case for the sake of illustration) they were to make one law to prohibit the stealing of a sheep; another to prohibit the stealing of a cow; a third, the stealing of a horse; though all the cases should be treated as equally criminal, and all subjected to the same penalty. Not merely a good logic, but a good talent for expediting business, would teach that all such cases as could be comprehended under one description, and were to be dealt with in one way, should be included in one comprehensive law. This would have two admirable effects. The laws would first be less voluminous; hence less obscure, and difficult to administer. In the second place, being founded upon the generic and specific differences, they would include all

individual cases without exception; whereas in so far as they are founded upon individual distinctions, they may rise to the number of millions, and leave as many cases (no individual case resembling another) without an appropriate provision.

3. Beside the laws which mark out rights and punishments, are a set of laws on which the execution of the former branches altogether depends. These are the laws which constitute the system of procedure; or the round of operations through which the judicial services—inquiry, sentence and enforcement—are rendered.

In this part of the field of legislation, there is a most remarkable difference, between the Indian and the European systems. In the European system, the steps of procedure are multiplied to a great number, and regulated by a correspondent multiplicity of rules. In the Mahomedan, (and in this the Mahomedan and the Hindu systems concur) the mode of procedure is simple, and not much regulated by any positive rules; the Judge being left to conduct the judicial inquiry, in the mode which appears to him most conducive to its end, and falling of course into the natural and obvious train of operations, recommended to every individual by ordinary good sense, when he has any private inquiry, analogous to the judicial, to perform. The parties are summoned to appear before him: They state, in their order, the circumstances of the case, subject to examination of all sorts, for the elucidation of the facts: The evidence which they have to adduce, whether of testimony or of things, is received: When all the evidence is before the Judge, he balances the weight of that which affirms, with the weight of that which denies the point in dispute; and according as either preponderates, decision is pronounced.



In this department, the advantage is all on the side of the Indian systems. The inconvenience to which the Indian mode of procedure is liable consists in the arbitrary power entrusted to the Judge; which he may employ either negligently, or partially and corruptly. Two things may here be observed: First, that this inconvenience is not removed from the system, characterised by the great number of steps and rules, which may be called the technical system: Secondly, that it may, to a great degree, be easily removed from the system which is characterized by the small number of steps and rules, which may be called the natural system.

It is not removed from the technical system; for that binds the Judge to nothing but an observance of the technical rules: Now *they* may all be observed in the most punctilious manner; while the real merits of the case may either have been most imperfectly brought to light, through negligence; or purposely disguised, through corruption. The observance of the technical rules by no means forces the inquiry upon the merits of the case; and affords no security whatsoever that in regard to *them* the inquiry shall be complete.



In the next place, the power of the Judge may be restrained from abuse, in the natural mode of procedure, by very easy expedients. As the steps are simple, they can be clearly described; and a standard of perfection may be rendered perfectly familiar to the minds of the people: With this standard in their minds, the conduct of the Judge may be subjected to perfect publicity, and held open to the full view, and unrestrained

criticisms, of the people: As no misconduct would thus escape detection, an efficient method might be easily provided to render it very difficult, or impossible, that it should escape the due measure of punishment. This is the mode of obtaining good conduct from the Judge, as from every other servant of the public; not the prescription of numerous ceremonial observances, few of them having any connexion with the merits of the case; many of them obstructing, rather than aiding the efficient operations of a rational inquiry; and all, taken together, far better calculated for screening the Judge in a course of misconduct, than for imposing upon him any necessity of good and faithful service.

If the technical affords no security for good conduct in the Judge, above the natural system, it possesses other qualities which render it infinitely hurtful to the interests of justice. By multiplying the operations of judicature, it renders the course long, intricate, obscure, and treacherous. It creates delay, which is always a partial, often a complete denial of justice. It creates unnecessary expense; which is always positive robbery; and as often as it is above the means of the suitor is complete and absolute denial of justice: expense, which is almost always above the means of the indigent, that is, the most numerous class; which possesses, therefore, this peculiar property, that it *outlaws* the great body of the people; making law an instrument which any one may employ for the oppression of the most numerous portion of the species; an instrument which they can scarcely at all employ for their protection.

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It is instructive, and not difficult, to trace the causes which gave birth to such different modes of judicial procedure in the two countries. The difference arose from the different situation of the judges. It arose from the different means presented to the judges of drawing a profit out of the business which they had to perform. In India, as the state of manners and opinions permitted them to receive bribes, they had no occasion to look out for any other means of drawing as much money as possible from the suitors; and, therefore, they allowed the course of inquiry to fall into the straight, the shortest, and easiest channel. In England, the state of manners and opinions rendered it very inconvenient, and in some measure dangerous, to receive bribes. The judges were, therefore, induced to look out for other means of rendering their business profitable to themselves. The state of manners and opinions allowed them to take fees upon each of the different judicial operations. It was, therefore, an obvious expedient, to multiply these operations to excess; to render them as numerous, and not only as numerous, but as *ensnaring* as possible. For, with a view to fees, it was of prodigious importance, after the operations had been rendered as numerous as possible, to create pretexts for performing them twice over. This was easily done, by rendering the operations, imposed upon the suitors, so nice, and intricate, and equivocal, that it was hardly possible to observe them, in such a manner as to preclude exception; and, by making it a rule, that as soon as any misobservance was laid hold of by the judge, the whole of the preceding operations, how exactly soever performed, should be set aside, and the suit ordained to commence anew. This re-commencement, accordingly, this double performance of the ceremonies, double payment of the fees, is one of the most remarkable features in the English system of procedure.

BOOK III. Chap. 5.

Two persons in the Mahomedan courts, the Cauzee and Mooftee, share between them, on each occasion, the functions of the judge. The Mooftee attends in order to expound the sacred text; the Cauzee is the person who investigates the question of fact, and carries into execution what he receives as the meaning of the law.1

The following passage discovers a correct mode of thinking, whatever disconformity may have been found between the rule and the practice. “It is incumbent on the Sultan to select for the office of Cauzee, a person who is capable of discharging the duties of it, and passing decrees; and who is also in a superlative degree just and virtuous; for the prophet has said; *Whoever appoints a person to the discharge of any office,* whilst there is another among his subjects more qualified for the same than the person so appointed, does surely commit an injury with respect to the rights of God, the prophet, and the Mussulmans.”1



Publicity was an important principle in the Mahomedan jurisprudence. For the hall of justice, “the principal mosque,” says the law, “is the most eligible place, if it be situated within the city; because it is the most notorious.”2

There is no part of the rules of procedure which more strongly indicate the maturity or immaturity of the human mind, than the rules of evidence. There is scarcely any part of the Mahomedan system, where it shows to greater advantage. On many points its rules of evidence are not inferior; in some they are preferable, to those of the European systems. Its exclusion of evidence, for example, is not so extensive, and, in the same proportion, not so mischievous as the English. There are other cases, however, in which inferiority appears. Reckoning women’s testimony inferior to that of men (they have less correctness, says the law, both in observation and memory—which so long as their education is inferior will no doubt be the case), the Mahomedan law makes some very absurd rules. In all criminal cases, the testimony of the woman is excluded: and in questions of property, the evidence of two women is held only equal to that of one man; as if one class of women may not be better educated than another class of men, and their testimony, therefore, more to be depended upon. Under Mahomedan customs, indeed, which exclude the women from the acquisition of knowledge and experience, the regulation had less of impropriety than it would have in a state of things more favourable to the mental powers of the sex. There is nothing, however, in the Mahomedan laws of evidence, to compare with many absurdities of the Hindu system, which makes perjury, in certain cases, a virtue.



IV. TheTaxes.—To a great extent the Mahomedans followed the plan of taxation which was established under the native government of the Hindus. The great source of the revenue was the proportion, exacted by the sovereign, of the gross produce of the land. The Emperor Akbar was celebrated as having placed the details of collection in a better state, than that important business had ever been seen in before. From what has been observed of the practice of existing Hindu governments; and, from the superior share of intelligence which the Mahomedans brought to the business of state, we may infer, with sufficient assurance, that the improvement introduced by that people was not inconsiderable. That the Mahomedan princes generally made use of

Hindus in affairs of revenue; and even employed them as their instruments, in the reforms to which they were led, is not inconsistent with the supposition, that the business was better managed under the Mahomedans than under the Hindus. For the details of collection; which a revenue chiefly derived from a proportion of the gross produce of the land rendered excessively operose and complex; an intimate acquaintance with the language and manners of the people was indispensably required; and that acquaintance Hindus alone possessed. There is nothing to hinder the Hindus, as any other people, from being well qualified to be used as instruments in a business, in which they might have been utterly incapable of being the principals. The methods devised, with considerable skill, under the Emperor Akbar, for preventing the
two great abuses incident to the machinery of collection; the oppression of the people; and embezzlement of the king's revenue; appear to have preserved their virtue, not much impaired, during the time when any vigour remained in the Mogul government; and to have become altogether neglected, only when each province, as the empire fell to pieces, became an independent petty state; and when the feeble and necessitous sovereign of each petty state was unable to contend either with his own vices, or those of his agents.[1]



V. Religion.—Under this head very few words are required; because the superiority of the Mahomedans, in respect of religion, is beyond all dispute. To the composition of the Koran was brought an acquaintance with the Jewish and Christian scriptures; by which the writer, notwithstanding his mental rudeness, appears to have greatly profited; and assigning, as we are disposed to assign, very little value to the lofty expressions regarding the Divine perfections, in the Koran, as well as to those in the Vedas,
we find the absurdities in the Koran, by which those lofty ideas are contradicted, inconsiderable both in number and degree, compared with those which abound in the religious system of the Hindus.



VI. Manners. In this respect the superiority of the Mahomedans was most remarkable. The principal portion of the manners of the Hindus was founded upon the cruel and pernicious distinction of castes: A system of manners proceeding, like that of the Mahomedans, upon the supposition of the natural equality of mankind, constituted such a difference in behalf of all that is good for human nature, as it is hardly possible to value too high. Another great portion of the manners of the Hindus consisted in the performance of religious ceremonies: In ceremonies to the last degree contemptible and absurd, very often tormenting and detestable, a great proportion of the life of every Hindu is, or ought to be, consumed. The religion of the Moslem is stript of ceremonies to a degree no where else exemplified among nations in the lower stages of civilization.

As so great a portion of human life is devoted to the preparation and enjoyment of food, the great diversity between a diet wholly vegetable, and one which may in any degree consist of animal food, implies a considerable diversity in one grand portion of the details of ordinary life. Abstinence from intoxicating liquors, is a feature almost equally strong in the manners of both Mahomedans and Hindus.

In point of address and temper, the Mahomedan is less soft, less smooth and winning than the Hindu. Of course he is not so well liked by his lord and master the Englishman; who desires to have nothing more to do with him, than to receive his obedience. In truth, the Hindu, like the Eunuch, excels in the qualities of a slave. The indolence, the security, the pride of the despot, political or domestic, find less to hurt them in the obedience of the Hindu, than in that of almost any other portion of the species. But if less soft, the Mahomedan is more manly, more vigorous. He more nearly resembles our own half-civilized ancestors; who, though more rough, were not more gross; though less supple in behaviour, were still more susceptible of increased civilization, than a people in the state of the Hindus.



In the still more important qualities, which constitute what we call the moral character, the Hindu, as we have already seen, ranks very low; and the Mahomedan is little, if at all, above him. The same insincerity, mendacity, and perfidy; the same indifference to the feelings of others; the same prostitution and venality,[1] are conspicuous in both. The Mahomedans are profuse, when possessed of wealth, and devoted to pleasure; the Hindus are almost always penurious and ascetic.

VII. TheArts. The comparison has been so fully exhibited, between the Persians and Hindus, in respect to progress in the arts, in that chapter of the preceding book, in which the arts of the Hindus have been described; and it is so well known, that the Mahomedan conquerors of India carried with them in perfection the arts of the Persians that under this head scarcely any thing remains to be adduced.



Of the mechanical arts, those of architecture, jewellery, and the fabrication of cloth, appeared to be the only arts for which admiration has been bestowed upon the Hindus. In the first two, the Hindus were found decidedly inferior to the Mahomedans. Of the Mahomedan structures, some are hardly exceeded by the finest monuments of architecture in Europe. The characteristic circumstance of building an arch, the Hindus were totally ignorant of; the Mahomedans excelled in it.[1] If in any thing the Mahomedans were inferior to the Hindus, it was in the productions of the loom; though it is doubtful whether, as high specimens of art, the silks and velvets of the Persians are not as wonderful as the fine muslins of the Hindus.

In making roads and bridges, one of the most important of all the applications of human labour and skill, the Hindus, before the invasion of the Mahomedans, appear to have gone very little beyond the state of the most barbarous nations. We have seen, in the extract lately produced from the Institutes of Timur, that this was a primary care of government among the Moguls, before they became the conquerors of Hindustan.

In the fine arts, as they are usually called; or those of music, painting, and sculpture, the reader has already traced, with me, a remarkable coincidence in the progress of the Mahomedans, the Chinese, and the Hindus. In painting, the taste, as well as the mechanical faculty of all these nations, exhibit a resemblance which is singular and surprising.

In music, the Hindus appear to be inferior; as, in sculpture, the Persians superior, to the other two.

Whether war is to be ranked among the fine or the coarse arts; and whatever the relative portion of the powers of mind which it requires; the art may be expected to exist in a state of higher perfection among a people who are more, than a people who are less advanced in the scale of intelligence. When a number of people, comparatively few, overcome and hold in subjection a number of people comparatively large, the inference is a legitimate one (unless something appear which gives the small number some wonderful advantage), that the art of war is in a state of higher perfection among the conquering people, than the conquered. This inference, in the case of the Mahomedans and Hindus, is confirmed by every thing which we know with respect to both those people.

VIII. Literature.—In this important article, it will be impossible to show that the Hindus had the superiority in one single particular. It will not be disputed, it is probable, that in almost every respect a decided superiority was on the side of their invaders. The only branches of Hindu literature of which the admirers of Hindu civilization have called for any admiration, are the mathematics and the poetry.

With regard to the mathematics, it is rather the supposed antiquity, than the high progress of the science, among the Hindus, at which any wonder has been expressed. Whatever the case in regard to antiquity; it is abundantly certain that the science existed among the Mahomedans, acquainted to a considerable degree with the mathematics of Europe, in a state not less high, than it was found among the Hindus; and that point is all which is material to the present purpose.



Of the poetry of the Hindus I have already endeavoured to convey a precise idea. On the present occasion it appears sufficient to say, that even those who make the highest demand upon us for admiration of the poetry of the Hindus, allow, as Sir William Jones, for example, that the poetry of the Persians is superior. Compare the Mahabarat, the great narrative poem of the Hindus, with the Shah Namah, the great narrative poem of the Persians; the departure from nature and probability is less wild and extravagant; the incidents are less foolish; the fictions are more ingenious; all to a great degree, in the work of the Mahomedan author, than in that of the Hindu.

But the grand article in which the superiority of the Mahomedans appears is history. As all our knowledge is built upon experience, the recordation of the past for the guidance of the future is one of the effects in which the utility of the art of writing principally consists. Of this most important branch of literature the Hindus were totally destitute. Among the Mahomedans of India the art of composing history has been carried to greater perfection than in any other part of Asia. In point of simplicity and good sense, there is no specimen even of Persian history, known to the European scholar, which can vie with the works of Ferishta, or the interesting Memoirs of Gholam Hussein, the Seer Mutakhareen. Beside the best specimens of Persian history, it is worthy of remark that the best specimen also of Persian poetry, the celebrated Shah Namah, was produced among the Mahomedan conquerors of Hindustan.

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# NOTE A. P. 71.

The most authentic source of information, yet open to the research of the European scholar, on the metaphysical, as on other ideas of the learned Hindus, is the volume of the Institutions of Menu. This celebrated, authoritative, and divine work contains, as is usual with the sacred books of the Hindus, a specimen of all their knowledge; cosmogony, theology, physics, metaphysics, government, jurisprudence, and economics. From the account which in this work is rendered of the origin of the mind and its faculties, very sure conclusions may be drawn respecting the extent and accuracy of the psychological knowlege of the people by whom that account is delivered and believed.

The inspired author of this divine work informs the believing Hindu that, "From the supreme soul, Brahma, the Creator, drew forth mind, existing substantially, though unperceived by sense, immaterial."1 The principal words here employed are vague and obscure, and no distinct meaning can be assigned to them. What is meant by "existing substantially?" What is meant by "immaterial?" "To exist substantially," if it have any meaning, is to be a substance. But this is inconsistent with the idea which we ascribe to the word immaterial; and there is in many other passages, abundant reason to conclude that the word, with its usual leanings, here translated, "immaterial," by Sir William Jones, meant nothing, in the conception of a Hindu, but a certain air, or ether, too fine to be perceived by the organs of sense.

Immediately after the words we have just quoted, it is added; "And before mind, or the reasoning power, he produced consciousness, the internal monitor, the ruler."2 Consciousness, a faculty of the mind, is here represented as created before the mind, the quality before the substratum. It is subjoined in the next words; "And before them both" (that is, before the mind and consciousness) "he produced the great principle of the soul, or first expansion of the divine idea."3 Here is a third production, which is neither the mind, nor consciousness. What is it? to this we have no answer. As to the term "first expansion of the divine idea," which may be suspected to be a gloss rather than a translation, it is mere jargon, with no more meaning than the cawing of rooks. "In the same manner"—(that is, according to the construction of the sentence, before mind and consciousness—) "he created the five perceptions of sense, and the five organs of perception."1 Another faculty of the mind, perception, is thus a creation antecedent to mind. The organs of perception, too, or bodily part, are a separate creation; perceiving organs which belong to no perceiving being.

The following text, which are the words next in order, exhibits a curious sample of metaphysical ideas. "Having at once pervaded, with emanations from the supreme spirit, the minutest portions of six principles immensely operative, conciousness, and the five perceptions, the Creator framed all creatures."2 Consciousness, and the five perceptions, existed antecedently to all creatures; consciousness and perception, without conscious and perceiving beings. What is meant by the minute portions of consciousness? How can consciousness be supposed divided into portions either minute or large; especially when we are told that the mind is immaterial? What, too,

are we to understand by the minute portions of a perception? As to the mere jargon, such as “pervading consciousness, and the five perceptions with emanations from the supreme spirit,” it is unnecessary to offer on it any remarks.

We are next informed, that “the minutest particles of visible nature have a dependance on those six emanations from God.” What is meant by these six emanations is not very definitely expressed. The six things that are spoken of are consciousness and the five perceptions; and it is probable that they are meant. But how visible nature should depend upon consciousness and the five perceptions, does not appear. Certain other emanations from God, however, are spoken of, with which consciousness and the five perceptions were pervaded; and perhaps it was meant that the minutest particles of matter depend on them. But this is only barbarous jargon.3

In the following verse it is said, that “from these six emanations proceed the great elements, endued with peculiar powers, and mind with operations infinitely subtle, the unperishable cause of all apparent form.”4 It is still a difficulty, what is meant by the six emanations. If those are meant with which consciousness and the five perceptions are pervaded, no ideas whatever can be annexed to the words; they are totally without a meaning; and that is all. If consciousness and the five perceptions be, as seems probable, the emanations in question; in what manner do the great elements and mind proceed from consciousness and the five perceptions? Mind would thus proceed from certain of its own operations.

It is added in the succeeding sentence, “This universe, therefore, is compacted from the minute portions of those seven divine and active principles, the great soul, or first emanation, consciousness, and five perceptions; a mutable universe from immutable ideas.”1 Here it appears that the great soul, as well as consciousness and the perceptions, can be divided into portions. The great soul is not therefore immaterial, according to our sense of the word; and still less can either that, or the perceptions and consciousness be immaterial, if the universe, a great part of which is surely material, can be compacted from portions of them. “A mutable universe,” it is said, “from immutable ideas;” therefore, the great soul, consciousness, and the five perceptions, are not realities, though divisible into portions; they are only ideas! What conclusions are we entitled to form respecting the intellectual state of a people who can be charmed with doctrine like this?2

In the following passage, and there are others of a similar import, we find a specimen of those beginnings which are made at an early stage of society, to refine in the modes of conceiving the mental operation. “Self-love,” it is said, “is no laudable motive; yet an exemption from self-love is not to be found in this world: on self-love is grounded the study of scripture, and the practice of actions recommended in it.”3 The absurdity lies, in not perceiving, that if no action proceeding from self-love is virtuous; and if there is no action which does not proceed from self-love; then is there no virtue in the world, which is far from being the subject of Hindu belief.

[1]“The buildings are all base of mud, one story high, except in Surat, where there are some of stone. The Emperor’s own houses are of stone, handsome and uniform. The great men build not, for want of inheritance; but, as far as I have yet seen, live in

tents, or houses worse than our cottages." Sir T. Roe's Letter to the Archbishop of Canterbury, Churchill, i. 803.

[1]It is curious to observe how Plato traces this progress. He is endeavouring to account for the origin of society. Ιθι ?η (η ν ?εγω) τψ λογψ εξ αρΧης ποιωμεν πολιν' ποιησει δ'αντην, ?ς εοικεν, ? ?μετερα Χρεια. Πιως [Editor: illegible character]? λλλα μ[Editor: illegible character]ν πρωιη γε κμ μεγιςη τωι χρειων, ? της τροφης πα ρασκευη, ?ευτερα ?η οικησεως, τριτη εσθητος και των τοι[Editor: illegible character]των. Εςι ταντα. ζερε ?η(ην ?' εγω) πως ? πολις αρκε σει επι τοσαυ την παρασκευην; αλλοτι, γεωργος μεν ?ις ? ?ε οικο ?εομος αλλος δε τις ?φαντης. Plat. de Repub, lib. ii. p. 599.

[1]Robertson's Histor. Disquis. concerning India, p. 225.

[1.]Orme's Hist, of Milit. Transac. of Indostan, i. 178.

[2.]The cave of Elephanta is not the only subterranean temple of the Hindus, exhibiting on a large scale the effects of human labour. In the isle of Salsette, in the same vicinity, is a pagoda of a similar kind, and but little inferior to it in any remarkable circumstance. The pagodas of Ellore, about eighteen miles from Aurungabad, are not of the size of those of Elephanta and Salsette, but they surprise by their number, and by the idea of the labour which they cost. See a minute description of them by Anquetil Duperron, Zendavesta, Disc. Prelim. p. ccxxxiii. The seven pagodas, as they are called at Mavalepuram, near Sadras, on the Coromandel coast, is another work of the same description; and several others might be mentioned. Dr. Tennant, who has risen higher above travellers' prejudices in regard to the Hindus, than most of his countrymen, says, "Their caves in Elephanta and Salsette are standing monuments of the original gloomy state of their superstition, and the imperfection of their arts, particularly that of architecture." Indian Recreations, i. 6. The extraordinary cavern, the temple of Pusa, near Chas-chou-fou, in China, which was visited by lord Macartney, and full of living priests, vies in wonderful circumstances with the cave of Elephanta. See Barrow's Life of Lord Macartney, Journal, ii. 374. "However these gigantic statues, and others of similar form, in the caves of Elora and Salsette may astonish a common observer, the man of taste looks in vain for proportion of form, and expression of countenance." Forbes' Oriental Memoirs, i. 423. "I must not omit the striking resemblance between these excavations (Elephanta, &c.) and the sculptured grottos in Egypt," &c. "I have often been struck with the idea that there may be some affinity between the *written mountains* in Arabia, and the excavated mountains in Hindustan." Ibid. i. 448, 449. It is difficult to say how much of the wonderful in these excavations may be the mere work of nature: "Left Sullo, and travelled through a country beautiful beyond imagination, with all possible diversities of rock; sometimes towering up like ruined castles, spires, pyramids, &c. We passed one place so like a ruined Gothic abbey, that we halted a little, before we could satisfy ourselves that the niches, windows, ruined staircaise, &c. were all natural rock. A faithful description of this place would certainly be deemed a fiction." Mungo Park's last Mission to Africa, p. 75. "Between the city of Canton, and first pagoda, on the bank of the river, is a series," says Mr. Barrow, "of stone quarries, which appear not to have been worked for many years. The regular and

formal manner in which the stones have been cut away; exhibiting lengthened streets of houses with quadrangular chambers, in the sides of which are square holes at equal distances, as if intended for the reception of beams; the smoothness and perfect perpendicularity of the sides, and the number of detached pillars that are scattered over the plain, would justify a similar mistake to that of Mr. Addison's doctor of one of the German universities, whom he found at Chateau d'Un in France, carefully measuring the free-stone quarries at that place, which he conceived to be the venerable remains of vast subterranean palaces of great antiquity." Barrow's Travels in China, p. 599. The conclusions of many of our countrymen in Hindustan will bear comparison with that of the German doctor in France. It is not a bad idea of Forster, the German commentator upon the travels of P. Paulini, that the forming caverns into temples must naturally have been the practice when men as yet had their principal abodes in caverns. Voyage aux Indes Orien. par le P. Paulini, iii. 115. Volney says, "Those labyrinths, temples, and pyramids, by their huge and heavy structure, attest much less the genius of a nation, opulent and friendly to the arts, than the servitude of a people, who were slaves to the caprice of their monarch." Travels in Egypt, &c. i. 282.

[1]Clavigero, Hist. of Mexico, book vi sect. 10.

[2]Ibid. book vii. sect. 26.

[1]Royal Commentaries of Peru, by the Inca Garcilasso de la Vega, book vii. ch. xxviii. Acosta likewise says, (see his Natural and Moral History of the Indies, book vi. ch. xiv.) that of these stones he measured one, at Tiagunaco, which was thirty-eight feet long, eighteen broad, and six in thickness; and that the stones in that building were not so large as those in the fortress at Cuzco. He adds, "And that which is most strange, these stones, being not cut, nor squared to join, but contrariwise, very unequal one with another in form and greatness, yet did they join them together without cement, after an incredible manner." Acosta tells us, however, (Ibid.) that they were entirely unacquainted with the construction of arches. Humboldt, who could have no national partialities on the subject, is almost as lofty in his praises of the remains of the ancient architecture of the Mexicans and Peruvians. "An Mexique et au Perou," says he, Tableaux de la Nature, i. 168, "on trouve partout dans les plaines elevées des moutagnes, des traces d'une grande civilization. Nous avons vu, à une hauteur de seize à dix-huit cent toises des ruines de palais et de bains." The ruins which he saw of a palace of immense size, are mentioned at p. 158.

[1]"Let us now speak," says the President Goguet, Origin of Laws, part iii. book ii. ch. i. "of the bridge of Babylon, which the ancients have placed in the number of the most marvellous works of the East. It was near 100 fathoms in length, and almost four in breadth, &c..... While we do justice to the skill of the Babylonians, in conducting these works, we cannot help remarking the bad taste, which, at all times, reigned in the works of the eastern nations. The bridge of Babylon furnishes a striking instance of it. This edifice was absolutely without grace, or any air of majesty..... Finally, this bridge was not arched" The first chiefs in Iceland built no inconsiderable houses. Ingulph's palace was 135 feet in length. Mallet. Introd. Hist. Denmark, vol. i. ch. xiii.

[1]Herodot. Clio, 181. Major Rennel, who was obliged to trust to Mr. Beloe's translation, was puzzled with the expression, "a tower of the solid depth and height of one stadium;" justly pronounces it incredible, and says, "Surely Herodotus wrote *breadth* and *length*, and not breadth and height," (Geog. of Herodot. p. 359, 360,) which is precisely the fact, the words of Herodotus being και το μηχος και το ενρος The word ςερεος, too, here translated *solid*, as if the tower was a mere mass of brick-work, without any internal vacuity, by no means implies a fact so very improbable. Στερος means *strong, firmly built*, &c. This resemblance has been noticed by Humboldt (Essai Polit. sur la Nonv. Espagne,) p. 170, also that between the pyramids of Egypt, and the vast pyramids of which the remains are to be found in Mexico, p. 187. The palace of Montezuma bore a striking resemblance to that of the Emperor of China, p. 190.

[2]Voyage de Sonuerat, liv. iii. ch. viii.

[1]Buchanan's Journey through Mysore, &c. ii. 70.

[2]Id. Ib. i. 13. Sir James Mackintosh ingeniously remarks, that among the innumerable figures of men and monsters of all sorts exhibited at Elora, you perceive about one in ten thousand that has some faint rudiments of grace, those lucky hits, the offspring of chance, rather than design, which offord copies to a rude people, and enable them to make gradual improvements. "Rude nations," (says Dr. Ferguson, Hist. of the Roman Republic, i. 18, ed. 8vo.) "sometimes execute works of great magnificence, for the purposes of superstition or war; but seldom works of mere convenience or cleanliness." Yet the common sewers of Rome, the most magnificent that ever were constructed, are assigned to the age of the elder Tarquin. Polybius tells us, that the city of Ecbatana, in Media, which contained one of the palaces of the Persian kings, far excelled all other cities in the world, πγκτ? και τ[Editor: illegible character] της θατασκενης πολυτελει? μεγα τι παρα τας αλλας δοκενηνοΧεναθ πολεις. With regard to the palace itself, he was afraid, he said, to describe its magnitude and magnificence, lest he should not be believed. It was seven stadia in circumference; and though all the wood employed in it was cedar or cypress, every part of it, pillars, cornices, beams, every thing was covered with plates of silver or gold, so that no where was a bit of wood visible; and it was roofed with silver tiles. Polyb. Hist. lib. x. 24.

[1]Bryant's Ancient Mythology, book v. p. 211. From p. 187 to 213, an ample and instructive collection will be found of instances to prove the passion of rude nations for erecting great buildings; and the degree of perfection in art which their works display. Priam's palace, according to Homer, was a magnificent building. That remarkable structure, the labyrinth of Crete, was produced in a very early age. Mr. Ward assures us, "that of the Hindu temples none appear to be distinguished for the elegance of their architecture: they are not the work of a people sunk in barbarism; neither will they bear any comparison with the temples of the Greeks and Romans." He adds, "We learn from the Ain Akb?ree, however, that the entire revenues of Orissa, for twelve years, were expended in erecting a temple to the sun." Introd. p. ix.

[2]Knox's Hist. of Ceylon, London, 1681.

[1]See above, p. 3, 4. “Their knowledge of mechanical powers,” says Mr. Orme, “is so very confined, that we are left to admire, without being able to account for, the manner in which they have erected their capital pagodas. It does not appear that they had ever made a bridge of arches over any of their rivers, before the Mahomedans came amongst them.” Hist. of Mil. Trans. of Indostan, i. 7.

[2]Buchanan’s Journey through Mysore, &c. i. 61.

[1]Goguet, Origin of Laws, part iii. book ii. ch. i. He says, “it even appears to me demonstrated, that the Egyptians had not much more knowledge of architecture, of sculpture, and of the fine arts in general, than the Peruvians and Mexicans. For example, neither the one nor the other knew the secret of building vaults. What remains of foundery or sculpture, is equally clumsy and incorrect. I think this observation absolutely essential.” Origin of Laws, part iii. dissert. iii. Clavigero, however, asserts that the Mexicans did know the art of constructing arches and vaults, as appears, he says, from their baths, from the remains of the royal palaces of Tezcuco, and other buildings, and also from several paintings. Hist. Mex. book vii. sect. 53.

[2]Chardin, Voy. en Perse, iii. 116. ed. 4to. Amsterd. 1735. On est frappé [à Ispahan] de l’elegante architecture des ponts; l’Europe n’offre rien qui leur soit comparable pour la commodité des gens de pied, pour la facilité de leur passage, pour les faire jouir sans trouble, le jour, de la vue de la riviere et de ses environs, et, le soir, de la fraicheur de l’air, Olivier, Voyage, &c. v. 180. La sculpture est nulle en Perse. . . . . . Mais l’architecture, plus simple, plus elegante, mieux ordonnée que chez les Turcs, est tout-a-fait adaptée au climat. Les plafonds et les domes sont d’une recherche, d’un fini, d’un precieux, d’une richesse qui etonne. . . . . Les Persans ont poussé fort loin l’art de faire les vo?tes. . . . . Les toits de leurs maisons sont vo?tés, leur planchers le sont aussi. Ib. v. 298, 299. The skill in architecture of the Turks, a very rude people, is well known. “Perhaps I am in the wrong, but some Turkish mosques in Constantinople please me better than St. Sophia. — That of Validé Sultan is the largest of all, built entirely of marble; the most prodigious, and I think the most beautiful structure I ever saw. Between friends, St. Paul’s Church would make a pitiful figure near it.” Letters of Lady Mary Wortley Montague, Works, ii. 249, 250.

[1]“No art in Hindustan is carried to the same degree of perfection as in Europe, except some articles in which the cheapness of labour gives them an advantage, as in the case of the fine muslins at Dacca.” Tennant’s Indian Recreations, i. 104. The people are in a state of gross rudeness, Buchanan informs us, “in every part of Bengal, where arts have not been introduced by foreigners; the only one that has been carried to tolerable perfection is that of weaving.” Journey through Mysore, &c. ii. 285.

[2]Mr. Park tells us that the art of spinning, weaving, and dyein cotton, are familiar to the Africans. Travels, p. 17.

[1]“A people,” says Mr. Orme, “born under a sun too sultry to admit the exercises and fatigues necessary to form a robust nation, will naturally, from the weakness of their bodies, (especially if they have few wants) endeavour to obtain their scanty livelihood

by the easiest labours. It is from hence, perhaps, that the manufactures of cloth are so multiplied in Indostan. Spinning and weaving are the slightest tasks which a man can be set to, and the numbers that do nothing else in this country are exceeding." He adds; "The hand of an Indian cookwench shall be more delicate than that of an European beauty; the skin and features of a porter shall be softer than those of a professed *petit-maitre*. The women wind off the raw silk from the pod of the worm. A single pod of raw silk is divided into twenty different degrees of fineness; and so exquisite is the feeling of these women, that whilst the thread is running through their fingers so swiftly, that their eye can be of no assistance, they will break it off exactly as the assortments change, at once from the first to the twentieth, from the nineteenth to the second. The women likewise spin the thread designed for the cloths, and then deliver it up to the men, who have fingers to model it as exquisitely as these have prepared it." Orme, on the Gov. and People of Indostan, p. 409 to 413.

[2]Clavigero, Hist. of Mexico, book vii. sect. 57.

[1]See Gibbon (Hist. of the Decl. and Fall of the Rom. Emp. iv. 364), who says, "Yet it must be presumed, that they (the carpets and garments) were the manufactures of the provinces; which the barbarians had acquired as the spoils of war; or as the gifts or merchandise of peace." But had they been the manufactures of the provinces, the Romans must have known them familiarly for what they were; and could never have been so much surprised with their own manufactures, transferred by plunder, gift, or sale to the barbarians, (of none of which operations, had they existed, could they have been altogether ignorant) as to make their historians think it necessary to place a minute description of them in their works.

[2]Goguet, Origin of Laws, part iii. book vi. ch. i. art. 2. That diligent and judicious writer says, "Of all the arts of which we have to speak in this second part, there are none which appear to have been more or better cultivated than those which concern clothing. We see taste and magnificence shine equally in the description Moses gives of the habits of the high priest and the vails of the tabernacle. The tissue of all these works was of linen, goat's hair, wool, and byssus. The richest colours, gold, embroidery, and precious stones, united to embellish it." Ib. part ii. book ii. ch. ii. The following lofty description of the tissues of Babylon, by Dr. Gillies, (see the description of Babylon, in his History of the World) is not surpassed by the most strained panegyrics upon the weaving of the Hindus. "During the latter part of Nebuchadnezzer's reign, and the twenty-six years that intervened between his death and the conquest of his capital by Cyrus, Babylon appears not only to have been the seat of an imperial court, and station for a vast garrison, but the staple of the greatest commerce that perhaps was ever carried on by one city. Its precious manufactures under its hereditary sacerdotal government remounted, as we have seen, to immemorial antiquity. The Babylonians continued thenceforward to be clothed with the produce of their own industry. Their bodies were covered with fine linen, descending to their feet: their mitras or turbans were also of linen, plaited with much art; they wore woollen tunicks, above which a short white cloak repelled the rays of the sun. Their houses were solid, lofty, and separated, from a regard to health and safety, at due distances from each other: within them the floors glowed with double and triple carpets of the brightest colours; and the walls were adorned with those

beautiful tissues called Sindones, whose fine, yet firm texture was employed as the fittest cloathing for eastern kings. The looms of Babylon, and of the neighbouring Borsippa, a town owing its prosperity to manufactures wholly, supplied to all countries round, the finest veils or hangings, and every article of dress or farniture composed of cotton, of linen, or of wool."

[1]Bryant's Ancient Mythology, iii. 425. It was from this city the spider (Arachne) for its curious web, was said to have derived its name. The poet Nonnus thus celebrates its manufactures:

Και ηνρε ποιχιλα πεπλα, τα περ' παρα Τιγι?ος Νηματι λεπ ταλεψ τεχνησατο Περσις Αραχνη. Again:

Νηρενς μεν ταδε δωρα πολντροπα δωχε δε χ[Editor: illegible character]ρν Περσικος Ευφρη της πολν δαιδαλ[Editor: illegible character][Editor: illegible character]ιμαΤ' Αραηνης. Nonnus, lib. xviii. p. 326, Edit. 1569; et lib. xlii. p. 747. See the brilliant description which Chardin gives of the exquisite skill of the modern Persians in the art of weaving; of the extraordinary beauty and value of their gold velvets. They make not fine cottons, he says, only for this reason, that they can import them cheaper from India. Chardin, Voyages en Perse, iii. 119. Olivier says; "Ils excellent dans la fabrication des etoffes de soie pure, de soie et coton, de soie et or ou argent, de coton pur, de coton et laine. A Yesd, à Cachan, à Ispahan, on travaille avec autant de go?t que de proprieté les brocards, les velours, les taffetas, les satins, et presque toutes les etoffes que nous connaissons. Olivier, Voyage, &c. v. 304, 305, 306.

[1]Ovid. We learn from Plato, that, when any fine production of the loom among the Greeks was represented as of the most exquisite fineness and beauty, it was compared to those of the Persians; την ζωνυ τ[Editor: illegible character] χι θονισχ[Editor: illegible character] ειναι μεν ?αια [Editor: illegible character]ιΠερσιχαι Των πολντελων. Hippias Min. 255.

[2]Orme, on the Government and People of Indostan, p. 409, &c. Tennant's Indian Recrentions, p. 301. "The apparatus of the weaver is very simple; two rollers placed in four pieces of wood fixed in the earth; two sticks which traverse the warp, and are supported at each of the extremities, one by two strings tied to the tree under which the loom is placed, and the other by two other strings tied to the workman's feet, which gives him a facility of removing the threads of the warp to throw the woof." Sonnerat, Voyag. liv. iii. ch. viii.

[1]"Perhaps their painted cloths are more indebted to the brilliancy of the colours, and the goodness of the water, than any skill of the artist, for that admiration with which they have been viewed." Tennant's Indian Recreations, i. 299. Chardin, who tells us how admirable the Persians are in the art of dyeing, adds that their excellence in this respect is principally owing to the exquisiteness of their colouring matters. Voyages en Perse, iii. 116.

[2]Goguet, Origin of Laws, part ii. book ii. ch. ii. art. 1.

[3]Ibid. “The linen manufactured by the Colchians was in high repute Some of it was curiously painted with figures of animals and flowers; and afterwards dyed like the linen of the Indians. And Herodotus tells us, that the whole was so deeply tinctured, that no washing could efface the colours. They accordingly exported it to various marts, as it was every where greatly sought after.” Bryant’s Anc. Mythol. v. 109. Herodotus, however, represents the people of whom he speaks, as in a state of great barbarity; μιξιν τε τ[Editor: illegible character]των των ανθρωπων ειναν εμφαανεα, καταπερ τοισι προβατοισι. Clio. cciii. The Chinese dye scarlet more exquisitely than any other nation. Lord Macartney says it arises “from their indefatigable care and pains, in washing, purifying, and grinding their colouring matters.” See Lord Macartney’s Journal, Barrow’s Life of Lord Macartney, ii. 516. The same expenditure of time and patience, commodities generally abounding in a rude state of society, are the true causes of both the fine dyeing and the fine weaving of the Hindus. Both Hindus and Chinese are indebted for all elegance of pattern to their European visitors.—Pour se qui est des arts mechaniques, celui ou les Persans excellent le plus, et ou ils nous surpassent peut-ètre, cest la teinture. Ils donnent à leurs étoffes des coulours plus vives, plus solides qu’on ne fait en Europe. Ils impriment cellos de coton et celles de soie avec une netteté et une tenacité surprenantes, soit qu’ils emploient des couleurs, soit qu’ils procédent avec des fuilles d’or et d’argent. Olivier, Voyage, &c. v. 303. Mr. Park informs us, that the negroes of Africa have carried the art of dyeing to great perfection. Travels in Africa, p. 281: see also his last Mission, p. 10. The arts in which the Hindus have any pretensions to skill are the very arts in which so rude a people as the Turks most excel. “Presque tous les arts sont dans l’enfance, ou sont ignorés chez eux, si nous en exceptons la teinture, la fabrication de diverses étoffes, celle des lames de sabre ct de couteau. Voyages dans l’Empire Ottoman, &c. par G. A. Olivier, i. 26.

[1]“You frequently see a field, after one ploughing, appear as green as before; only a few scratches are perceptible, here and there, more resembling the digging of a mole, than the work of a plough.” Tennant’s Ind. Recr. ii. 78.

[2]Ibid. 124, 275.

[1]Tennant’s Ind. Recr. ii. 75. “You cannot, by any argument, prevail upon the listless owner to save his ears, his cattle, or his cart, by lubricating it with oil. Neither his industry, his invention, nor his purse, would admit of this, even though you could remove what is generally insurmountable—his veneration for ancient usage. If his forefathers drove a screeching hackery, posterity will not dare to violate the sanctity of custom by departing from their example. This is one instance of a thousand in which the inveterate prejudices of the Asiatics stand in the way of their improvement, and bid defiance equally to the exertions of the active, and the hopes of the benevolent.” Ibid. 76. This characteristic mark of a rude people, a blind opposition to innovation, is displayed by persons among ourselves, as if it was the highest mark of wisdom and virtue.—The waggon wheels are one piece of solid timber like a millstone. Tavernier, in Harris, i. 815.

[2]Into Oude are imported a variety of articles of commerce from the northern mountains, gold, copper, lead, musk, cow-tails, honey, pomegranate seeds, grapes,

dried ginger, pepper, red-wood, tincar, civet, zedoary, wax, woollen cloths, wooden ware, and various species of hawks, amber, rock-salt, assafœtida, glass toys. What is carried back is earthen ware. All this commerce is carried upon the backs of men, or horses and goats. Ayeen Akberry, ii. 33. Buchanan's Journey, i. 205, 434. Capt. Hardwicke, Asiat. Res. vi. 330.

[1]For this sketch of Hindu agriculture, the chief authorities are, a short treatise, entitled "Remarks on the Agriculture, &c. of Bengal;" Tennant's Indian Recreations, particularly the second volume; and Dr. Buchanan's Journey through Mysore, Canara, and Malabar. After describing the wretched state of agriculture in the neighbourhood of Seringapatam, Dr. Buchanan says; "I am afraid, however, that the reader, in perusing the foregoing accounts, will have formed an opinion of the native agriculture still more favourable than it deserves. I have been obliged to use the English words ploughings, weedings, and hoeings, to express operations somewhat similar, that are performed by the natives; and the frequent repetition of these, mentioned in the accounts taken from the cultivators, might induce the reader to imagine that the ground was well wrought, and kept remarkably clean. Quite the reverse, however, is the truth. Owing to the extreme imperfection of their implements, and want of strength in their cattle, a field, after six or eight ploughings, has numerous small bushes remaining as upright in it as before the labour, while the plough has not penetrated above three inches deep, and has turned over no part of the soil. ? ? ? The plough has neither coulter nor mould-board, to divide and to turn over the soil; and the handle gives the ploughman very little power to command its direction. The other instruments are equally imperfect, and are more rudely formed than it was possible for my draughtsman to represent." Buchanan's Journey through Mysore, &c. i. 126. In another place he says, "In every field there is more grass than corn. Notwithstanding the many ploughings, the fields are full of grass roots." Ibid. p. 345. See also p. 15. Agriculture was almost universal among the American tribes. "Throughout all America, we scarcely meet with any nation of hunters, which does not practise some species of cultivation." Robertson's America, ii. 117. The agriculture of the Peruvians was apparently superior to that of the Hindus. Ibid. iii. 341.

[1]Frezier (see his Voyage to the South Sea, p, 213, London edition, 1718) says, "The ancient Indians were extraordinary industrious in conveying the water of the rivers to their dwellings: there are still to be seen in many places aqueducts of earth and of dry stones, carried on and turned off very ingeniously along the sides of hills, with an infinite number of windings, which shows that those people, as unpolished as they were, very well understood the art of levelling." There is something indicative of no little art in the floating gardens and fields which were on the lake of Mexico. (See the Description in Clavigero, Hist. Mex. book vii. sect. 27.) The cultivation of their fields, considering it was done by human, without the aid of animal labour, was remarkable, and their produce surprising. (Ibid. sect. 28.) The following passage from Garcilasso de la Vega deserves to be quoted as a monument of the labours of the Peruvians in agriculture: "They drained all wet moors and fens, for in that art they were excellent, as is apparent by their works which remain unto this day: And also they were very ingenious in making aqueducts for carrying water into dry and scorched lands." (He explains how careful they were to water both their corn lands and pasture.) ? ? ? "After they had made a provision of water, the next thing was to dress, and cultivate

and clear their fields of bushes and trees; and that they might with most advantage receive the water, they made them in a quadrangular form; those lands which were good on the side of hills, they levelled by certain alleys or walks which they made. To make these alleys they raised three walls of friezed stone, one before, and one of each side, somewhat inclining inwards, so that they may more securely bear and keep up the weight of the earth, which is pressed and rammed down by them, until it be raised to the height of the wall. Then next to this walk they made another, something shorter and less, kept up in the same manner with its wall; until at length they came to take in the whole hill, levelling it by degrees in fashion of a ladder, one alley above the other. Where the ground was stony, they gathered up the stones, and covered the barren soil with fresh earth to make their levels, that so no part of the ground might be lost. The first quadrangles were the largest, and as spacious as the situation of the place could bear, some being of that length and brendth as were capable to receive a hundred, some two hundred, or three hundred bushels of seed. Those of the second row were made narrower and shorter. ? ? ? ? In some parts they brought the channels of water from fifteen or twenty leagues distance, though it were only to improve a slip of a few acres of land, which was esteemed good corn ground." Royal Commentaries of Peru, part i. book v. ch. i. The Mercurio Peruano describes extensive works for irrigation among the Peruvians, of which the vestiges are still to be seen. Mercur. Peruana, viii. 38. Acosta tells us, (Nat. and Mor. Hist. book iii. ch. xviii.) "The Indians do draw from these floods, that run from the mountains to the valleys and plains, many and great brooks to water their lands, which they usually do with such industry, as there are no better in Murcia, nor at Millan itself, the which is also the greatest and only wealth of the plains of Peru, and of many other parts of the Indies."

[1]Sonnerat, Voyag. liv. iii. ch. viii; Tennant's Ind. Recr. i. 302. The country of the Seiks, a people confessedly barbarous, a well-informed author, Francklin, in his Memoirs of George Thomas, p. 65, 66, informs us, is highly cultivated, and their arts and manufactures are on a level with those of any other part of India. Les Tartares du Daghestan ont une coutume qu'ils observent soigneusement; sçavoir, que personne ne peut se marier chez eux, avant que d'avoir, planté en uu endroit marqué cent arbres fruitiers; ensorte qu'on trouve partout dans les montaignes du Daghestan de grandes forets d'arbres fruitiers. (Hist. Geneal. de Turtars, p. 313.) Zoroaster made the duties of agriculture part of his religion. "To sow grain with purity, is to fulfil the whole extent of the law of the Mazdeiesnans." (Anquetil Zendav. ii. 610.) The Heruli, and Lombards, in their native wilds, cultivated flax, "which supposes," says Gibbon, "property, agriculture, manufactures, and commerce." (Gibbon, vii. 276.)

[1]Exod. ch. xxviii. "I look upon engraving on fine stones," says Goguet, (Origin of Laws, part ii. book ii. ch. ii. art. 3) "as the most remarkable evidence of the rapid progress of the arts in some countries. This work supposes a number of discoveries, much knowledge, and much experience." He adds in a note, "It must be agreed, that the ancient Peruvians, whose monarchy had not subsisted above three hundred and fifty years, understood perfectly well the working of precious stones. (Hist. Gen. des Voyages, xiii. 578.)" Ibid.

[2]Claverigo, Hist. of Mexico, book vii. sect. 51. Even the most rude of the American tribes seem not to have been without some knowledge of the art of working the

precious stones. M. de la Condamine, speaking of the green stones, found in some places bordering on the Amazons River in South America, says (Voyage dans l'Interieur de l'Amerique Meridionale, p. 138), "La verité est qu'elles ne different, ni en couleur, in en dureté, du Jade Oriental; elles resistent a la lime, et on n'imagine pas par quel artifice les anciens Americains ont pu les tailler, et leur donner diverses figures d'ammaux, sans fer ni acier."—In the same place, he mentions another phenomenon of the art of the ancient Americans. "Ce sont," says he, "des Emeraudes arroudies, polies, et percées de deux trous coniques, diametralement opposés sur un axe common, telles qu'on en trouve encore aujourd'hui au Perou sur les bords de la Riviere de St. Jago, dans la province d'Esmeraldas, a quarante lieues de Quito, avec divers autres monumens de l'industrie de ses anciens habitans." The Persians of the present day are eminent lapidaries. Chardin, Voy. en Perse, iii. 115.—Olivier says, "Ils taillent assez bien les pierres precieuses, et les montent avec assez de gout. Olivier, Voy. &c. v. 304, &c. "At this place I had an opportunity of seeing their mode of smelting gold. Isaaco had purchased some gold in coming through Konkodoo, and here he had made it into a large ring. The smith made a crucible of common red clay, and dried it in the sun. Into this he put the gold, without any flux or mixture whatever. He then put charcoal under it and over it; and blowing the fire with the common bellows of the country, soon produced such a heat as to bring the gold into a state of fusion. He then made a small furrow in the ground, into which he poured the melted gold. When it was cold he took it up, and, heating it again soon hammered it into a square bar. Then heating it again he twisted it by means of two pair of pincers into a sort of screw, and, lengthening out the ends, turned them up, so as to perform a massy and precious ring." Mungo Park's Last Mission to Africa, p. 78.

[1]Acosta, Nat. and Mor. Hist. of the Indies, book vi. chap. viii.

[1]Forster's Travels, ii. 282.—Les habitans de Kamschatka, d'une stupidité sans egale à certains égards, sont à d'autres d'une industrie merveilleuse. S'agit-il de se faire des vêtemens? leur addresse en ce genre, dit leur Historien, surpasse celle des Européens. *Helvetius, de l'Homme*, i. 304.—"In general, the ingenuity of all their (*the Otaheitans*') works, considering the tools they possess, is marvellous. Their cloth, clubs, fishing implements, canoes, houses, all display great skill; their mourning dresses, their war head-dress and breast-plates, show remarkable taste; their adjustment of the different parts, the exact symmetry, the nicety of the joining, are admirable: and it is astonishing how they can, with such ease and quickness, drill holes in a pearl-shell with a shark's tooth, and so fine as not to admit the point of a common pin." Missionary Voyage, p. 330. Observe the same remarkable coincidence in patience, rudeness of tools, and neatness of execution, in the following description by Robertson of the state of the arts in Mexico. "The functions of the mason, the weaver, the goldsmith, the painter, and of several other crafts, were carried on by different persons. Each was regularly instructed in his calling. To it alone his industry was confined; and, by assiduous application to one object, together with the persevering patience peculiar to Americans, their artisans attained to a degree of neatness and perfection in work, far beyond what could have been expected from the rude tools which they employed. Their various productions were brought into commerce; and by the exchange of them in the stated markets held in the cities, not only were their mutual wants supplied, in such orderly intercourse as characterizes an

improved state of society, but their industry was daily rendered persevering and inventive." Robertson's Hist. of America, iii. 286. Voltaire has a passage on this subject which shows philosophical discernment. "Il-y-a dans l'homme un instinct de mechanique que nous voyons produire tous les jours de très grands effets, dans des hommes fort grossiers. On voit des machines inventées par les habitans des montagnes du Tirol et des Vosges, qui etonnent les savans." Voltaire, Essai sur les Mœurs et l'Esprit des Nations, Introd. p. 32.

[1]Crauford's Sketches, p. 328, 1st ed.

[2]Sonnerat, Voy. liv. iii. chap. viii. "The Indian carpenter knows no other tools than the plane, the chisel, the wimple, a hammer, and a kind of hatchet. The earth serves him for a bench, and his foot for a holdfast. He is a month in performing what our workman will do in three days. Even after instruction he will not adopt our method of sawing. Placing his wood between two beams fixed in the ground, and sitting on a bench, a man employs three days, with one saw, to make a plank, which would cost our people an hour's work." Ibid. Among the Birmans the state of the more necessary and useful arts seems to be fully as much advanced as among the Hindus: in not a few cases more so. (See Mr. Syme's Embassy to Ava.) The waggons more neat and commodious than the clumsy gauries or carts of India.

[3]Forster's Travels, i. 25. "Their artificers," says Stavorinus, "work with so little apparatus, and so few instruments, that an European would be astonished at their neatness and expedition. Stavorinus, Voy. p. 412. See to the same purpose, Tennant, Indian Recreations, i. 301, 302, 303.

[1]Fryer's Travels, let. iii. chap. iii. They cut diamonds, he says, with a mill turned by men, the string reaching, in manner of our cutler's wheels, to lesser that are in a flat press, where under steel wheels diamonds are fastened, and with its own bort are worn into what cut the artist pleases. Ibid.

[2]The blacksmith goes from place to place carrying his tools with him. Beside his forge and his little furnace, a stone serves for an anvil, and his whole apparatus consists of a pair of pincers, a hammer, a mallet, and a file. They have not attained the art of polishing gold and silver, or of working gold in different colours. The goldsmith goes about with his tools, like the blacksmith. Sonnerat, Voy. hv. iii. chap. viii. The workmen in gold and silver are frequently only little boys, who sit every day in the bazaar or market waiting till they are called, when they go to your house, with their implements in a little basket, consisting of a very small anvil, a hammer, a pair of bellows, a few files, and a pair of pincers; a chaffing dish, or pan of embers, is then given to him with a model of what is to be made, and the material. He then sets about his work in the open air, and performs it with dispatch and ingenuity. Other tradesmen go to your home in the same manner, the shoemaker and tailor. Stavorinus, Voy. p. 412. It is remarkable how exactly this description of the state of the arts among the Hindus tallies with that among the Persians. Chardin informs us that every where in Persia, the artisans of all descriptions go to work in the houses of those who employ them—that they perform their work with the poorest apparatus, and, comparing the

tools with the work, to a surprising degree of perfection. Chardin, Voy. en Perse, iii. 98.

[1]Forster's Travels, i. 80.

[2]Bartolomeo's Travels, book i. chap. vii.

[3]Rennel's Memoir, p. xxii.

[4]Sonnerat, Voy. liv. iii. ch. viii.

[1]Hodges' Travels in India. Mr. Hodges says, "I am concerned I cannot pay so high a compliment to the art of sculpture among the Hindoos as is usually paid by many ingenious authors who write on the religion of Bramah. Considering these works, as I do, with the eyes of an artist, they are only to be paralleled with the rude essays of the ingenious Indians, I have met with in Otaheite, and on other islands in the South Seas:" p. 26. He adds in the next page, that in point of carving, that is, the mere *mechanical* part, the ornaments in the Hindu temples are often beautiful. In another passage, too, p. 151, he speaks again of the same *mechanical* nicety, the peculiar sharpness of the cut in Hindu carvings. See to the same purpose, Tennant's Indian Recr. i. 299.

[2]Buchanan, Journey through Mysore, &c. iii. 391.

[1]Clavigero, Hist. Mex. book vii. sect. 50. He adds, "The works of gold and silver sent in presents from the conqueror Cortez to Charles V. filled the goldsmiths of Europe with astonishment, who, as several authors of that period attest, declared that they were altogether inimitable. The Mexican founders made, both of gold and silver, the most perfect images of natural bodies. They made a fish in this manner, which had its scales, alternately, the one of silver and the other of gold, a parrot with a moveable head, tongue, and wings, and an ape with a moveable head and feet, having a spindle in its hand in the attitude of spinning." Ibid. Garcilasso tells us, "that the Peruvians framed many figures of men and women, of birds of the air, and fishes of the sea; likewise of fierce animals, such as tigers, lions and bears, foxes, dogs, cats; in short, all creatures whatsoever known amongst them, they cast and moulded into true and natural figures of the same shape and form of those creatures which they represented. They counterfeited the plants and wall-flowers so well, that being on the walls they seemed to be natural; the creatures which were shaped on the walls, such as lizards, butterflies, snakes, and serpents, some crawling up and some down, were so artificially done, that they seemed natural, and wanted nothing but motion." (Book vi. Chap. i.)

[2]Tennant's Ind. Rec. i. 299.

[1]Dr. Tennant, at the place cited above, supports his own authority, by quoting the following passage of Sonnerat: "La peinture chez les Indiens est, et sera toujours, dans l'enfance; ils trouvent admirable un tableau chargé de rouge et de bleu, et dont les personages sont vêtus d'or. Ils n'entendent point le clair obscur, n'arrondissent jamais les objets, et ne savent pas les mettre en perspective; en un mot, leurs

meilleures peintures ne sont que de mauvaises enlumineures." (Voyages aux Indes, i. 99.) The Indian pictures, says Mandelsloe, are more remarkable for their diversity of colours, than any exactness of proportion. Harris' Collect. of Voy. i. How exactly does this correspond with the description which Chardin gives us of the state of the same art among the Persians? En Perse les arts, tant liberaux que mechaniques, sont en general prêsque tous rudes et bruts, en comparaison de la perfection ou l'Europe les a portés..... Ils entendent for mal le dessein, ne sachant rien faire au naturel; et ils n'ont aucune connoissance de la perspective..... Pour ce que de la platte-peinture, il est vrai que es visages qu'ils representent sont assez ressemblans; ils les tirent d'ordinaire de profil, parce que ce sont ceux qu'ils font le plus aisément; ils les font aussi de trois quarts: mais pour les visages en plain ou de front, ils y reussissent fort mal, n'entendant pas à y donner les ombres. Ils ne sauroient former une attitude et une posture..... Leur pinceau est fin et delicat, et leur peinture vive et eclatante. Il faut attribuer à l'air du pays la beauté des couleurs. Voy, en Perse, iii. 284. La peinture est encore au berceau: les Persans n'ont fait aucun progrès dans cet art..... En general, leur manière de faire ressemble un peu à celle des Chinois: leur dessin est tres incorrect; ils ne connaissent pas la perspective: ils ne savent pas employer les ombres..... Cependant on voit sortir de leurs mains des ouvrages assez jolis; ils peignent assez bien les fleurs et les oiseaux de fantaisie; ils reussissent dans les arabesques; ils emploient tres bien l'or; ils font de tres beaux vernix.....Les couleurs que les Persans emploient, et qu'ils font eux-mêmes, ont tout l'éclat, toute la solidité, qu'on peut desirer. Ce sont eux qui nous ont fait connaître l'outremir. (Olivier, Voyage, v. 301.) It is remarkable to find the state of the fine arts in China so exactly the same. "Quoique les Chinois ayent une passion extraordinaire pour tous les ouvrages de peinture, et que leurs temples en soient ornez, on ne peut rien voire neanmoins de plus borné et de moins regulier. Ils ne scavent point menager les ombres d'un tableau, ni meler ou adoucir les couleurs.....Ils ne sont pas plus heureux dans a sculpture, et ils n'y observent ni ordre, ni proportions. (Le Gentil. Voyage, ii. 111.) The painting of the Mexicans seems to have had the same perfections and imperfections with that of these eastern nations. The colours, Robertson (iii. 278) informs us, were remarkably bright, but laid on without any art, and without any regard to light and shade, or the rules of perspective. Clavigero, though the skill of the Mexicans in painting is not one of the points for which he most highly admires them, says, "We have seen, among the ancient paintings, many portraits of the kings of Mexico, in which, besides the singular beauty of the colours, the proportions were most accurately observed." (Hist. Mex. book vii. sect. 49.) "Les Mexicains," says Humboldt, "ont conservé un go?t particulier pour la peinture et pour l'art de sculpter en pierre et en bois. On est étonné de voir ce qu'ils executent avec un mauvais couteau, et sur les bois les plus durs..... Ils montrent beaucoup d'aptitude pour l'exercise des arts d'imitation; ils en deploient une plus grande encore pour les arts purement mecaniques. Cette aptitude deviendra un jour tres precieuse, &c." Humboldt, Essai Politique sur le Royaume de la Nouvelle Espagne, p. 9.

[1]Indian Rec. i. 300.—Ces peuples n'ont aucune idee des accords. Leur chant commence par un bourdonnement sourd et fort has, apres lequel ils eclatent. Anquetil Duperron, Voyage aux Indes Orientales, Zendavesta, i. xxvi. Even Sonnerat himself informs us, that their music is bad, and their songs destitute of harmony. Voyages aux Indes, liv. iii. chap. viii.

[2]Motte's Journey to Orissa, (Asiat. An. Regist. i. Miscellaneous Tracts, p. 77.) "Their ideas of music, if we may judge from their practice, are barbarous." Orme's Hist. Milit. Trans. i. 3. The following passage from Garcilasso de la Vega is an important document in the history of music. It exhibits more nakedly the fact respecting its origin, than, perhaps, any other written monument; and it proves at the same time the power of expression which the art had attained. "In music," says he, "the Peruvians arrived to a certain harmony in which the Indians of Colla did more particularly excel, having been the inventors of a certain pipe made of canes glued together, every one of which having a different note of higher and lower, in the manner of organs, made a pleasing music by the dissonancy of sounds, the treble tenor, and basse, exactly corresponding, and answering to each other; with these pipes they often played in concert.... They had also other pipes, which were flutes with four or five stops, like the pipes of shepherds; with these they played not in concert, but singly, and tuned them to sonnets, which they composed in metre, the subject of which was love, and the passions which arise from the favours or displeasures of a mistress..... Every song was set to its proper tune; for two songs of different subjects could not correspond with the same air, by reason that the music which the gallant made on his flute was designed to express the satisfaction or discontent of his mind, which were not so intelligible, perhaps by the words, as by the melancholy or cheerfulness of the tune which he played. A certain Spaniard, one night late, encountered an Indian woman in the streets of Cozco, and would have brought her back to his lodgings; but she cried out, 'For God's sake, sir, let me go, for that pipe which you hear in yonder tower calls me with great passion, and I cannot refuse the summons; for love constrains me to go, that I may be his wife, and he my husband.' The songs which they composed of their wars, and grand achievements, were never set to the airs of their flute, being too grave and serious be intermixed with the pleasures and softness of love; for these were only sung at their principal festivals when they commemorated their victories and triumphs." Royal Comment. book ii. ch. xiv. "The accounts of twenty-two centuries ago represent the Indians as a people who stood very high in point of civilization: but to judge from their ancient monuments, they had not carried the imitative arts to any thing like the degree of perfection attained by the Greeks and Romans; or even by the Egyptians. Both the Hindoos and the Chinese appear to have carried the arts just to the point requisite for useful purposes; but never to have approached the summit of perfection, as it respects taste or boldness of design." Rennel's Memoir, Introd. p. xxii. Our latest informants are the most intelligent. Mr. Ward (Introd. p. lxii.) assures us, "whatever may have been the case in other countries, idolatry in this has certainly not contributed to carry the arts of painting or sculpture to any perfection. The Abbé Dubois (p. 463) observes, "that the ornamental arts, such as painting, instrumental music, and the like, are extremely low in estimation. Hardly any but the low tribe of the Mushiers exercise the first of these; and music is nearly confined to the barbers and Pariahs; instrumental music wholly so. The small encouragement these two arts receive is, no doubt, owing to the little progress they have made. In painting, nothing can be seen but mere daubing, set off with bright colours and extravagant glare. And though all Hindus are great lovers of music, introducing it into all their civil and religious ceremonies, yet I can vouch that it is still in its infancy."

[1]Royal Comment. part ii. book ii. chap. xxx. Frezier (Voyage to the South Sea, p. 263) says of the same people, “They have a genius for arts, and are good at imitating what they see, but very poor at invention.”

[1]See the Discourse, Asiatic Researches, i. 429. “Invented apologues!” as well might he tell us they invented language. And the “*decimal scale!*“ as if they were the only nation that had ten fingers! or, as if most nations had not been led, by the simple and very natural process of counting by the fingers, to denominate and distinguish numbers by comparison with that sum! The Scandinavians, Mallet informs us, counted up the unities to twelve, and denominated higher numbers by comparison with twelve, which, he justly remarks, is preferable to ten, as being more divisible into fractions. Mallet, Introd. Hist. Denmark, vol. i. chap. xiii. The Swedes and Icelanders, as well as Scotch, retain a memorial of this in their great hundred. From Mr. Park we learn that some of the negro tribes in Africa counted only five, the number of fingers on one of the hands, and then doubled; thus, instead of six, they said five and one; seven, five and two, &c. Park’s Travels in Africa, p. 17.

[1]Molina, Civil Hist. of Chili, book ii. chap. x. The Persians claim the invention of this game; and as their game is radically different from that of the Hindus, it is probable they are both inventions. See Chardin, Voy. en Perse, iii. 62. Gibbon, vii. 276, marks a fact in the narrative of Paul Diaconus, expressive of the manners of the Heruli: Dum ad tabulam luderet, while he played at draughts, says Gibbon; but he might as well have said chess; for the word as much expresses the one as the other: And we know that, among the Scandinavians, a game very closely resembling chess was known. The ancient chronicles of the Scandinavians frequently present us with young warrions endeavouring to acquire the good opinion of their mistresses by boasting of their accomplishments, such as *their skill at chess*, their dexterity in swimming and skating, their talents in poetry, and their knowing all the stars by their names. Mallet, Introd. Hist. Denmark, chap. xiii. Mr. Barrow informs us that the chess of the Chinese is totally different from that both of the Hindus and Persians. Travels in China, p. 158. It has been therefore probably, in each of those cases, a separate invention. The idea that chess was invented by the Hindus was, we believe, first started by Hyde (de Relig. Vet. Pers. ii. 1.), and thereafter it has been taken for granted. The curious reader may see an interesting description of a game at chess by four Brahmens, in Moor’s Hist. of Capt. Little’s Detachment, p. 139. That there are books in India containing the doctrine of chess proves nothing. There are books in Ice-landic, on the art of poetry, but the Icelanders were not the inventors of poetry.

[1]“Buchanan’s Journey through Mysore, &c. iii. 370. Dr. Tennant says; “Before the arrival of the Europeans, there was not a house in all India furnished with glass windows; even at present, when glass is so common here, I believe none of the natives have availed themselves of so obvious a remedy. Glass is considered by the Europeans as an indispensable requisite in the construction of every Bungalow at the upper stations: they have even introduced the use of it into the camp. Several officers carry, on their march, a frame of glass, which they fix in the windward door of their tents, during the hot winds, should the service call them into the field at that season.” Indian Recreations, i. 325. See, too, Voyage aux Indes, par le P. Paulini, ii. 403, 404. The Jews first discovered the art of making glass. Taciti Hist. lib. v. cap. vii.; Plin. lib.

v. cap. xix; also lib. xxxvi. cap. xxvi.; Strabo, lib. xvi.; Josephus, Wars of the Jews, ii. 19. The Hindus seem to be considerably behind the perfection which the Japanese have attained in the useful arts. “As to all sorts of handicrafts,” says Kæmpfer, “either curious or useful, they are so far from having occasion for masters, that they rather exceed all other nations in ingenuity and neatness of workmanship, particularly in brass, gold, silver, copper. What skill they have in working and tempering of iron, is evident by the goodness and neatness of their arms. No nation in the East is so dextrous and ingenious, in making, carving, graving, gilding of servaas, which is a particular kind of a precious, blackish metal, made artificially of a mixture of copper with a little gold. They weave silken stuff so fine, so neat and equal, that they are inimitable even to the Chinese.” Kæmpfer, Hist. of Japan, Appendix, p. 62.

[1]Works of Sir W. Jones, Discourse on the Chinese.

[1]“It was long before mankind knew the art of writing; but they very early invented several methods to supply, in a good measure, that want. The method most commonly used was, to compose their histories in verse, and sing them. Legislators made use of this expedient to consign and hand down to posterity their regulations. The first laws of all nations were composed in verse, and sung. Apollo, according to a very ancient tradition, was one of the first legislators. The same tradition says, that he published his laws to the sound of his lyre, that is to say, that he had set them to music. We have certain proof that the first laws of Greece were a kind of songs. The laws of the ancient inhubitants of Spain were verses which they sung. Tuiston was regarded by the Germans as their first lawgiver. They said he put his laws into verses and songs. This ancient custom was long kept up by several nations.” Goguet’s Origin of Laws, i. 28. See the various authorities there quoted. The laws of the Druids were in verse. Henry, Hist. of Great Britain, i. 315.

[2]“Le Dictionnaire Amarasinha est ecrit en vers Sanscrit, comme tous les anciens livres, et n’est pas divisé par chapitres comme les notres, mais par classes de noms....ainsi....classe *Svarggavargga*, c’est à dire classe des noms qui appartiennent au ciel; *Manouchavargga*, de ceux qui appartiennent à l’homme,” &c. Voyage aux Indes Orientales, par le P. Paulini, ii. 228. “Presque tous les livres Indiens sont ecrits en vers. L’astronomie, la medicine, l’histoire, tout se chante.” Ibid. p. 369. The same was the case with the ancient Germans; “Celebrant carminibus antiquis, quod unum apud illos memoriæ et annalium genus est, Tuistonem,” &c. Tacit. de Mor. Germ. cap. x.

[1]Even Mr. Maurice, whose appetite for Hindu miracles is not easily overcome, could not digest the beauties of their historic muse. After an exhibition of some of these specimens in his history, he says, “I know not whether some of my readers may not be so insensible to the charms of the Indian historic muse as to rejoice that the Ramayan (only passages of it were then in an English dress) has not been translated; for certainly inflated accounts of the combats of giants, hurling rocks, and darting serpents at one another, and of monsters whose blood, spouting forth in torrents, is formed into considerable rivers, are not very consistent with the sober and dignified page of history.” Maurice, Hist. of Hindustan, ii. 100. “To the above list of absurdities we may add monsters with ten heads and a hundred hands, which continue to fight

after all their heads are cut off, and mow down whole battalions." Ibid. p. 248. "The minute accounts of incantations and combats of giants, that fill the Indian legends, however they may astonish the oriental literati, have no charm for the polished scholar of western climes, and are justly consigned to puerile reading." Ibid. p. 251. Yet Sir William Jones could say, "The first poet of the Hindus was the great Valmic; and his Ramayan is an epic poem on the story of Rama (or rather of the three Ramas,) which in unity of action, magnificence of imagery, and elegance of style, far surpasses the learned and elaborate work of Nonnus." See Asiat. Res. i. 258. We strongly suspect that Sir William Jones never read the poem; or more of it than scraps.

[1]Of the Song of Solomon Voltaire, notwithstanding all his prejudices against the Jews, confesses "Après tout, ce cantique est un morceau precieux de l'antiquité. C'est le seul livre d'amour qui nous soit resté des Hebreux. Il y est souvent parlé de jouissance. C'est une eglogue Juive. Le style est comme celui de tous les ouvrages d'eloquence des Hebreux, sans haison, sans suite, plein de repetitions, confus, ridiculement metaphorique; mais il y a des endroits qui respirent la naïveté et l'amour. Voltaire, Diction. Philos. Mot Solomon. The criticism would in most respects exactly suit Sacontala.

[2]Preface to Sir William Jones's Translation of Sacontala.

[3]The conformities in their religious system have already been remarked. All their doctrines, their narratives, and even the laws of which they were the promulgators, were delivered in verse. "They had made considerable progress," says Dr. Henry, "in several branches of learning. We shall be confirmed in this," he adds, "by observing the respectful terms in which the best Greek and Roman writers speak of their learning. Diogenes Laertius places them in the same rank, in point of 'earning and philosophy, with the Chaldeans of Assyria, the Magi of Persia, and the gymnosophists and Brachmans of India. Both Cæsar and Mela observe, that they had formed very large systems of astronomy and natural philosophy; and that these systems, together with their observations on other parts of learning, were so voluminous, that their scholars spent no less than twenty years in making themselves masters of them, and in getting by heart that infinite multitude of verses in which they were contained." Henry's Hist. of Great Britain, ii. 5, and i. 153.

[1]Preface to Sacontala.

[2]"Wretched dramas," Lord Macartney calls them. Barrow's Life of Lord Macartney, ii. 286.

Garcilasso de la Vega, on the subject of the ancient Peruvians, says, "The Amautas, who were men of the best ingenuity among them, invented comedies and tragedies, which in their solemn festivals they represented before their king and the lords of his court.—The plot or argument of their tragedies was to represent their military exploits, and the triumphs, victories, and heroic actions of their renowned men." Royal Commentaries of Peru, book ii. chap xv.

"Dramatic as well as lyric poetry," says Clavigero, "was greatly in repute among the

Mexicans." He then describes their theatres, and adds, "Boturini says, that the Mexican comedies were excellent." Clavigero, Hist. of Mexico, book vii. sect. 43. Carli (Lettres Americaines, i. 296) says, "Mais que direz vous si je vous assure que les Peruviens jouoient des comedies pendant ces fêtes, et qu'ils aimoient passionément ce plaisir. Cela est cependent vrai. La comedie faisoit donc un des plaisirs du Peru; mais la tragédie etoit préférée à Tlascala, dont le peuple etoit republicain. Chez un peuple independant on se plait à produire les tyrans sur la scene pour en inspirer la traine à la generation actuelle, qui la transmet à la suivante..... Mais on a aussi remarqué ce gout du théatre chez plusieurs peuples des iles du Sud." But an art which is known to the islanders of the South Sea, is not a proof of high civilization. The people in the Birman empire are fond of dramatic entertainments; but these entertainments among them are very rude. Dr. Buchanan, Asiat. Res. vi. 305.

[1]"The poets of the north" (to use the words of Dr. Henry) "were particularly famous in this period, and greatly caressed by our Angle-Saxon kings. 'It would be endless,' (says an excellent antiquary) 'to name all the poets of the north who flourished in the courts of the kings of England, or to relate the distinguished honours and magnificent presents that were heaped upon them.' The same writer hath preserved the names of no fewer than eight of those Danish, Norwegian, and Icelandic poets, who flourished in the Court of Canute the Great.—The poems of those ancient bards of the north are said to have produced the most amazing effects on those who heard them, and to have roused or soothed the most impetuous passions of the human mind. Revenga, it is well known, rages with the greatest violence in the hearts of warlike, fierce barbarians, and is of all their passions the most furious and ungovernable; and yet it is said to have been subdued by the enchauting power of poetry. Egil-Skallagrim, a famous poet of those times, had quarrelled with Eric Blodox, King of Norway; and in the course of that quarrel had killed the King's son and several of his friends; which raised the rage of Eric against him to the greatest height. Egil was taken prisoner, and sent to the King, who was then in Northumberland. No sooner was he brought into the presence of the enraged Monarch, who had in his own mind doomed him to the most cruel tortures, than he began to sing a poem which he had composed in praise of his royal virtues, and conveyed his flattery in such sweet and soothing strains, that they procured him not only the forgiveness of all his crimes, but even the favour of his prince. The power of poetry is thus described in one of their most ancient odes: 'I know a song by which I soften and enchant the arms of my enemies, and render their weapons of none effect. I know a song which I need only to sing when men have loaded me with bonds; for the moment I sing it my chains fall in pieces, and I walk forth at liberty. I know a song useful to all mankind; for as soon as hatred inflames the sons of men, the moment I sing it, they are appeased. I know a song of such virtue, that, were I caught in a storm, I can hush the winds, and render the air perfectly calm.'—Those ancient bards, who had acquired so great an ascendaut over the minds of their ferocious countrymen, must certainly have been possessed of an uncommon portion of that poetic fire, which is the gift of nature, and cannot be acquired by art."—Henry's Hist. of Great Britain, book ii. chap. v.

[1]Mallet, Introd. Hist. Denmark, i. 13. The following is a very soft but correct delineation of the rude features of Hindu poetry. "The poetical expression of the Hindus perhaps offends by too great loftiness and emphasis. One may understand

their books and conversation in prose; but it is impossible to comprehend those in verse, until diligent study has rendered them familiar. Quaint phrases, perpetual allegories, the poetical terminations of the words, contracted expressions and the like, render the poetical style obscure and difficult to be understood, excepting to those who are inured to it. One of the principal defects of the Hindu poets is that their descriptions are commonly too long and minute. For example, if they are describing a beautiful woman, they are never contented with drawing her likeness with a single stroke.....Such a mode of expression would not be strong enough for the gross comprehension of a Hindu. The poet must particularize the beauty of her eyes, her forehead, her nose, her cheeks, and must expatiate on the colour of her skin, and the manner in which she adorns every part of her body. He will describe the turn and proportion of her arms, legs, thighs, shoulders, chest, and in a word of all parts visible or invisible; with an accurate recital of the shape and form which best indicate their beauty and symmetry. He will never desist from his colouring till he has represented in detail every feature and part in the most laboured and tedious style, but at the same time with the closest resemblance. The epithets, in their poetical style, are frequent, and almost always figurative.—The brevity and conciseness of many modes of expression in the Hindu idioms does not hinder their style, upon the whole, from being extremely diffuse.—To give an exact idea of the different species of Hindu poesy would not be much relished by the greater number of readers, so different in their manner from ours. All their little pieces that I have seen are in general very flat." Description, &c. of the People of India, by the Abbé Dubois, p. 267.

[1]Mallet, ut supra. In the very subjects of their poems, as well as the style of them, the Scandinavian bards bore a great resemblance to the Hindu. Of the poetry of the Scalds, Mallet says, Ibid. ii. 183, "The same taste and mode of composition prevails every where: we have constantly allegories and combats; giants contending with the gods; Loke perpetually deceiving them; Thor interposing in their defence, &c." The Scandinavians had not only striking poems, but treatises on the art of poetry. Id. Introduction to the Edda, p. xix. Clavigero says of the Mexicans, "The language of their poetry was brilliant, pure, and agreeable, figurative, and embellished with frequent comparisons to the most pleasing objects in nature, such as flowers, trees, rivers, &c." Hist. of Mex. book vii. sect. 42.

[2]The words of Sir William Jones are: Nobilissimum interea, et longissimum (voluminis enim permagni, prope dimidiam partem constituit) est sine ulla dubitatione vere epicum, et profecto nullum est ab Europeis scriptum poema, quod ad Homeri dignitatem, et quasi cœlestem ardorem propius accedat." Works, ii. 502.

[1]Tour to Sheeraz, by Ed. Scott Waring, pp. 158, 159, 160, 198.

[2]Ibid. p. 150. The author adds, "I shall give one instance from an immense number, of the forced images of Persian historians; it would be disgusting to the reader to produce others:"—a style of which more than one instance would disgust must be a bad style indeed.—"Nous savons assez," says Voltaire, "que le bon gout n'a jamais été connu dans l'Orient.—Otez aux Arabes, aux Persans, aux Juifs, le soleil et la lune, les montagnes et les vallées, les dragons et les basilics, il ne leur reste presque plus de poesie." Voltaire, Essai sur les Mœurs et l'Esprit de Nations, tom. i. ch. v.

[1]Tour to Sheeraz, ut supra, p. 235. To the imagination of the eastern poets, and above all, of the Hindus, may be aptly applied, in many of its particulars, the description of the Demoness, Imagination, in the enchanted castle of Hermaphrodix:

> Sous les grands ares—d' un immense portique,
> A mas confus de moderne et d'antique,
> Se promenoit un fantôme brillant,
> Au pied leger, à l'œil etincelant,
> Au geste vif, à la marche egarée,
> La tête hante, et de clinquans parée.
> On voit son corps toujours en action,
> Et son nom est l'*Imagination*,
> *Non cette belle et charmante déesse*
> *Qui présida dans Rome et dans la Gréce*,
> Aux beaux travaux de tant de grands auteurs,
> Qui repandit l'eclat de ses couleurs;
> *Mais celle-la qu'ubjure le bon sens*,
> *Cette etourdie, effarée, insipide*,
> Que tant d'auteurs approchent de si près.
> . . . . . .
> Près d'elle étoit le Galimatias,
> Monstre bavard caressé dans ses bras.

La Pucelle d'Orleans, Chant 17 me.

Gibbon well denominates the Koran, "an endless incoherent rhapsody of fable, and precept, and declamation, which seldom excites a sentiment or an idea, which sometimes crawls in the dust, and is sometimes lost in the clouds." Chap. 1. p. 269. Yet it is a superior composition to any work among the Hindus.

[1]Wilford, on Egypt and the Nile, Asiat. Res. iii. 296.

[2]Rennel's Memoir, Introd. p. xl.

[3]"That no Hindu nation, but the Cashmirians, have left us regular histories," says Sir W. Jones, "in their ancient language, we must ever lament." Asiat. Res. iv. xvii. What he meant by excepting the Cashmirians, we know not. No history of them has ever been seen. "Although we have had recourse," says Dr. Tennant, "to the Sanscrit records at Benares for several years, no history of the country has been found, which is the composition of a native." Ind. Rec. i. 10. "Their poets," says Mr. W. Chambers, "seem to have been their only historians as well as divines; and whatever they relate is wrapped up in this burlesque garb, set off, by way of ornament, with circumstances highly incredible and absurd, and all this without any date, and in no order or method, than such as the poet's fancy suggested and found most convenient. Asiat. Res. i. 157. Such is the character of the Puranas, from which Mr. Wilford has exerted himself with such a waste of labour and credulity to extract some scattered fragments of history; or rather something, it is difficult to say what, on which some few historical inferences might be founded. "The department of ancient history in the East is so deformed by

fable and anachronism, that it may be considered an absolute blank in Indian literature." Wilks's Mysore, Pref. p. xv. Mr. Dow's prejudices went far: "We must not," says he, (Preface to his Hist. of Hindostan) "with Ferishta, consider the Hindoos as destitute of genuine domestic annals, or that those voluminous records they possess are mere legends framed by the Bramins." Yet it has been found that all which Ferishta said was true, and all that Col. Dow believed was false.—"Seriously speaking, the turn and bent of the imagination of the people of India are such, that they can in no wise be excited but by what is monstrous. Ordinary occurrences make no impression upon them at all. Their attention cannot be gained without the introduction of giants and pygmies. The Brahmans, therefore, having studied this propensity, availed themselves of it to invent a religious worship, which they artfully interwove with their own private interests.—This passion of the Hindus for the extraordinary and the wonderful must have been remarked by every one who has ever so little studied their character. It continually leads to the observation I have so frequently repeated, that as often as it was necessary to move their gross imagination, some circumstance, altogether extravagant, but coloured with the hue of truth, was required to be added to the simplicity of narrative or fact. To give them any idea of the marvellous, something must be invented that will overturn, or at least alter the whole order of nature. The miracles of the Christian religion, however extraordinary they must appear to a common understanding, are by no means so to the Hindus. Upon them they have no effect. The exploits of Joshua and his army, and the prodigies they effected by the interposition of God, in the conquest of the land of Canaan, seem to them unworthy of notice, when compared with the achievements of their own Rama, and the miracles which attended his progress when he subjected Ceylon to his yoke. The mighty strength of Samson dwindles into nothing, when opposed to the overwhelming energy of Bali, of Ravana, and the giants. The resurrection of Lazarus itself is, in their eyes, an ordinary event, of which they see frequent examples, in the Vishnu ceremonies of the *Paheahdam*.—I particularize these examples, because they have been actually opposed to me more than once by Brahmans, in my disputations with them on religion." Abbé Dubois, p. 421.

[1]Such is the opinion of some of the best Sanscrit scholars; for example, of Mr Wilkins. The same idea is encouraged by Sir William Jones, Asiat. Res. ii. 135. The good sense of Major Rennel rejected at an early period the notion of their historical truth. "The Mahabarat....supposed to contain a large portion of interesting historical matter: but if the father of Grecian poetry made so total a change in the story of Helen, in order to give a full scope to his imagination; what security have we that another poet may not mislead us in matters of fact." Memoir, p. xlii. A mind of greater compass and force had previously said, "It were absurd to quote the fable of the Iliad or the Odyssey, the legends of Hercules, Theseus, or Œdipus, as authorities in matter of fact relating to the history of mankind; but they may, with great justice, be cited to ascertain what were the conceptions and sentiments of the age in which they were composed, or to characterize the genius of that people, with whose imaginations they were blended, and by whom they were fondly rehearsed and admired." Ferguson, Essay on the Hist. of Civil Society, part ii. sect. 1.

[2]Hist. of Persia, i. 273. Yet the Jewish scriptures tell us, that the deeds of the kings of Persia were written in chronicles of that kingdom; and Ctesias, who was at the

court of Artaxerxes Mnemon, says he had access to volumes contained in the royal archives. The Persians had no historians before the æra of Mohammed; Kinneir's Geog. Mem. of the Persian Empire, p. 49.—In Persia, there is now, as there has long been, a royal historiographer, whose business it is to record the glories of the reigning prince. Ibid.

[1]Tour to Sheeraz, p. 152.

[2]Richardson's Dissertations, p. 47.

[1]Richardson's Dissertations, p. 47 to 60. He gives us the following as the account, by the Persian historians, of the conquest of Alexander. Bahman, the King, had married his own daughter. When he died, leaving her pregnant, he appointed her his successor, if she had no son; and regent, if she had one. The lady wished to reign; and being delivered of a son, concealed his birth. He was exposed, but found, and brought up by a dyer. When grown to manhood he joined the Queen's army, which was marching against the Greeks, and performed prodigies of valour. The Queen sent for him; he was recognized, and the Queen resigned. He became King Darab. He marched against Philip of Macedou, and forced him to take refuge in a forest. Peace was granted, on Philip's giving his daughter to Darab, and paying annually a thousand eggs of gold. Philip's daughter ceased to please, and Darab sent ber back after she was pregnant. The child she brought forth was the famous Alexander. The son of Darab, who succeeded him, proved so bad a king, that the nobles of Persia advised Alexander to assert his right to the throne. Alexander refused the annual tribute. Darab, the younger, marched against him, and was conquered. After the battle he was assassinated in his tent by his attendants. But Alexander protested his ignorance of the crime, and Darab named him his successor, requesting him to govern Persia by Persian nobles, which he did. Ibid. In another passage (Ibid. p. 326) he acknowledges that no account is found in the Persian historians of the expedition of Cyrus the younger. The story of Alexander, as told by Sir John Malcolm, in his late history of Persia, is similar, though not the same. Mr. Gibbon says well, "The art and genius of history have ever been unknown to the Asiatics. .....And perhaps the Arabs might not find in a single historian, so clear and comprehensive a narrative of their own exploits as will be deduced in the ensuing sheets." Gibbon, chap. li. Chardin, speaking of the ignorance of the Persians, in regard to geography and history, says, "On ne croiroit jamais que cette ignorance fut aussi outrée qu'elle l'est, et je ne l'auroit pu croire moimême, si je ne m'en etois convaincu par un long usage. .....Pour ce qui est de l'historie du pays, les livres qui en traitent ne sont clairs et s?rs, et ne se suivent, que depuis la naissance de la religion Mahometane; de maniere qu'on ne se peut fier à rien de ce qui est rapporteé de siecles precedens, surtout en matière de chronologie, ou ces gens committent les plus grossieres erreurs, confondant les siecles, et mettant tout pêle-mèle sans se soucier du tems.—Toutes ces histoires, jusqu'au tems de Muhammed, sont des pieces ou fabuleuses ou Romanesques, remplies de mille contes ou il n'y a rien de vraisemblable." Voyage en Perse, iii. 256. And Gibbon says, (Hist. of Decl. and Fail, ch. x. p. 442.) "So little has been preserved of Eastern history before Mahomet, that the modern Persians are totally ignorant of the victory of Sapor, an event so glorious to their nation."—"When the Romans had supplanted the Greeks, and extended their dominion over all Europe, they also engaged in endless wars with

the Persian kings of the Ashkanian and Sassanian dynasties, for these Asiatic provinces. The events of these early periods are not well described in *our* histories, as we have no authentic records prior to the time of Mohammed: But the Greeks, who have histories which extend back 2000 years, have minutely described all the circumstances of these wars." Travels of Mirza Abu Taleb Khan, translated by Charles Stewart, Esq. M. A. S. Professor of Oriental Languages, in the Hon. East India Company's College, Herts. iii. 23.

[1]See Wilford on Egypt and the Nile, Asiat. Res. iii. 295; and on the Chronology of the Hindus, Ibid. v. 241.

[1]Hist. of Great Britain, ii. 4.

[2]Strabo, lib. iv. p. 197.

[3]Ammian. Marcell. lib. xv. cap. ix.

[4]The high civilization, refined literature, beautiful language, profound philosophy, polished manners, and amiable morals of the Arabians, are celebrated in the highest strains, by M. de Boulainvilliers, Vie de Mahomet, p. 38; Ed. of Amsterdam, 1781. Pythagoras, after having studied the sciences of the Egyptians, travelled into Arabia to learn the philosophy of the Arabians. Porphyr. de Vit. Pythag.

[1]Volney's Travels in Egypt and Syria, ii. 434. "In two recent voyages into Egypt," says Gibbon, (Hist. of Dec. and Fall, &c. ix. 448.) "we are amused by Savary, and instructed by Volney. I wish the latter could travel over the globe." "The last and most judicious," he calls him, "of our Syrian travellers." Ibid. p. 224.

[2]Volney, ut supra, p. 443.

[3]Observations on the Religion, Laws, Government, and Manners of the Turks, p. 39. Most, if not all, the Arabian versions of the Greek authors, were done by the Christian subjects of the caliphs. See Gibbon, ch. iii. The same is probably the origin of the Turkish versions. What use, if any, they make of them, does not appear. Mr. Scott Waring says, "The science of the Persians is, I believe, extremely confined. They have translations of Euchd, Ptolemy, the works of Plato, Aristotle, Pythagoras, and some other of the Grecian philosophers, which few of them read, and fewer understand." Tour to Sheeraz, p. 254.

[4]Hist. of Decline and Fall, &c. ch. i. Mr. Forster mentions a Mussulman fellow-traveller, a disputant, who, says he, "unhappily for himself and his neighbours, had conned over some of those books of ingenious devices and quaint syllogisms, which are held in high note among the modern Mahometans, and have fixed among them a false distorted taste." Travels in India, p. 106.

[1]"There is generally a want of ardour in pursuit of knowledge among the Asiatics, which is partaken by the Afghauns; excepting, however, in the sciences of dialectics and metaphysics, in which they take much interest, and have made no contemptible progress." Elphinstone's Account of Caubul, p. 189.

[2]The clearest account I have seen of this important fact, which Mr. Dugald Stewart (Elements of the Philosophy of the Human Mind, ii. 231,) appears not to have known that any body had noticed but M. Turgot, is in the following passage of Condillac. "Mais il faut observer, qu'une fois qu'un enfant commence à generaliser, il rend une idée aussi etendue qu'elle peut l'être, c'est-à-dire qu'il se hâte de donner le même nom à tous les objets qui se resemblant grossièrement, et il les comprend tous dans une seule classe. Les resemblances sont les premieres choses qui le frappent, parce qu'il ne sait pas encore assez analyser pour distinguer les objets par les qualités qui leur sont propres. Il n'imaginera donc des classes moins générales, que lorsqu'il aura appris à observer par ou les choses different. Le mot *homme*, par example, est d'abord pour lui une denomination commune, sous laquelle il comprend indistinctment tous les hommes. Mais lorsque dans la suite il aura occasion de connoitre les differentes conditions, il fera aussitôt les classes subordonnées et moins generales de militaires, de magistrats, de bourgeois, d'artisans, de laboureurs, &c.; tel est donc l'ordre de la generation des idées. On passe tout à coup de l'individu au genre, peur descendre ensuite aux differentes especes qu'on multiplie d'autant plus qu'on acquiert plus de discerniment; c'est-a-dire, qu'on apprend mieux à faire l'analyse des choses." Cours d'Etude, i. 49, 50. Ed. à Parme, 1776. Vide note A. at the end of the volume.

[1]Works of Sir Wm. Jones, i. 165. It may be remarked, that Sir William Jones, after all these praises, allows that the Vedanti doctrines are wild and erroneous. Asiat. Res. iv. 164, 165.

[1]Elements of the Philosophy of the Human Mind, vol. ii. note B.

[2]The words in which this important observation is expressed, are borrowed from a happy application of it by Mr. Stewart, in the same volume, p. 443.

[1]The passage is transcribed by Mr. Stewart, in the note quoted above.

[2]Vide supra, vol. i. p. 315.

[1]Stewart's Elem. ut supra.

[1]Another circumstance is always to be remembered. If the Brahmens are once informed of the European doctrine, they will take abundant care to make their own conform to it. "With respect to the real tenets of the Hindus, on subjects of theology, they are to be taken from their ancient books, rather than from the oral declarations of the most learned Brahmens of modern times, who have discovered that the opinions of Christians, concerning the nature of God, are far more rational than those currently entertained among them, and that the gross idolatry of the Hindus is contemned by the more intelligent natives of the western world. Bernier seems to have found occasion for the same remark in his time; for, after relating a conference between him and some learned pandits, in which the latter endeavoured to refine away the grossness of their image worship; 'Voila (says he) sans ajouter ni diminuer la solution qu'ils me donnerent; mais, à vous dire le vrai, cela me sembloit un peu trôp bien concerté a la Chretienne, aux prix de ce que j'en avois appris de plusieurs autres pandits.'" (Grant's Observations on the State of Society among the Asiatic Subjects of Great Britain, p.

73. Papers on India, ordered to be printed by the House of Commons, 15th June, 1813.) This supposed refinement, such as it is, Mr. Elphinstone found among the rude and uncivilized Afghauns. “Another sect in Caubul is that of the Soofees, who ought, perhaps, to be considered as a class of philosophers, rather than of religionists. As far as I can understand their mysterious doctrine, their leading tenet seems to be, that the whole of the animated and inanimate creation is an illusion; and that nothing exists except the Supreme Being, which presents itself under an infinity of shapes to the soul of man, itself a portion of the Divine essence. The contemplation of this doctrine raises the Soofees to the utmost pitch of enthusiasm. They admire God in every thing; and, by frequent meditation on his attributes, and by tracing him through all his forms, they imagine that they attain to an ineffable love for the Deity, and even to an entire union with his substance.” (An Account of the Kingdom of Caubul, by the Hon. Mountstuart Elphinstone, p. 207.) See, for an account of a similar sect in Persia, Malcolm’s Hist. of Persia, ii. 385.—How different is all this from the curious result of the refined and ingenious reasonings of Berkeley! And how shallow the heads that confound them!

[1]See Mallet, Introd. Hist. Denmark, vol. ii. For additional illustrations we may refer to the maxims of Confucius and Zoroaster.

[2]Colebrooke on the Sanscrit and Pracrit Languages, Asiat. Res. vol. vii.

[1]Mr. Colebrooke still farther remarks, that the Hindus delight in scholastic disputation; and that their controversial commentaries on grammar exhibit copious specimens of it. Ibid.

[2]Vide supra, p. 67–69.

[3]Tout ce que le mauvais go?t peut inventer pour fatiguer l’esprit, fait leur delices, et ravit leur admiration. Memoires du Baron de Tott sur les Turcs et les Tartares, i. 8.

[4]The following remarkable passage in the celebrated letter of our countryman, and (but for one exception) admirable countryman, Sir Thomas More, to Martin Dorpius, affords at once a proof of the fact, and a judgment on the practice: “At nunc absurda quædam portenta, ad certam bonarum artium nata perniciem, et luculenter ab antiquis distincta, commiscuerunt; et veterum purissimas traditiones suis adjectis sordibus infecerunt omnia. Nam in Grammatica (ut omittam Alexandrum, atque id genus ahos; qui quamquam imperite, tamen grammaticam utcunque docuerant) Albertus quidam, grammaticam se traditurum professus, logicam nobis quandam, aut metaphysicam, immo neutram, sed mera somnia, mera deliria grammaticæ loco substituit: et tamen hæ nugacissimæ nugæ in publicas academias non tantum receptæ sunt, sed etiam plerisque tam impense placuerunt, ut is propemodum solus aliquid in grammatica valere censeatur, quisquis fuerit Albertistæ nomen assequutus. Tantum auctoritatis habet, ad pervertenda bonorum quoque ingeniorum judicia, semel ab ineptis tradita, magistris, dein tempore corroborata persuasio. Quo fit ut minus mirer, ad eundem modum in dialecticæ locum nugas plus quam sophisticas irrepsisse quæ cultoribus suis argutiarum nomine tam vehementer, arrident.” Caramuel says of the subtle doctor, Scotus, *Vix ahibi subtilius scripsit quam cum de grammaticis modis*

*significandi*. Mr. Horne Tooke, however, on this remarks, that his *De modis significandi* should be entitled, An Exemplar of the subtle art of saving appearances, and of discoursing deeply andlearnedly on a subject with which we are perfectly unacquainted. *Quid enim subtilus vel magis tenue quam quod nihil est?* (Diversions of Purley, Introd. p. 12.)

[1]Le Pere Paulini (Bartolomeo) Voyage aux Indes, ii. 201.

[2]Mr. Gibbon quaintly says, "In Arabia as well as in Greece, the *perfection* of language outstripped the refinement of manners; and her speech could diversify the fourscore names of honey, the two hundred of a serpent, the five hundred of a lion, the thousand of a sword, at a time when this copious dictionary was entrusted to the memory of an illiterate people." Hist. of Dec. and Fall, &c. ix. 240. The German professor Forster, who writes notes on the Voyage du Pere Paulini, says not ineptly on the passage quoted in the text, (Paulini, Voy. aux Indes, iii. 399.) "Ce n'est pas de cette manière la qu'on doit juger de la richesse d'une langue. On a coutume de dire que la langue Arabe est riche, parceque elle a je ne sais quel nombre de synonimes pour exprimer le mot *epée*. Un de ces synonimes, par example, signifie le meurtrier des hommes. Ce n'est la, dans la realité, qu'une expression metaphorique et figurée, telle qu'on en pent former dans toutes les langues tant soit pen cultivees. On pouvait de même trouver plus de trente noms pour exprimer le soleil dans les poetes Grecs; mais il n'est venu dans l'esprit de personne, de faire valoir cela pour prouver la richesse de la langue Grecque." Our own sagacions, and in many respects highly philosophical Wilkins judges better when he names "*significancy, perspicuity, brevity*, and consequently *facility*," among the perfections of a language; and says that the multitude of rules in the Latin "argues the imperfection of that language, that it should stand in need of such and so many rules as have no foundation in the philosophy of speech.....If these rules be not *necessary* to language, and according to nature, but that words may signify sufficiently, and in some respects better without them, then there is greater judgment showed in laying them aside, or framing a language without them." Essay towards a Real Character, &c. p. 448. Another writer, who speaks with as much boldness, as he thinks with force on the subject of language says, "Persons too dull or too idle to understand the subject cannot, or will not, perceive how great an evil *many words* is; and boast of their *copiæ* verhorum, as if a person diseased with gout or dropsy boasted of his great joints, or big belly." And again, "It cannot be too often repeated that superfluous *variety* end *copiu*, are faults, not excellencies. Simplicity may be considered poverty by perverted understandings, but it is always of great utility; and to true judges it always possesses beauty and dignity." Philosophic etymology, or Rational Grammar, by James Gilchrist, p. 110, 170. If the Sanscrit is to be admired for its amplicated grammar, the Ethiopic should be admired for its 202 letters; Wilkins' Essay towards a Real Character, p. 14.

[1]Gl'indigeni Chilesi formano una sola nazione divisa in varie tribu, et tutti hanno la medesima fisconomia, e la medesima lingua chiamata da loro *Chiledugu*, che vuol dire lingua Chilese. Questa lingua è dolce, armoniosa, expressiva, regolare, e copiosissima di termini atti ad enunciare non solo le cose fische generali, o particulari, ma anche le cose morali, e astratte. Saggio Sulla Storia Naturale del Chili Del Signor Abate Giovanni Ignazio Molina, lib. iv. p. 334.

[2]Marsden's Hist. of Sumatra, p. 197, ed. 3d.

[3]"It is so copious, polished, and expressive, that it has been esteemed by many superior to the Latin, and even to the Greek. It abounds," says he, "more than the Tuscan, in diminutives and augmentatives; and more than the English, or any other language we know, in verbal and abstract terms: for there is hardly a verb from which there are not many verbals formed, and scarcely a substantive or adjective from which there are not some abstracts formed. It is not less copious in verbs than in nouns; as from every single verb others are derived of different significations. *Chihua* "is to do," *Chichihua* "to do with diligence or often," *Chihuilia* "to do to another," *Chihualtia* "to cause to be done," *Chihuatiuh* "to go to do," *Chiuaco* "to come to do," *Chiuhtiuh* "to be doing," &c. Having mentioned the extraordinary variety with which the Mexicans express different degrees of respect, by adding adverbs and other particles to the names employed, Clavigero adds, "This variety, which gives so much civilization to the language, does not, however, make it difficult to be spoken; because it is subjected to rules which are fixed and easy; nor do we know any language that is more regular and methodical. The Mexicans, like the Greeks and other nations, have the advantage of making compounds of two, three, or four simple words; but they do it with more economy than the Greeks did; for the Greeks made use of the entire words in composition, whereas the Mexicans cut off syllables, or at least some letters from them. *Tlazotti* signifies *valued*, or *beloved; Mahuitzic, honoured* or *revered; Tespixqui, priest; Tatli*, father. To unite these five words in one, they take eight consonants and four vowels, and say, for instance, *Notlazomahuitzteopixcatalzin*, that is, *my very worthy father, or revered priest*, prefixing the *No* which corresponds to the pronoun *my*, and adding *tzin*, which is a particle expressive of *reverence*. There are some compounds of so many terms as to have fifteen or sixteen syllables.....In short all those who have learned this language, and can judge of its copiousness, regularity, and beautiful modes of speech, are of opinion, that such a language cannot have been spoken by a barbarous people." Clavigero, Hist. of Mexico, book vii. sect. 41.

[1]Henry's Hist. of Great Britain, iv. 365.—"I know not a language spoken in Europe that hath words of more sweetness and greatness than theirs:" Penn's Letter on the American Indians, in Clarkson's Life of Penn, i. 385.

[1]Laws of Menu, ch. i. 75.

[2]Ib. 76.

[3]Ib. 77.

[1]Laws of Menu, ch. i. 78.

[1]Laws of Menu, ch. i. 45.

[2]Ibid. 49. See also Ib. xi. 143 to 146.

[3]Wilford on Egypt and the Nile, Asiat. Res. iii. 310.

[1]Transactions of the Royal Society of Edin. vol. ii.

[2]Of which he has over all Europe been recognized as the author: Vide infra, p. 93, note 3.

[1]Mr. Playfair has himself given us a criterion for determining on his notions of the Hindu astronomy, which is perfectly sufficient. He says, in the conclusion of his discourse (Edin. Trans. ii. 192), "These conclusions are without doubt extraordinary; and have no other claim to our belief, except that their being false were much more wonderful than their being true." On this principle, the question is decided; for the wonder is little that they should be false, but mighty indeed were they true.

[2]Asiat. Res. vi. 577.

[1]Dr. Smith, with his usual sagacity, says, "There are various causes which render astronomy the very first of the sciences which is cultivated by a rude people; though from the distance of the objects, and the consequent mysteriousness of their nature and motions, this would seem not to be the case. Of all the phenomena of nature, the celestial appearances are, by their greatness and beauty, the most strikingly addressed to the curiosity of mankind. But it is not only their greatness and beauty by which they become the first objects of a speculative curiosity. The species of objects in the heavens are few in number; the sun, the moon, the planets, and the fixed stars. All the changes too which are ever observed in these bodies, evidently arise from some difference in the velocity and direction of their several motions. All this formed a very simple object of consideration. The objects, however, which the inferior parts of nature presented to view, the earth and the bodies which immediately surround it, though they were much more familiar to the mind, were more apt to embarrass and purplex it, by the variety of their species and by the intricacy and seeming irregularity of the laws or orders of their succession. The variety of meteors in the air, of clouds, rainbows, thunder, lightning, winds, rain, hail, snow, is vast, and the order of their succession seems to be most irregular and inconstant. The species of fossils, minerals, plants, animals, which are found in the waters and near the surface of the earth, are still more intricately diversified; and if we regard the different manners of their production, their mutual influence in altering, destroying, supporting one another, the orders of their succession seem to admit of an almost infinite variety. If the imagination, therefore, when it considered the appearances in the heavens, was often perplexed and driven out of its natural career, it would be much more exposed to the same embarrassment, when it directed its attention to the objects which the earth presented to it, and when it endeavoured to trace their progress and successive revolutions." Essays by Dr. Adam Smith, p. 97, 98. Of the Persians, Mr. Scott Waring says, "Their perverse predilection for judicial astrology excites them to the study of astronomy, merely that they may foretell the conjunction of the planets; and when they are able to do this with any degree of accuracy, they are accounted men of considerable science. They have two descriptions of Ephemeris; the first containing the conjunction and opposition of the luminaries; and the second the eclipses, the longitude and latitude of the stars," &c. Tour to Sheeraz, p. 254. The pages of the historian being little adapted to mathematical and astronomical discussion, I have inserted, by way of Appendix, an examination of the arguments for the antiquity and excellence of the Hindu astronomy; with which the friendship of the great

mathematician to whom I have alluded has enabled me to elucidate the subject. See Append. No. 1. at the end of the chapter.

[1]Playfair, on the Astronomy of the Brahmens, Trans. Roy. Soc. Edin. ii. 135.

[2]Dr. Smith says, "Nature, according to common observation, appears a chaos of jarring and discordant appearances, into which philosophy endeavours to introduce order by representing the invisible chains which bind together all these disjointed objects. It thus soothes the imagination, and renders the theatre of nature a more coherent, and therefore a more magnificent spectacle, than otherwise it would appear to be. Mankind in the first ages of society have little curiosity to find out those hidden chains of events which bind together the seemingly disjointed appearances of nature. A savage has no inclination to amuse himself with searching out what seems to serve no other purpose than to render the theatre of nature a more connected spectacle to his imagination." Essays, Hist. of Astron. p. 20, 21, 23.

[1]Playfair, on the Astron of the Brahm. Trans. R. S. E. ii. 138, 139.

[2]Goguet having mentioned the quipos of the Peruvians, says, "It is the same with the negroes on the coast of Juida. They know nothing of the art of writing, and yet they can calculate the largest sums with great facility by means of cords and knots, which have their own signification." Hist. Gen. de Voyage, iv. 283, 373, and 393." Origin of Laws, i. 224. We are informed by Herodotus, that the Egyptians, like the Brahmens, counted by shells; and at one time at least, the Greeks; but in an inverse order, the Greeks passing from left to right, the Egyptians from right to left. Herodot lib. ii. cap. 36.

[3]Asiat. Res. ii. 115. The following is valuable from the pen of M. Delambre. M. La Place, qui avoit quelque intéret a soutenir la grande ancienneté de l'astronomie Indienne, et qui avoit d'abord parle des mouvemens moyens et des époques des Hindous de la maniere la plus avantaguese, a fini pourtant par croire et imprimer que leurs tables ne remontent pas au dela du 13me siècle. Mr. Playfair, en repondant à l'objection de M. de la Place, ne la detruit pas. Peu importe que Bailly ait affirmé plus ou moins directement et positivement la conjonction generale des plauètes, qui a determiné l'epoque; Ce qu'il falloit eclaircir est un fait. Les tables indiquent-elles en effet cette conjonction, l'epoque alors est fictive, et l'astronomie Indienne est beaucoup plus moderne. Les tables n'indiquent-elles pas cette conjonction, alors l'objection de M. de la Place tombe d'elle-mème. C'est ce que ne dit pas Mr. Playfair, et c'est ce que je n'ai pas le tems de vérifier. Mais quand même l'objection seroit sans force, il resteroit bien d'autres difficultés. Ce ne sont pas quelques rencoutres heureuses parmi une foule de calculs erronés ou incoherens, qui suffiroient pour prouver l'antiquité de l'Astronomie Indienne. La forme mysterieuse de leurs tables et de leurs méthodes suffiroit pour donner des soupçons sur leur veracité. C'est une question qui probablement ne sera jamais decidée, et qui ne pourroit l'etre que par de nouvelles decouvertes dans les ecrits des Hindoos." Letter from M. Delambre, dated Paris July 21, 1814, published, Appendix, note D. of "Researches concerning the Laws, &c. of India, by Q. Craufurd, Esq."

[1]Asiat. Res. ii. 226–228.

[2]Of that ignorance take the following specimens:—"The Bhagavat," (says Mr. Davis, Asiat. Res. iii. 225) "when treating of the system of the universe, places the moon above the sun, and the planets above the fixed stars."—" The prince of serpents continually sustains the weight of this earth." Sacontala, beginning of act v.—"Some of them" [the Brahmens of the present day] "are capable," says Mr. Orme, Hist. of Indost. i. 3, "of calculating an eclipse, which seems to be the utmost stretch of their mathematical knowledge."

[1]Playfair, on the Astronomy of the Brahmens, Trans. R. S. E. ii. 140, 141. See to the same purpose, Colebrooke on the Indian and Arabian Divisions of the Zodiac, Asiat. Res. ix. 323, 376.

[2]Asiast. Res. ii. 289.

[3]The division of the zodiac among the Birmans as well as the Brahmens, resembles ours, the original Chaldean. "My friend Sangermano," (says Dr. Buchanan, Asiat. Res. vi. 204,) "gave Captain Symes a silver bason on which the twelve signs were embossed. He conceived, and I think justly, that this zodiac had been communicated to the Burmans from Chaldea by the intervention of the Brahmens. And I find that in this conjecture he is supported by Sir W. Jones, (As. Res. ii. 306). Both, however, I am afraid, will excite the indignation of the Brahmens, who, as the learned judge in another place alleges, have always been too proud to borrow science from any nation ignorant of the Vedas. Of their being so proud as not to acknowledge their obligations I make no doubt; but that they have borrowed from the Chaldeans who were ignorant of the Vedas, Sir W. Jones himself has proved. Why then should he have opposed the sarcastic smiles of perplexed Pandits to the reasoning of M. Montucla, (As. Res. ii. 303, 289,) when that learned man alledged that the Brahmens have derived astronomical knowledge from the Greeks and Arabs. The expression of the Brahmens quoted by him as a proof, namely, 'that no base creature can be lower than a Yavan or Greek,' only exposes their miserable ignorance and disgusting illiberality."—On this pride, too great to learn (a sure sign of barbarity), it is also to be remarked, that a matrimonial connexion (among the Hindus the most sacred of all connexions) took place between Seleucus and Sandracottos. "On this difficulty," says Mr. Wilford, "I consulted the pundits of Benares, and they all gave me the same answer; namely, that in the time of Chandragupta, the Yavanas were much respected, and were even considered as a sort of Hindus." Asiat. Res. v. 286. What was to hinder the Brahmens from learning astronomy from the Greeks at that period? Mr. Wilford indeed says that a great intercourse formerly subsisted between the Hindus and the nations of the West. Ibid. iii. 297, 298. Sir William seems to have known but little of the intercourse which subsisted between the Hindus and the people of the West. Suetonius (in vit. Octav.) informs us, that the Indians sent ambassadors to Augustus. An embassy met him when in Syria, from king Porus, as he is called, with letters written in the Greek character, containing, as usual, an hyperbolical description of the grandeur of the monarch. Strabo, lib. xv. p. 663. A Brahmen was among those ambassadors, who followed Augustus to Athens, and there burnt himself to death. Strabo, Ibid. and Dio. Cass. lib. liii. p. 527. Another splendid embassy was sent from the same quarter to

Constantine. Cedreni Annal. p. 242, Ed. Basil. 1566; Maurice, Hist. iii. 125. “I have long harboured a suspicion,” says Gibbon, “that *all* the Scythian, and *some*, perhaps *much*, of the Indian science, was derived from the Greeks of Bactriana.” Gibbon, vii. 294. A confirmation of this idea, by no means trifling, was found in China, by Lord Macartney and his suite, who discovered the mathematical instruments deposited in the cities of Pekin, and Nankeen, not constructed for the latitude of those places, but for the 37th parallel, the position of Balk or Bactria: Barrow’s China, p. 289. The certainty of the fact of a Christian church being planted in India at a time not distant from that of the apostles, is a proof that the Hindus had the means of learning from the Greeks.—We learn the following very important fact from Dr. Buchanan. The greater part of Bengal manuscripts, owing to the badness of the paper, require to be copied at least once in ten years, as they will, in that climate, preserve no longer; and every copyist, it is to be suspected, adds to old books whatever discoveries he makes, relinquishing his immediate reputation for learning, in order to promote the grand and profitable employment of his sect, the delusion of the multitude. As. Res. vi. 174, note. Anquetil Duperron, who had at an early period asserted the communication of Grecian science to the Hindus, (See Recherches Historiques et Philosophiques sur l’Inde) supported this conclusion at the end of his long life. “N’est il pas avoué,” says he in his notes to the French translation of Paulini’s Travels, iii. 442; “que, de tout terms, sans conquête, avec conquête, par terre comme par mer, l’Asie, l’Inde, et l’Europe, ont eu des relations plus ou moins actives; que les savans, les sages de ces contrées se sont visités, ont pu se faire part de leurs decouvertes; et qu’il n’est pas hors de vraisemblance que quelques uns auront fait usage dans leurs livres, même sans en avertir, des nouvelles lumières qu’ils avaient reçues de l’etranger? De nos jours, le Rajah d’Amber, dans ses ouvrages astronomiques, parle des tables de la Hire. Le Rajah Djessingue, aura profité des leçons du P. Boudier, qu’il avait appolé auprès de lui. Si l’astronome Brahme, avec lequel M. le Gentil a travaillé à Pondicherri, ecrit sur l’astronomie, sans abandonner le fond de ses principes, du systême Indien, il adoptera des pratiques qu’il aura remarquées dans son disciple, calculera, quoique Indou, à la Française, et donnera comme de lui, du pays, des resultats réellement tirés de ses rapports avec l’astronomie Française. Nier ces probabilités, c’est ne pas connâitre les hommes."—"Il y a differentes epoques dans les sciences Indiennes, dans la mythologie, les opinions religieuses de cette contrée. Les Indiens ont reçu ou imprunté diverses connaissances des Arabes, des Perses, en tel temps; des Grecs dans tel autre.” Ib. p. 451.

[1]Elements of Geometry, &c. By John Leslie, Professor of Moral Philosophy in the University of Edinburgh, note xxxiv. All that can be said in favour of the mathematical science of the Hindus is very skilfully summed up in the following passage, by a mathematician of first-rate eminence, William Wallace, Esq. the Professor of Mathematics in the University of Edinburgh. “The researches of the learned have brought to light astronomical tables in India, which must have been constructed by the principles of geometry; but the period at which they have been formed has by no means been completely ascertained. Some are of opinion, that they have been framed from observations made at a very remote period, not less than 3,000 years before the Christian era; and if this opinion be well founded, the science of geometry must have been cultivated in India to a considerable extent, long before the period assigned to its origin in the West; so that many of the elementary propositions

may have been brought from India to Greece. The Hindus have a treatise called the Surya Sidhanta, which professes to be a revelation from heaven, communicated to Meya, a man of great sanctity, about four millions of years ago; but setting aside this fabulous origin, it has been supposed to be of great antiquity, and to have been written at least two thousand years before the Christian era. Interwoven with many absurdities, this book contains a rational system of trigonometry, which differs entirely from that first known in Greece or Arabia. In fact, it is founded on a geometrical theorem, which was not known to the geometricians of Europe, before the time of Vieta, about two hundred years ago. And it employs the sines of arcs, a thing unknown to the Greeks, who used the chords of the double arcs. The invention of sines has been attributed to the Arabs, but it is possible that they may have received this improvement in trigonometry, as well as the numeral characters, from India." Edinburgh Encyclopedia, Article Geometry, p. 191. The only fact here asserted which bears upon the question of the civilization of the Hindus, is that of their using the sines of arcs instead of the chords of the double arcs. Suppose that they invented this method. It proves nothing beyond what all men believe; that the Hindus made a few of the first steps in civilization at an early period; and that they engaged in those abstract speculations, metaphysical and mathematical, to which a semi-barbarous people are strongly inclined. The Arabians were never more than semi-barbarous. The Greeks were no better, at the early age when they were acquainted with the elementary propositions of geometry. If the Greeks or Arabians invented, in the semi-barbarous state, the mode of computation by the chords; what was to hinder the Hindus from inventing, while semi-barbarous, the mode of computing by the sines of arcs? This is upon the supposition that the mode of computing by sines, and the elementary propositions on which it depends, really are original among the Hindus. But this seems not to rest upon very satisfactory proof, when it is barely inferred from the use of chords by the Greeks; and the *possibility* alone is asserted of the Arabians having derived the knowledge from the Hindus.

[1]Origin of Laws, i. 221.

[2]Ibid. i. 224.

[3]Ibid. Mr. Gilchrist renders it highly probable, that not only the digits, but the letters of the alphabet are hieroglyphics. Philosophic Etymology, p. 23.

[1]Second Dissertation, Supplement to the Encyclopædia Britannica, p. 12. It is a comcidence well worth remarking, that Diophantus, a Greek mathematician of Alexandria, about 150 years after Christ, employed a like expedient. "The questions he resolves," says Mr. Playfair, "are of considerable difficulty. The expression is that of common language abbreviated, and assisted by a few symbols." (Ib. p. 13.) In a Ms. of Diophantus, which Bombelli says he saw in the Vatican library, the Indian authors, he says, are often quoted. Nothing of this appears in the work of Diophantus, which was published about three years after the time when Bombelh wrote. Nor has any other work of Diophantus been produced. It is, besides, to be remembered, that the Greeks used the word *Indian* with great latitude. They applied it not merely to the people beyond the Indus; they applied it also to a people on the Euxine Sea; to a people in Ethiopia; in a general way, to all the people of the East. It is by no means

clear that Diophantus would not apply it to the Arabians themselves. (See Appendix, No. II. at the end of the chapter.)

[1]Laws of Menu, ch. ix. 245. “Since the era of Halhed and Sir William Jones,” says Mr. Scott Waring, “the existence of the precious manuscripts of Sanscrit learning has, like the chorus to a popular song, been echoed from author to author, who, though entirely ignorant of Sanscrit, have stamped with credibility a seemingly vague supposition; for what production have we yet seen to justify those extravagant praises.” Tour to Sheeraz, by Ed. Scott Waring, p. 5. Mr. Wilford, better acquainted with the Puranas than any other European, speaks of them with little respect. He talks of “the ignorant compilers of the Puranas, who have arranged this heterogeneous mass without method and still less judgment.” As. Res. vi. 471. M. Bernier, than whom no European had better opportunities of observing the actual and present attainments of the Brahmens, who observed with a penetrating and judicious spirit, and wrote before the birth of theory on the subject, says, “A pres le Purane quelque uns se jettent dans la philosophie ou certainement ils reussissent bien peu;—je l’ai deja dit, ils sont d’une humeur lente et paresseuse, et ne sont point animez dans l’esperance de parvenir a quelque chose par leur etude.” Suite des Memoires sur l’Empire du Grand Mogol, i. 184. “Leurs plus fameux Pendets,” says he, “me semblent tres ignorans.” (Ibid. p. 185.) Mentioning their accounts of the origin of the world, he says, “Il y en a aussi qui veulent que la lumiere et les tenebres soient les premiers principes, et disent la-dessus mille choses a vue de pays sans ordre ni suite, et apportent de longues raisons *qui ne sentent nullement la philosophie*, mais souvent la façon ordinaire de parler du peuple.” (Ibid. p. 187.) Though the Hindus abstain religiously from anatomy, they pretend to know most confidently anatomical facts. “Ils ne laissent pas d’assurer qu’il y a cinq mille veines dans l’homme, ny plus ny moins, comme s’ils les avoient bien contées.” (Ibid. p. 190.) After a review of their whole knowledge, which would be reckoned no incorrect outline, by the best informed of the present day, he adds, “Toutes ces grandes impertinences que je viens de vous racontor m’ont souvent fait dire en moi-meme que si ce sont la les fameuses sciences de ces anciens Bragmanes des Indes, il faut qu’il y ait eu bien du monde trompé dans les grandes idées qu’on en a conçues.” (Ibid. p. 193.)—"For some time a very unjust and unhappy impression appeared to have been made on the public mind, by the encomiums passed on the Hindoo writings. In the first place, they were thus elevated in their antiquity beyond the Christian Scriptures, the writings of Moses having been called the productions of yesterday, compared with those of the bramhŭns. The contents of these books, also, were treated with the greatest reverence; the primitive religion of the Hindoos, it was said, revealed the most sublime doctrines, and inculcated a pure morality. We were taught to make the greatest distinction between the ancient and modern religion of the Hindoos; for the apologists of Hindooism did not approve of its being judged of by present appearances. Some persons endeavoured to persuade us, that the Hindoos were not idolaters, because they maintained the unity of God; though they worshipped the work of their own hands as God, and though the number of their gods was 330,000,000. It is very probable, that the unity of God has been a sentiment amongst the philosophers of every age; and that they wished it to be understood, that they worshipped the One God, whether they bowed before the image of Moloch, Jupiter, or Kalēē; yet mankind have generally concluded that he who worships an image is an idolater; and I suppose they will continue to think so, unless in this age of reason

common sense should be turned out of doors.—Now, however, the world has had some opportunity of deciding upon the claims of the Hindoo writings, both as it respects their antiquity and the value of their contents. Mr. Colebrooke's essay on the védŭs, and his other important translations; the Bhŭgŭvŭt Gēēta, by Mr. Wilkins; the translation of the Ramayŭnŭ, several volumes of which have been printed; some valuable papers in the Asiatic Researches; with other translations by different Sŭngskritŭ scholars; have thrown a great body of light on this subject;—and this light is daily increasing.—Many an object appears beautiful when seen at a distance, and through a mist; but when the fog has dispersed, and the person has approached it, he smiles at the deception. Such is the exact case with these books, and this system of idolatry. Because the public, for want of being more familiar with the subject, could not ascertain the point of time when the Hindoo Shastrŭs were written, they therefore at once believed the assertions of the bramhŭns and their friends, that their antiquity was unfathomable." (Ward on the Hindoos, Introd. p. xcix.) "There is scarcely any thing in Hindooism when truly known, in which a learned man can delight, or of which a benevolent man can approve; and I am fully persuaded, that there will soon be but one opinion on the subject, and that this opinion will be, that the Hindoo system is less ancient than the Egyptian, and that it is the most puerile, impure, and bloody of any system of idolatry that was ever established on earth." (Ib. citi.)

[1]Anquetil Duperron, who lodged a night at the house of a school-master, at a Mahratta village, a little north of Poona, gives a ludicrous picture of the teaching scene. "Les ecohers, sur deux files, accroupis sur leur talons, traçoient avec le doigt les lettres, ou les mots, sur une planche noire couverte de sable blanc; d'autres repetoient les noms des lettres en forme de mots. Car les Indiens, au lieu de dire comme nous, a, b, c, prononcent ainsi—awam, banam, kanam. Le maitre ne me parut occupe pendant une demi heure que la classe dura encore, qu'a frapper avec un long rotin le dos nud de ces pauvres enfans: en Asie c'est la partie qui paye; la passion malheureusement trop commune dans ces contrées, veille à la sureté de celle que nos maitres sacrifient a leur vengeance. J'aurois été bien aise de m'entretenir avec Monsieur le Pedagogue Marate, ou de moins d'avoir un alphabet de sa main; mais sa morgue ne lui permit pas de repondre a mes politesses." (Zendavesta, Disc. Prelim. p. ccxxx.)

[1]Papers on India Affairs, No. iii. ordered to be printed by the House of Commons, 30th April 1813.

[2]There were in these times [the times of Aliverdi, nabob of Bengal] at Azimabad," says the author of the Seer Mutakhareen, "numbers of persons who loved sciences and learning, and employed themselves in teaching and in being taught; and I remember to have seen in that city and its environs alone, nine or ten professors of repute, and three or four hundred students and disciples; from whence may be conjectured the number of those that must have been in the great towns, and in the retired districts." Seer Mutakhareen, i. 705, 4to. Calcutta, 1789. N. B. This with regard to the *Mussulmans* of Bengal. The translator says, in a note, "The reader must rate properly all these students, and all these expressions: their only object was the Coran and its commentaries; that is the Mahometan religion, and the Mahometan law." Ibid. A hint very different from those we are wont to receive from our guides in Hindu

literature.—"In vain do some persons talk to us of colleges, of places of education, and books: these words in Turkey convey not the same ideas as with us." Volney's Travels in Syria and Egypt, ii. 443.—Chardin, who formed as high an opinion of the Persians as Sir William Jones of the Hindus, tells us, (Voyage en Perse, iii. 130,) "Le genie des Persans est porté aux sciences, plus qu' à toute autre profession; et l'on peut dire que les Persans y reussissent si bien que ce sont, après les Chretiens Européens, les plus sçavans peuples du monde..... Ils envoyent les enfans aux colleges, et les elevent aux lettres autant que leurs moyens le peuvent permettre." And at pages 137, 138, he adds, that schools are distributed in great numbers in Persia, and colleges very numerous.

[1]"Inca Roca was reputed the first who established schools in Cozco, where the Amautas were the masters, and taught such sciences as were fit to improve the minds of Incas, who were princes, and of the chief nobility, not that they did instruct them by way of letters, for as yet they had not attained to that knowledge, but only in a practical manner, and by daily discourses: their other lectures were of religion, and of those reasons and wisdom on which their laws were established, and of the number and true exposition of them; for by these means they attained to the art of government and military discipline; they distinguished the times and seasons of the year, and by reading in their knots they learned history and the actions of past ages; they improved themselves also in the elegance and ornament of speaking, and took rules and measures for the management of their domestic affairs. These Amautas, who were philosophers, and in high esteem amongst them, taught something also of poetry, music, philosophy, and astrology," &c. Garcilasso de la Vega, Royal Commentaries, book iv. ch. xix. This same Inca exhibited one stroke at least which will be reckoned high wisdom by some amongst us: "He enacted that the children of the common people should not be educated in the liberal arts and sciences, for that were to make them proud, conceited, and ungovernable; but that the nobility were those only to whom such literature did appertain, to render them more honourable, and capable of offices in the commonwealth." Ibid. "There is nothing," (says Acosta, book vi. ch. 27) "that gives me more cause to admire, nor that I find more worthy of commendation and memory, than the order and care the Mexicans had to nourish their youth." He tells us they had schools in their temples, and masters to instruct the young "in all commendable exercises, to be of good behaviour," &c.

[1]Asiat. Res. i. 430, and iv. 169.

[2]Middleton's Life of Cicero, sect. 12. Considerable currency was obtained by a very learned work of a clergyman of the Church of England, Mr. Dutens, who undertook to prove that all the discoveries which the moderns have made in the arts and sciences, may be found distinctly broached in the writings of the ancients.

[3]Anquetil Duperron gives us a remarkable instance of the disposition of the Brahmens to accommodate, by falsification, even their sacred records, to the ideas of Europeans. "Si je n'avois pas sçu que le commencement de l'Amerkosh contenoit la description du lingam, peut-etre m'eut il été impossible de decouvrir que mes Brahmes, qui ne vouloient pas devoiler le fond de leurs mysteres, paraphrasoient et pallioient plutot qu'ils ne traduisoient." Zendav. Disc. Prelim. i. ccclxix. Dr.

Buchunan found the propensity general, to deceive him in their accounts both of their religion and history. See Journey through Mysore, &c. ii. 76, 79, 80. “The Brahmens,” he says, “when asked for dates, or authority, say that they must consult their books, which may be readily done; but when I send my interpreter, who is also a Brahmen, to copy the dates, they pretend that their books are lost.” Ibid. i. 335. All information, he says, from the Brahmens, usually differs most essentially as derived from different individuals. Ibid. ii. 306. See an account of the imposition practised by his pundits upon Captain Wilford, by Lord Teignmouth, in the Introduction to his Life of Sir William Jones; also an account by Mr. Wilford himself, Essay on the Sacred Isles in the West, Asiat. Res. viii. 253.—In a letter to a friend Sir W. Jones said, “I can no longer bear to be at the mercy of our pundits, who deal out the Hindu law as they please, and make it at reasonable rates, where they cannot find it ready made.” Life of Sir W. Jones, by Lord Teignmouth, 4to. Ed. p. 307.—Colonel Wilkes accuses the Hindu author of the Digest of Hindu Law, translated by Mr. Colebrooke, of substituting a false principle of law for a true one, out of “a courtesy and consideration, for opinions established by authority, *which is peculiar to the natives of India*.” Histor. Sketches, p. 116.

[1]He might have got proofs, equal to those with which they presented him, of Plato’s having been acquainted with the circulation of the blood; viz. because when speaking of that fluid he uses the word περιμγεσθαι, which signifies to be carried round.—It is worthy of remark, that the philosopher, of whom Sir William heard, and whose works contained such important discoveries, was called Yavan Acharya, that is Gentile or Greek. By the argument of Sir William, we might believe that the Greeks anticipated Newton. When Copernicus, dissatisfied with the received account of the heavenly motions, addressed himself to discover a new arrangement, we are told that “he examined all the obscure traditions delivered down to us, concerning every other hypothesis which the ancients had invented. He found in Plutarch, that some old Pythagoreans had represented the earth as revolving in the centre of the universe, like a wheel round its own axis; and that others of the same sect, had removed it from the centre, and represented it as revolving in the ecliptic, like a star round the central fire. By this central fire he supposed they meant the sun,” &c. Dr. Ad. Smith, Essay on Hist Astron. p. 51. We might prove that Parmenides had a just conception of the figure of the globe. Plato informs us that, according to that inquirer, Το ολον ιτι

Παντοθεν ενκνκλθ σφαιρας εναλιγκιον ογκψ, Μεσσοθν ισοπαλις ισοπαλις παντη τ[Editor: illegible character] γαρ [Editor: illegible character]τε τι μει ζον Οντε βεβαιοτερον πελει. Plat. Souphista, p. 171 Herodotus mentions the opinion of a naturalist, even in his days, who supposed that the ocean flowed round the earth, (a bold step towards the conception of its right figure,) τοο ωχεανον γην περι περι πασαν ρεειν, lib. ii. sect. 22. Dr. Vincent, giving an account of the knowledge possessed by the ancients of the globular form of the earth, and of the saying of Strabo, that nothing obstructed the passage from Spain to India by a westerly course, but the immensity of the Atlantic ocean, has the following note; “Aristotle seems the author of this supposition, as well as of most other things that are extraordinary in the knowledge of the ancients. See Bochart, Phaleg. 169. Συναπιειν τον περι τας ?ρακλει[Editor: illegible character]ς ςχλας τοπον τψ περι την ?ρακλεει[Editor: illegible character]ς ςηλας τοηον τψ περι την Ινδικην. The parts about the pillars of Hercules join to those

about India. This is a nearer approach still; but both suppositions arise from the contemplation of the earth as a sphere.—Aristotle has also preserved the opinion of the Pythagoreans, who made the sun the centre of our system, with the earth and the other planets revolving round it, which is the hypothesis adopted by Copernicus, and established by Newton. Strabo, likewise, who left the phenomena of the heavens, and the form of the earth, to the mathematicians, still thought the earth a sphere, and describes our system agreeably to the theory which was afterwards adopted by Ptolemy; but he adds the idea of gravitation in a most singular manner. Σφαιροδης μεν ? Κοσμοςκαι ? Ουρανος ? ΡΟΠΗ δ'επι το μεσον των βαρεων.....? δ' ονραννος περιφρεται περι περι τε αυτην και περι το αξονονα, απ' ανατολης επι δυσινLib. ii. 110. The earth and the heaven are both spherical; but the tendency is to the centre of gravity. The heaven is carried round itself, and round its axis from east to west. I barely suggest the extent of ancient knowledge on these questions; those who wish to gratify their curiosity may consult Stobæus, tom. ii. cap. 25, Ed. Heeren, Gotting. 1792, 1794; and Diogenes Laertius in Anaximander, Pythagoras, and Zeno, lib. vii. sect. 155." Periplus of the Erythræan Sea, part ii. 517.—Sir William Jones tells us, in his Discourse on the Hindu zodiac, that the pundit Ramachandra had a correct notion of the figure of the earth.—So had the elder Hermes, of whom it was one of the established maxims, that the earth was oviform, and hence the oval form of many of the oldest temples of Egypt. The earth was called Brahma's egg. See Asiat. Res. i. 360. Or Ramachandra, like a common fortune-teller, might only repeat to Sir William what he had learned from Sir William.—Europeans will arrive in time to think justly respecting the Hindus: Thus speaks Dr. Buchanan; "No useful science have the Brahmens diffused among their followers; history they have abolished; morality they have depressed to the utmost; and the dignity and power of the altar they have erected on the ruins of the state, and the rights of the subject." Asiat. Res. vi. 166.

[1]Laplace has remarked, that the mean motions of the lunar orbit are quicker in the Indian tables, than in those of Ptolemy: which indicates that the former tables were constructed posterior to those of the Greek astronomer. This argument is at least as strong as any of those by which the antiquity is supported.

[1]"If it be insisted, that a hint or suggestion, the seed of their knowledge, may have reached the Hindu mathematicians immediately from the Greeks of Alexandria, or mediately through those of Bactria, it must at the same time be confessed that a slender germ grew and fructified rapidly, and soon attained an approved state of maturity in Indian soil. More will not be here contended for: Since it is not impossible, that the hint of the one analysis may have been actually received by the mathematicans of the other nation: nor *unlikely;* considering the arguments which may be brought for a probable communication on the subject of astrology." (Dissertation, p. xxii.) This is an important admission which Mr. Colebrooke was too well informed to overlook, and too honest to conceal. His partialities, however, lead him to a very useless effort of extenuation. Why call the knowledge which the Hindus derived of the Diophantine methods, a *hint?* What should confine it to a *hint?* Why make use of the word hint? when it is perfectly clear that if they had the means of receiving a hint, they had the means of receiving the whole. The communication was full and complete between the Hindus and the Greeks, both of Bactria and of Egypt; and the Hindus had the means of receiving from the Greeks all those parts of their

knowledge, which the state of civilization among the Hindus enabled them to imbibe. Of the exaggerating language of Mr. Colebrooke, on the other side, about the growing and fructifying of the germ, and its attaining a state of approved maturity in Indian soil, we shall speak by and bye.

[2]He had stated long ago, "That astronomy was originally cultivated among the Hindus, solely for the purposes of astrology: That one branch, if not the whole of their astrological science, was borrowed from the Arabians: And that their astronomical knowledge must, by consequence, have been derived from the same quarter." (Asiat. Res. ix. 376.) And on the present occasion he says; "The position that astrology is partly of foreign growth in India; that is, that the Hindus have borrowed, and largely too, from the astrology of a more western region, is grounded, as the similar inference concerning a different branch of divination, on the resemblance of certain terms employed in both. The mode of divination, called *Tájaca*, implies by its very name its Arabian origin: Astrological prediction, by configuration of planets, in like manner, indicates even by its Indian name a Grecian source. It is denominated *Hórá*, the second of three branches which compose a complete course of astronomy and astrology: and the word occurs in this sense in the writings of early Hindu astrologers. ....The same term *hórá* occurs again in the writings of the Hindu astrologers, with an acceptation—that of hour—which more exactly conforms to the Grecian etymon. The resemblance of a single term would not suffice to ground an inference of common origin, since it might be purely accidental. But other words are also remarked in Hindu astrology." &c. (Algebra, &c. from the Sanscrit, Dissert. Notes and Illust. p. lxxx.)

[1]Ibid. p. xxiv.

[1]Algebra, &c. from the Sanscrit, Dissert. Notes and Illust. pp. x. and xvi.

[2]Dr. Hutton says, that Diophantus "knew the composition of the cube of a binomial. ....In some parts of book vi. it appears that he was acquainted with the composition of the fourth power of the binomial root, as he sets down all the terms of it; and from his great skill in such matters, it seems probable that he was acquainted with the composition of other higher powers, and *with other parts of Algebra, besides what are here treated of* ....Upon the whole, this work is treated in a very able and masterly manner, manifesting the utmost address and knowledge in the solutions, and forcing a persuasion that the author was deeply skilled in the science of Algebra, to some of the most abstruse parts of which these questions or exercises relate. However, as he contrives his assumptions and notations, so as to reduce all his conditions to a simple equation, or at least a simple quadratic, it does not appear *what* his knowledge was, in the resolution of compound or affected quadratics." Mathematical Dictionary, Art. Diophantus.

[1]"Algebra;" &c. ut supra, Dissert. p. xiv.

[1]Suppl Encycl. Brit. Dissert Second, p. 4.

[2]Ib. p. 14

[1]"Any thing proposed to us which causes surprise and admiration, gives such a satisfaction to the mind, that it indulges itself in those agreeable emotions, and will never be persuaded that its pleasure is entirely without foundation." (Hume, Treatise of Human Nature, i. 53.

[2]To this good effect, if to no other, the embassy of Lord Macartney, and the writings to which it has given occasion, have largely contributed. See Barrow's two works, Travels in China, and Life of Lord Macartney, and above all, that important document, a volume of the Laws of China, translated by Sir George Staunton. No one has more approximated to a correct judgment of the Chinese, than De Guignes. See Voyage.

[3]Many of the observations of Mr. Barrow upon the panegyrical accounts of the Chinese by the popish missionaries are very applicable to the flattering accounts which travellers have been so found of giving us of the Hindus. "In the same breath that they extol the wonderful strength of filial piety, they speak of the common practices of exposing infants; the strict morality and ceremonious conduct of the people are followed by a list of the most gross debaucheries; the virtues and the philosophy of the learned are explained by their ignorance and their vices: if in one page they speak of the excessive fertility of the country, and the amazing extension of agriculture, in the next thousands are seen perishing with want; and whilst they extol with admiration the progress they have made in the arts and sciences, they plainly inform us that without the aid of foreigners they can neither cast a cannon nor calculate an eclipse." Barrow's Travels in China, p. 31.

[1]One of the chief circumstances from which Sir William Jones drew conclusions respecting the high civilization of the Hindus, was the supposition that they never went abroad, a supposition which is now well known to have been erroneous. See Asiat. Res. vi. 531, and i. 271.

[1]The writings of Mr. Miller of Glasgow, of which but a small part was then published, and into which it is probable Sir William had never looked, contained the earliest elucidations of the subject. The suggestions offered in his successive productions, though highly important, were but detached considerations applied to particular facts, and not a comprehensive induction, leading to general conclusions. Unfortunately the subject, great as is its importance, has not been resumed. The writings of Mr. Miller remain almost the only source from which even the slightest information on the subject can be drawn One of the ends which has at least been in view during the scrutiny conducted in these pages, has been to contribute something to the progress of so important an investigation. It is hoped that the materials which are here collected will be regarded as going far to elucidate the state of society in all the leading nations of Asia. Not only the Hindus, the Persians, the Arabians, the Turks, and Chinese of the present day, but the Hindus, Arabians, and Persians of ancient days, the Chaldeans, the Jews, and even the ancient Egyptians, may all be regarded as involved in the inquiry; and to these, with the sole exception of the wandering Tartars and the Hyperborean hordes, may be added the second-rate nations; the inhabitants of the eastern peninsula, and of the plains and mountains of Tibet. It is surprising, upon a close inspection, how extensively all these various

nations, notwithstanding the dissimilarity in some of the more obvious appearances, resemble one another, in laws and institutions of government, in modes of thinking, in superstition and prejudices, in arts and literature, even in the external forms of manner and behaviour, and as well in ancient, as in modern times.

[1]Essay on the Poetry of Eastern Nations. Voltaire exclaimed, on reading Rousseau's panegyrics. "Jamais n'avais-je tant d'envie de marcher à quatre pattes."

[2]Sir W. Jones, Asiat. Res. ii. 3.

[3]Ibid. p. 9.

[9]Ibid.

[1]Sir W. Jones, Asiat. Res. ii. p. 14.—"On this occasion, as well as on many others, the sober historian is forcibly wakened from a pleasing vision; and is compelled with some reluctance, to confess that the pastoral manners, which have been adorned with the fairest attributes of peace and innocence, are much better adapted to the fierce and cruel habits of a military life." Gibbon, Decline and Fall, ch. xxvi. p. 342.

[2]In the same discourse Sir William further remarks; "That we have none of their compositions in prose before the Koran, may be ascribed, perhaps, to the little skill which they seem to have had in writing, to their predilection in favour of poetical measure, and the facility with which verses are committed to memory; but all their stories prove that they were eloquent in a high degree, and possessed wonderful powers of speaking without preparation, in flowing and forcible periods." (Asiat, Res. ii. p. 14.) "Who," says Dr. Ferguson, "would from mere conjecture suppose, that the naked savage would be a coxcomb and a gamester; that he would be proud and vain, without the distinctions of title and fortune; and that his principal care would be to adorn his person, and to find an amusement? Even if it could be supposed that he would thus share in our vices, and in the midst of his forest vie with the follies which are practised in the town; yet no one would be so bold as to affirm that he would likewise in any instance excel us in talents and virtue; that he would have a penetration, a force of imagination and elocution, an ardour of mind, an affection and courage, which the arts, the discipline, and the policy of few nations would be able to improve. Yet these particulars are a part in the description which is delivered by those who have had opportunities of seeing mankind in their rudest condition: and beyond the reach of such testimony, we can neither safely take, nor pretend to give information on the subject." Ferguson's Essay on the History of Civil Society, part ii. sect. 1.

The extreme inaccuracy and fluctuation of the ideas of European scholars with respect to civilization, are curiously exemplified in their opinions of the Asiatic nations. Gibbon says, "The cavalry of Scythia was forced to yield to the admirable swiftness and spirit of the Arabian horses; their riders were skilled in the evolutions of irregular war; and the northern barbarians were astonished and dismayed by the inhuman ferocity of the barbarians of the south. A Gothic soldier was slain by the dagger of an Arab; and the hairy, naked savage, applying his lips to the wound, expressed a horrid

delight, while he sucked the blood of his vanquished enemy." Gibbon, Hist. of the Dec. and Fall, &c. iv. 413. Of the various nations subject to the Persian sceptre, many of them still higher in civilization than the most civilized portion of the Arabians, the same author thus expresses himself: "It was here," says he, "in a place where the opposite banks cannot exceed 500 paces, that Xerxes imposed a stupendous bridge of boats, for the purpose of transporting into Europe 170 myriads of *barbarians*." Ibid. iii. 9. Of the Syrians and Egyptians, who still more nearly than the Arabians resembled the Hindus, and were acquainted with more of the arts which attain their perfection in civilized life, he says, "The use of their ancient dialects, by secluding them from the commerce of mankind, checked the improvements of these *barbarians*." Ibid. i. 62. (N. B. The same cause operated among the Hindus, and still more powerfully, to the production of the same effects) Mr. Halhed says, that the Jews, at the time of the Mosaic institutions, "were very little removed from a state of barbarism, gross in their conceptions, illiterate in their education, and uncultivated in their manners." Preface to Code of Gentoo Laws, p. xvii. And yet these institutions are not only superior to the institutions of the Hindus; they are in a high degree superior to the institutions of any other nation in Asia. But with the circumstances of Jewish society, we become, through the medium of our religion, early and familiarly acquainted. No European is *early;* hardly any is ever *familiarly* acquainted with the other nations of Asia. No blind propensity therefore excites to admiration in the one case: several do so in the other. Among the authors who have followed Sir William Jones in his track of eulogy and admiration, it may be suspected, from the limited information of some, that they were unacquainted with the facts of uncivilized life, and wherever man exhibited the attributes of humanity believed he must there be civilized; ignorant of the intense exercise which is given to several of the human faculties even among savages, and of the strength which those faculties must hence acquire.

[1]None of them has confessed the existence of this motive with more frankness than Le Gentil, Voy. ii. 98. "Avant que j'eusse perdu mon clocher de vue, les François etoient mes heros.....Quant à moi, je suis gueri de mes prejugés, et *je m'applaudis en secret de m'etre detrompé*.—Col. Dow boasts of being actuated by the same sentiments and scruples not to call Goths, or worse than Goths, all those who are not so: "In love with our own times and country," says he, "we are apt to consider distant ages and nations, as objects unworthy of the page of the historian.....Some men of genius have entertained sentiments upon that subject, too narrow and confined for the Goths of a much darker age. Had the translator of the following history thought so meanly of the affairs of the East," &c. Dow's Hindostan, Preface.

[2]The account which Robertson gives of the causes which led to exaggerated conceptions in the mind of the Spaniards, respecting the civilization of the Mexicans, applies in almost every particular to those of the English and French respecting the Hindus. "The Spaniards," says he, "when they first touched on the Mexican coast, were so much struck with the appearance of attainments in policy and in the arts of life, far superior to those of the rude tribes with which they were hitherto acquainted, that they fancied they had at length discovered a civilized people in the New World. This comparison between the people of Mexico and their uncultivated neighbours, they appear to have kept constantly in view, and observing with admiration many

things which marked the pre-eminence of the former, they employed, in describing their imperfect policy and infant arts, such terms as are applicable to the institutions of men far beyond them in improvement. Both these circumstances concur in detracting from the credit due to the descriptions of Mexican manners by the early Spanish writer. By drawing a parallel between them and those of people so much less civilized, they raised their own ideas too high. By their mode of describing them, they conveyed ideas to others no less exalted above truth. Later writers have adopted the style of the original historians, and improved upon it." Hist. of America, iii. 320.

[1]"Le voyageur racontant ses avantures, cherche dans l'admiration de ceux qui l'ecoutent, un dedommagement aux dangers qu'il a courus; il enfle la narration: Le sçavant, qui s'est donné beaucoup de peine pour apprendre des langues etrangeres et lointnines, s'extnsie sur la beauté des ouvrages qu'il est parvenu à entendre." Anquetil Duperron, Note, No. ii. Supplement aux Recherches, &c. sur l'Inde.

[2]"The administration of justice has been almost universally, by the Mogul conquerors of Indostan, devolved upon the Hindus, the office of Duan being generally conferred upon one of that people." Orme on the Government and People of Indostan," p. 443. "Although the Mogul Tartars under Tamerlane and his successors have at last rendered themselves lords of almost the whole of it (India); yet the original inhabitants have lost very little of their original character by the establishment of these strangers amongst them." Orme, Hist. of Milit. Transact in Indostan, i. 2.

[16]It seems to have been a rash and foolish assimilation of the conquest of Hindustan by the Moguls to the overwhelming of the Roman empire by the northern nations, that alone could have suggested so gratuitous a supposition as that of the degradation of the Hindus from an improved to a barbarous state of society by the calamities of conquest. The two cases are totally dissimilar. By the successive inundations of the barbarians, the ancient inhabitants of the Roman provinces were well nigh swept from the face of the earth. Every where they were stript of the possession of the land, and commonly reduced to the state of bondsmen and slaves. The ancient institutions entirely gave way, and were replaced by a set of institutions altogether new. The language of the conquerors in most places entirely supplanted; in all it so much altered, the language of the people subdued or exterminated, as to impose upon it a different structure. Another circumstance is never to be forgotten. To such a degree of barbarity were the inhabitants of the Roman provinces degraded, by the long continued effects of a detestable government, that the invaders had really not much to accomplish to reduce them to the same level with themselves. This was abundantly seen in the state of the Greeks of the eastern empire; who, upon their very first subjugation to the Turks, exhibited a condition not greatly different from that in which they grovel at the present day. The conquest to which, with greatest propriety, that of the Hindus by one tribe of Tartars might be compared, would be the conquest of the Chinese by a similar tribe of Tartars. There is no reason to think that the one was a conquest of a more destructive nature than the other. If the Moguls did not adopt the religion and institutions of the Hindus, it was because the religion and institutions of the Hindus admitted of no participation, and because the Moguls had already embraced a more enlightened faith. See Francis's Minute, p. 30: also the treatise of

Mr. Grant, on the Character of the Hindus, printed by order of the House of Commons in 1813.

[1]Asiat. Res. i. 258.

[1]Essay on Vicramaditya and Salivahana, by Capt. Wilford, Asiat. Res. ix. 117 to 120.

[1]If we examine the chronological table of the Hindu kings, presented us by Sir William Jones, we shall find Vicramaditya placed at an era posterior to the Mussulman conquests.

| | Years. |
|---|---|
| From Chandragupta to the end of the Maurya race (As. Res. ii. 139) | 137 |
| From the beginning to the end of the Sunga (Ibid. p. 140.) | 112 |
| From the ditto to ditto of the Canna (Ibid.) | 345 |
| From ditto to ditto of Andra (ending with Chandrabija) (p. 141) | 456 |
| From Chandrabija to Vicramaditya (Ibid. p. 142) | 396 |
| From Chandragupta to Vicramaditya | 1446 |

Now Seleucus, who was contemporary with Chandragupta (Asiat. Res. iv. xxvi.), began to reign about 300 years before Christ. By this chronology, therefore, Vicramaditya began to reign about 1146 years after Christ.

[1]Essay on Vicramaditya, and Salivahana, by Captain Wilford, Asiat. Res. ix. 132, 133.

[1]Essay on Vicramaditya, and Salivahana, by Capt. Wilford, Asiat, Res. ix. 158, 159.

[2]Ibid. p. 149.

[1]Essay on Vicramaditya, and Salivahana, by Captain Wilford, Asiat. Res. ix. 147, 148, 149.

[2]Ibid. p. 149.

[3]Mr. Wilford presents us also with the history which the Brahmens have manufactured for placing Mahomed among the great men of Hindustan. It is of much importance, to elucidate the accounts, which are given by the Hindus, not only of the actions, but of the very persons and existence, of their pretended heroes. I should otherwise have been well pleased to omit a story, tainted with that indelicacy, which, even when they are inventing, and have the circumstances at their own selection, marks the writings of an uncultivated people. “The Hindus say, that the son of a certain King of India, being disgusted with the world, turned pilgrim, and went to Mocsheswarast’hana (or Mecca). In his way thither, and in Arabia, he stopped at the house of a Brahmen, who received him kindly, and ordered his daughter to wait on him as usual. Whilst asleep, the cloth with which his loins were covered was accidentally defiled. When he awoke, he took it off, and concealed it in a corner of the

house, in some hole, and out of the sight of the damsel, as he thought. Being from home, to perform his ablutions, in consequence of this nocturnal defilement, the damsel came at the usual hour; and her courses suddenly making their appearance, she was much distressed, and looking every where for some cloth, she spied the bundle—in short she conceived. He departed for Mecca: and some months after, the parents of the damsel and herself were thrown into the greatest confusion, as may be imagined. The holy man was considered as the author of their disgrace; though the damsel exculpated him: Yet she could not account for her present situation. She was, like Hagar, turned out of the house into the wilderness with her son: where they were miraculously preserved, both being innocent. Some years after the holy man returned, unconscious of his having been the cause of so much uneasiness to the family of the hospitable Brahmen. After much abuse, the matter was explained; but the son of the damsel could not be admitted to share with his relatives, or even to remain in their communion. He was, however, honourably dismissed with his mother, after they had given him a suitable education, and rich presents; and they advised him to shift for himself, and to set up a new religion, as he could not be considered as a member of the old one, on account of his strange birth, or rather conception. When advanced in years, he wished to see his paternal relations and India; and to persuade them to conform to his new doctrine; but he died in his way thither, at Medina, near Candáhár. This Medina is Ghazni, called emphatically the second Medina, from the great number of holy men entombed there: and it is obvious that the Hindus have confounded Muhammed with Sultan-Mahmood, whose sumptuous Mausoleum is close to that city. Thus we see, that the account they give of Muhammed is a mere rhapsody, retaining some of the principal features of the history of Ishmael, Hagar, Muhammed himself, and Sultan-Mahmood.—This *Samvat*, or era, of Maha'bhat (Muhammed), was early introduced into India, and the Hindus were obliged to use it, as they do now in all their civil transactions; and thus Muhammed became at least a Sambatica or Santica. According to the rules laid down by the learned in India, Muhammed is certainly a Saca and Saceswara, and is entitled to the epithet of Vicrama. He is a Saca, or mighty chief; and, like other Sacas, he killed his millions; he is Saceswara, or the ruler of a sacred period, still in use in India. For these reasons, the Pandits, who assisted Abul-Fazil, did not scruple to bestow the title of Vicramaditya upon him; and even to consider him as the real worthy of that name; and in order to make the era, or at least the time of Vicramaditya's appearance coincide with the era of Mohammed, they have most shamefully distorted the chronology of the appendix to the Agni-purana. Mr. Wilford, Asiat. Res. ix. 159, 160, 161. See a still more extraordinary attempt to foist the story of Jesus Christ, borrowed from the spurious gospels, into the Puranas; and to make Christ at one time Chrishna, at another time Salivahana, at another time Buddha. Essay on the Origin and Decline of Christianity in India, by Captain Wilford, Asiat. Res. x.

It would thus appear that Vicramaditya is a sort of an appellative, and is applied to any character, whether real or imaginary, whom it suited the Brahmens to erect into a hero; and whether it was originally the name of some Hindu prince who had greatly distinguished himself, or of pure invention, it is altogether useless to inquire. That this name has been attached to a particular era, in one of the numerous Hindu modes of dating, establishes nothing. What we do not know is—for what cause they adopted such an era: What we do know is—that they would very naturally apply to it the

appellative Vicramaditya, whatever the cause. And no one can doubt the absurdity of supposing that the cause was a particular prince, contemporary at once with Solomon, with Jesus Christ, with Sapor, and with Mohammed.

What the Brahmens fable, about an universal monarchy, and the celestial glory of this or that pretended hero, can therefore be regarded as no evidence of the facts which they assert. The propensity of the Hindus to exaggeration is every where displayed. "The officers of government here," says Dr. Buchanan, "had the impudence to inform me, that according to Chica Deva Raya's valuation of the country which belonged to Nandi Raj, it contained 32,000 villages.....The account here given seems to be one of those gross exaggerations common in India, and is entirely contradicted by the accounts which I received from the revenue office at Seringapatam." Journey through Mysore, &c. ii. 97. In other places the native officers told him lies, contradicted by the very facts presented to their and his eyes, at the moment of delivering them. "Among the natives, however," he remarks, "similar departures from the truth are common." Ibid. p. 136, 137. Vicramaditya is indeed, expressly, at times asserted, not to have been King of all India, but only of a certain portion of it in the west. "The author of the Vicrama-Upac'hyana says, that he was a powerful prince, in the west of India, and possessed of the countries which we find, afterwards, constituting the patrimonial territories of the Balahara, which included Gurjjarasht'ra (or Gujjarat) with some adjacent districts." Essay on Vicramaditya, &c. by Captain Wilford, Asiat. Res. ix. 149.

[1]The word Hindustan is in this work generally used to signify, comprehensively, the land of the Hindus, from Cape Comorin to the farthest boundary of the country which they inhabited. It is necessary to mention, that in the oriental books, it has often a more limited signification, being appropriated to that part of the land of the Hindus, which is north of the river Nerbudda

[1]See the inscription found at Monghir, and translated in the Asiat. Res. i. 123. That found at Buddal, Ibid. p. 130.—That found at Tanna, Ibid. p. 357.—Those from the Vindhya mountains, Ibid. ii. 168, 169.—That on the staff of Feeroz Shah, Ibid. p. 382.—That respecting a grant of land in Carnatic, Ibid. iii. 40–47.—That found in the district of Gorakhpur, Ibid. ix. 410.—That found at Chitradurg, Ibid. p. 418, 419, 420.—That found at Curugode, Ibid. p. 436, 437, 438.—Those found at Nedigal and Goujda, Ib. p. 447.

[1]See the inscriptions translated in the Asiat. Researches, i. 360, 123, 125; iii. 48, 52; ix. 406, 418. The inscription, cut on a stone, upon the hill of Belligola, in front of the great Jain image, bears a similar testimony. "In the year of the Saca 1290 (A. D. 1367).....be success and glory to the honourable monarch, the sovereign and destroyer of envious princes, lord of foreign king, whose name is Buccaraya." (Asiat. Res. ix. 270.)

[2]Asiat. Res. i. 360.

[30]The inscription on the Lāt (staff) of Feerōz Shah, celebrates the monarch, in whose honour it has been erected, "for having achieved conquest in the course of

travelling to holy places—as resentful to haughty kings, and indulgent to those whose necks are humbled—making Ariaverta [the land of virtue or of respectable men] once more what its name signifies, by causing the barbarians to be exterminated. —Visala Deva, son of the fortunate Vella Deva, king of Sacambari, the situation of which the translator does not know, most eminent of the tribe which sprang from the arms of Brahma—boasts of having rendered tributary the region of the earth between Himavat (the Imaus of ancient geographers) and Vindhya (the range of hills which passes through the provinces of Bahar, Benares) and exhorts his descendants to subdue the remainder."—No proof, all this, of the peaceful state of Hindostan. The inscription continues—"May thy abode, O Vigraha, sovereign of the earth, be fixed, as in reason it ought, in the bosoms, akin to the mansions of dalliance, of the women with beautiful eyebrows, who were married to thy enemies."—The abuse of an enemy's wives is no great proof of a generous or civilized conqueror. The inscription then deifies this same Rajah. "Art thou not Vishnu himself? Art thou not he who slept in the arms of Lacshm, whom thou didst seize from the ocean, having churned it?"—Are epithets of extravagant praise to the deity surprising, when they are thus heaped upon a mortal? (As. Res. ii. 382.) The account of the Sacas affords important proof of the glory that was attached by the Hindus to the shedding of blood. The Cali yug is divided into six Sacas, so called from six glorious monarchs. Of these, three have made their appearance; three are yet to come. To become a Saca, each of these monarchs must have first killed 550,000,000 of a certain mighty tribe of heretics, called Sacas. The first of these blood-thirsty sovereigns was Judishter, whose period was 3044 years; the second Vicramaditya, whose saca lasted only 135 years; the third, Salivahana, whose period is to last 18,000 years; the fourth Nandada, 10,000 years; the fifth Nargarjuna, 400,000 years; for the sixth, will re-appear the Antediluvian Bah, whose period will be 821 years, at which period a general renovation of the world will take place. Wilford, Asiat. Res. ix. 82.

[1]Rennel's Memoir, p. 1.

[1]Sonnerat, Voy. liv. iii. ch. ii. Their very laws and religion encourage a spirit of restlessness, and warfare; "Fully performing all duties required by law, let a king seek to possess regions yet unpossessed." (Laws of Menu, ch. ix. 251.) This gives implicit encouragement to a spirit of conquest. The gloss of Culluca, the commentator, inserts the words *with justice*, a saving clause; but even then, the practical effect of the law is but too visible.

[2]In the Bhagavat, (See Maurice, Hist. of Hindustan, ii. 395,) Creshna says, he does not vaunt, "though he carried away Rokemence from so numerous an assemblage of monarchs." When Creshna fought with the seven bulls of Koosele, great numbers of rajahs and rajpoots were collected to see the conflict. Ib. p. 402. Bhoom Assoor had collected the daughters of 16,000 rajahs. Ib. p. 405. Rajah Doorjoodhen, sovereign of Hastanapoor, had a daughter who was courted by rajahs and rajpoots from every quarter. Ib. 413. Twenty thousand and eight hundred rajahs of eminence were held in confinement by Jarasandha, and released upon his destruction by Creeshna and Rama. Ib. p. 433. When Creeshna carried away Rokemenee, Jarasandha said, "This is surely most astonishing, that, in the presence of so many crowned heads as are here assembled, this cowherd should make so bold an effort." Ib. p. 394.

[2]Hetopadesa, in Sir William Jones's Works, vi. 43.

[2]Ib. p. 44.

[3]Ibid. p. 51.

[4]Asiat. Res. i. 123.

[5]Ibid.

[1]Asiat. Res. i. 123. The third stanza of this inscription, omitted by Mr. Wilkins, but translated by Sir W. Jones, affords additional proof that these conquests were but an irruption: "By whom, having conquered the earth as far as the ocean, it was left as being unprofitably seized." Ibid. p. 142. In the inscription on the pillar near Buddal, found by Mr. Wilkins, is described a race of princes who originally, it is said, ruled over "but one quarter, and had no authority in other regions;" but one of the line, "being a virtuous prince, became supreme over every country without reserve, and the three worlds were held in subjection by his hereditary rank." The dominions of his son and successor extended from Reva Jauak, to the father of Gowree, and to the two oceans, &c. and all this country, the prince Sree Dev Pal rendered tributary. Ibid. p. 134. Yet Sir W. Jones says, that this race of princes were all along only prime ministers to the House of Devu Pal: p. 142. Nothing can be more contradictory to the text; but it is necessary for Sir William's theory that the kings of Gaur, of whom Devupal was one, should be the lords paramount of India. Sir William, when he had a theory, seems to have had eyes to see nothing but what made in its favour. An additional proof of the small kingdoms of Hindustan is found in the inscription (As. Res. i. 133, stanza xiii.) "The king of Gowr" (Bengal) "for a long time enjoyed the country of the eradicated race of Oothal" (Orixia,) "of the Hoons" (Huns,) "of humbled pride, of the kings of Draveer" (a country to the south of the Carnatic,) "and Goojar" (Goozerat,) "whose glory was reduced, and the universal sea-girt throne." Another grant of land (Ib. p. 357) affords evidence to the same purpose: a number of kings are actually named in the royal grant. As. Res. iii. 48.

[2]See Gentoo Code, passim.

[3]Halhed's Gentoo Code, ch. iii. sect. 6. p. 106, 107.

[1]Laws of Menu, ch. vii. p. 154, 155. Even Robertson, though a firm believer in the universal monarchy, is forced to allow that it had not yet existed in the time of Alexander. "In the age of Alexander, though there was not established in it any powerful empire, resembling that which in modern times stretched its dominion from the Indus almost to Cape Comorin, it was even then formed into monarchies of considerable extent." Robertson's Disq. concerning ancient India, p. 21. But the times of Alexander, and times long antecedent, are the times fixed upon by the Brahmens, for this perpetually asserted, but never ascertained empire. To what modern times does Robertson allude? for he himself gives it as true information, that in the tenth century, there were four kingdoms in the north part alone of India. "The first was composed of the provinces situated on the Indus, and the rivers which fall into it; the

capital of which was Moultan. The capital of the second kingdom was Canoge, which, from the ruins of it remaining, appears to have been a very large city. The third kingdom was Cachemire. Massoudi, as far as I know, is the first author who mentions this paradise of India, of which he gives but a short description. The fourth is the kingdom of Guzerate, which he represents as the greatest and most powerful; and he concurs with the two Arabian travellers, in giving the sovereign of it the appellation of Balhara." Ibid. Note xxxvii. p. 332.

[2]The inconsistencies of the believers in the great empire of Hindustan are miserable. Mr. Maurice tells us that Bali, "if that name imply not rather a dynasty of princes than an individual monarch," [a shrewd suspicion] "was the puissant sovereign of a mighty empire, extending over the vast continent of India; that under Rama, the next in succession, there is every appearance of its having remained unbroken; that Judishter is generally acknowledged to have been the sovereign of all India." Maurice, Hist. ii. 511. Yet both Mr. Maurice and Sir W. Jones believe Rama to be the Raamah of Scripture, the son of Cush, Genesis, ch. x. ver. 7, in whose days it was impossible that any considerable part of India could be peopled. See Sir W. Jones, Asiat. Res. ii. 401, and Mr. Maurice, Hist. iii. 104. Bali, the Baal, and Bel, of other eastern nations, who is also said to have been the first king of Assyria, was not a name of any particular person, but a title assumed by many, and those of different nations. It is in fact a title of the sun. (See Bryant's Myth.) Judishter, too, it is remarkable, was the cotemporary of Rama, both being heroes in the war of the Mahabarat. For the performance of the Raisoo yug, it was not necessary, as they pretend, to conquer all princes, since at Judishter's yug, the father of Cansa, whom Creeshna, after the death of Cansa, seated on the throne of Mathura, was not conquered by Judishter. Nay it is remarkable that this yug was celebrated while Judishter was yet a dependent upon Doorjoodhen, before the war of the Pandoos. Even after the war of the Mahabharat, when they assure us, for certain, that Judishter was king of all India, Ogur Sein, the grandfather of Creeshna, was reigning at Mathura; Creeshna and the Yadavas were all flourishing. See the Mahabharat, translated by Halhed; Maurice, History of India, ii. 463.

[1]"In so far as the Hindu superstition tends to estrange mankind by creating artificial sources of mutual aversion and disgust; so far certainly does it counteract the real interests of society. Let it not be urged that the practical effects of the artificial separation of the Asiatics are not greatly felt in society; or that a Brahmin or Rajah will as readily supply the wants of the poorer classes as he would those of his own. The fact is otherwise; the Brahmin considers his order as in some measure a different race of beings; and imagines that the lower ranks are incapable of the same sensibility to suffering: he regards them as a race whose feelings are deadened by the meanness of their intellect, and therefore not entitled to the same share of compassion. That this is the idea of the princes and civil magistrates throughout India, their own conduct sufficiently evinces; hence the severity of their government, the rigour of their punishments, and their universal indifference to the comfort, and even the lives of their subjects." Tennant's Indian Recreations, i. 121.

[1]Wilkins' Hetopadesa, p. 161.

[2]Ibid. p. 82.

[3]Ibid. p. 160.

[4]Ibid. p. 166.

[5]Ibid. p. 176. The following maxim, among many others in the book, is a proof of the idle and useless life of the rajahs, who devolved all business upon their ministers, and wallowed in sensuality and sloth. “The sovereign being a vessel for the distribution of happiness, and not for the execution of affairs, the minister, who shall bring ruin upon the business of the state is a criminal.” (Ibid. p. 142.) The last article of the following character of a good minister is an abundant proof of the rapacious nature of the government; “A king should engage for his minister one who is a native of his own country; pure in all his ways and cleanly in his dress; not one who is an outcast, addicted to idle pleasures, or too fond of women; but one of good repute, who is well versed in the rules of disputation, is of a firm mind, and expert in raising a revenue.” Ibid. p. 179. See also the Inscription respecting a Royal Grant, Asiat. Res. iii. 48.

[1]Wilkins’ Hetopadesa, p. 242.

[2]Buchanan’s Journey through Mysore, &c. ii 410.

[1]Another remarkable circumstance. The fisherman informs the officers he gives them his present to purchase wine; on which they cry, “Oh! now thou art our beloved friend.—Good wine is the first object of our affection.—Let us go together to the vintners.” Sacontala, act v.

[]Halhed’s Gentoo Code, ch. xv. sect. 2.

[3]Ibid.

[4]Ibid. xxi. 10.

[1]The self-abasement of the Hindus, before their kings, is decisive proof of a merciless government. “The sovereign, although but a child, is not to be despised, but to be respected as a man; or as a mighty divinity who presideth in human form.” Wilkins’ Hetopadesa, p. 117. “They performed prostration to their princes, *falling down with eight members*, as they expressed their abject and grovelling mode of approach.” Ibid. note 137. “Plus un gouvernement est despotique, plus les ames y sont avilies et degradées; plus l’on s’y vante d’aimer son tyran. Les esclaves benissent à Maroc leur sort et leur Prince, lorsqu’il daigne lui-mème leur couper le cou.” Helvetius de l’Homme, i. 318.

[2]Halhed’s Gentoo Code, ch. xvi. sect. 1.

[3]Wilford, on the Chronology of the Hindus, Asiat. Res. v. 284. There is a passage in Quintus Curtius which would lead us to conclude that India was not thickly inhabited in the times of Alexander. Speaking of Alexander’s march into the interior of India, after the overthrow of Darms, he says; “Ad magnam deinde, *ut in eu regione*, urbem pervenit.” (Curt. lib. ix. cap. 1.) Not a syllable escapes from this author indicative of a

populous country. He styles the inhabitants, “Barbari—operum militarium rudes.” Ibid. cap. viii. The names of the separate nations which Alexander found in India are numerous.

[1]Orme, on the Government and People of Hindustan, p. 434, 435, 436. “Quelques missionaires, tels que le P. de Magistris, le Danois F. Schwartz, le P. Jean de Brito, dans une relation manuscrite que j’ai entre les mains, accusent les rois payens d’exercer des oppressions intolerables envets leurs sujets. M. Anquetil du Perron tâche de justifier les souverains. ? ? ? Je pourrais demontrer avec une historique evidence que M. Anquetil ne connait pas l’Inde. ? ? ? Il est certain qu’il se commettait de grands abus dans l’exercise de l’autorité royale, et je pense que ce fut là la principale cause de la ch?te des rois de Maduré, de Maïssour, de Tanjaur, et de Marava. Quoique ces rois fussent tous payens, de la premiere noblesse, et indigénes, sans cesse ils se faisaient la guerre reciproquement, et presque tous vexaient le peuple.” Voyage aux Indes Orientales par le P. Paulin, de S. Bartelemy, i. 87. M. Anquetil Duperron, in a note, (Ibid. iii. 365,) falls into a curious coincidence with, and confirmation of, the above passage of Paulin, at the same time that he is controverting it:—"Le missionaire n’a pas lu l’histoire de l’Inde, n’est pas meme aut fait de ce qui se passe tous les jours. Quoique le caractere propre de l’Indien soit la douceur, l’humanité, on voit encore dans cette contrée, comme ailleurs, des querelles entre les princes naturels Indiens, des querelles dans les familles; les chefs Marattes sont presque toujours divisés, et en guerres. Le Tanjaur, le Maduré, le Maissour, le Samorin, Narsingue, le Canara, offraient la mème spectacle lorsque la puissance des Rajahs étoit dans sa vigueur; il en est de mème de ceux de Bengale, du reste de l’Indoustan.” Bernier, who had no theory on Indian affairs, but who displays more personal knowledge of the country than almost any other European, thus describes the Rajahs. Ce sortes de rois barbares n’ont aucune veritable generosité, et ne sont guere retenus par la foi qu’ils ont promise, ne regardant qu’à leurs interets presents, sans songer meme aux malheurs qui leur peuvent arriver de leur perfidie, et de leur brutalité. Revol. des Etats Mogol. p. 174. “The ryots have every reason to dread the prevalence of the Mahratta power; of that power, which yields them up to the tyranny and oppression of their chiefs; which affords no protection to its subjects; which is perpetually at war with its neighbours; and which has, in effect, laid waste the greatest part of Hindostan.” Sir H. Strachey, Report as Judge of Circuit, Fifth Report of the Committee on India Affairs, 1810, p. 568, sect. 17. La politique de leurs princes doit tenir de leur gouvernement.—d’une main on les voit signer une traité, et de l’autre ils jurent la perte de celui avec lequel ils font alliance. Anquetil Duperron, Zendavesta, cxvii. “The annals of Persia,” says Mr. Scott Waring, “contain little more than a uniform tale of wretchedness and misery, of murder and treachery; and the mind, wearied and disgusted with this uniformity of vice, is hurried away to a contemplation of similar causes and events.” Tour to Sheeraz, p. 267.

[1]There can be no rational doubt that what by European eyes has been seen to be the detail of government, in the hands of the Hindus, though under Mogul principals, was a fair picture of what had been the detail of government under Hindu principals; administration in the hands of Mogul magistrates being, according to all testimony, less oppressive than administration in the hands of Hindus. The same intelligent and unexceptionable witness, Mr. Orme, goes on to say: “Imitation has conveyed the

unhappy system of oppression which prevails in the government of Indostan throughout all ranks of the people, from the highest even to the lowest subject of the empire. Every head of a village calls his habitation the Durbar, and plunders of their meal and roots the wretches of his precinct; from him the Zemindar extorts the small pittance of silver, which his penurious tyranny has scraped together: the Phousdar seizes upon the greatest share of the Zemindar's collections, and then secures the favour of his Nabob by voluntary contributions, which leave him not possessed of the half of his rapines and exactions: the Nabob fixes his rapacious eye on every portion of wealth which appears in his province, and never tails to carry off part of it: by large deductions from these acquisitions, he purchases security from his superiors, or maintains it against them at the expense of a war.—Subject to such oppressions, property in Indostan is seldom seen to descend to the third generation." Orme, on the Government and People of Indostan, p. 450, 451. The following is another stroke in the formation of the same picture. "The Havildar plunders the village, and is himself fleeced by the Zemindar; the Zemindar by the Phousdar; the Phousdar by the Nabob or his Duan. The Duan is the Nabob's head slave: and the Nabob compounds on the best terms he can make, with his Subah, or the throne.—Wherever this gradation is interrupted, bloodshed ensues." Ibid. p. 402. "In every city, and in every considerable town, is appointed a guard, directed by proper officers, whose duty it is to coerce and punish all such crimes and misdemeanours as affect the policy of that district, and are at the same time of too infamous or of too insignificant a nature to be admitted before the more solemn tribunal of the Durbar. These ministers of justice are called the Catwall; and a building bearing the same name is allotted for their constant resort. At this place are perpetually heard the clamours of the populace: some demanding redress for the injury of a blow or a bad name; others for a fraud in the commerce of farthings: one wants assistance to take, another has taken a thief; some offering themselves as bondsmen; others called upon for witnesses. The cries of wretches under the scourge, and the groans of expiring criminals, complete a scene of perfect misery and confusion. After these employments of the day, parties are sent from the Catwall to patrole and watch through the town by night. In such governments, where the superiors are lost to all sense of humanity, the most execrable of villanies are perpetrated by this institution, designed to prevent them. The Catwall enters into treaty with a band of rubbers, who receive from hence the intelligence necessary to direct their exploits, and in return pay to it a stipulated portion of their acquisitions: besides the concessions necessary to secure impunity when detected, one part of the band is appointed to break into houses, another assaults the traveller upon the road, a third the merchant upon the rivers. I have seen these regulated villains commit murders in the face of day, with such desperate audacity as nothing but the confidence of protection could inspire." Ibid. p. 452, 453.

[1]They have always allowed themselves to be conquered in detail, just as the tribes of Gauls and Germans, by the Romans. Gaul, however, cost Julius Cæsar himself five years to subdue; and it several times carried fire and sword to the gates of Rome. The Gauls must have known much more of the art of war than the Hindus. See the fine generalship of Vercingetorix described by the conqueror himself in the 7th book of his commentaries; and analysed by Guischardt, Memoires Militaires sur les Grecs et les Romains, ch. xvi.—"The most remarkable of these new states were the Polygars of Chittledroog, Raidroog, Harponelly, Tarrikera, with many others of inferior note,

whose united efforts might have opposed a respectable barrier to Mohammedan encroachment, if united efforts could be expected from restless savages, perpetually occupied by intestine quarrels." (Wilks' Hist. Sketches, p. 63.) Wilks say, (p. 23) that the Hindu character exhibits but few shades of distinction, wheresoever found. It follows, that no where is it far removed from the savage state.

[1]To some persons it may be of use to hear, that the sober good sense of Major Rennel makes him reject the theory of union. "History gives us the most positive assurances, that India was divided into a number of kingdoms or states, from the time of Herodotus, down to that of Acbar." (Rennel's Mem. Introd. p. xxxii.)

[1]Witness, Nepaul, and the strong districts along the Malabar coast, where the reign of the Hindu princes had been not at all or very little disturbed. For an account of Nepaul, see the history of Col. Kirkpatrick's embassy; and of the Malabar coast, among other works, Voyage de P. Paulin; Sonnerat; and Anquetil Duperron; above all, the Journey of Dr. Buchanan, through Mysore, Canara, and Malabar.—"Mr. Wilford states, in the ninth volume of the Asiatic Researches, that the kings of Behar or Megadha were for many ages the sovereigns or lords-paramount of India. If such was the case, their descendants must have degenerated exceedingly; for at the period of the Mohammedan invasion, the Raja, instead of heading his army, in defence of his country and religion, shamefully absconded, leaving his capital, then a celebrated seat of Hindu learning (whence its name of Behar) so destitute, that it was taken by a detachment of 200 men, who put a number of the unopposing Brahmens to the sword, and plundered all the inhabitants." (Hist. of Bengal, by Charles Stewart, Esq. p. 40.) Mr. Stewart speaks with judgment. Every thing in the state of India, as it was originally found by the Mahommedans, bears testimony against the fiction of a great monarchy, great prosperity, and great civilization.

[2]"Quæ anus," says Cicero, "tam excors inveniri potest, quæ illa quæ quondam credebantur apud inferos portenta extimescat?" (De Nat. Deor. lib. ii. cap. 2.)

[1]Goguet, Origin of Laws, part ii. book i. ch. iv. art. 8.

[2]In all parts of India, where things have not been altered by the influence of the Mahomedan government, the Hindus are found collected in villages, not in detached habitations; "a custom," says Millar, (English Gov. i. 70,) "introduced by necessity in times of extreme barbarity and disorder."

[3]Rennel's Memoir, p. 6.

[4]Buchanan's Journey through Mysore, &c. ii. 434. "It is a fact, that there is not a road in the country made by Hindoos, except a few which lead to holy places." A View of the History, Literature, and Religion of the Hindoos, &c. By the Rev. W. Ward, one of the Baptist Missionaries at Serampore, Introd. p. lviii.

[1]Tennant's Indian Recreations, ii. 13, 14, 323.

[2]Forster's Travels, i. 74.—Tennant's Indian Recreations, ii. 69.

[3]See some observations on Dow, by Mr. Edward Scott Waring, Tour to Sheeraz, p. 15.

[1]Speaking of the Mohamedan governments in the Deccan, Colonel Wilks says: “These princes had arrived at that stage of civilization in which gorgeous and awkward splendour covered the most gross political darkness.” (Historical Sketches, p. 65.)

[1]See the Analysis of Tooril Mull’s System of Finance, in British India Analysed, i. 191. These copper pieces were called pulsiah or feloos, sixteen of which were reckoned equal to a Tunkah of base silver; a sort of coin, or rather medal, sometimes struck, at the pleasure of the king, not for use, but to make presents to foreign ambassadors, and others. “Trade must, therefore,” says the author, “have been carried on chiefly by barter; the rents for the most part paid in kind."—In the Deccan, a gold and silver coin was known earlier; which the same author thinks must have been introduced by the intercourse of the Persians and Arabians, to whom the use of coin had been known nearly a thousand years before. (Ibid. p. 194.) See an instructive dissertation on this point in “Researches on India,” by Q. Craufurd, Esq. i. 36–80. Yet this author, p. 80–84, is a firm believer in the great riches of India.

[2]Agatharchides gives the most magnificent description of the riches of the Sabians. “Their expense of living rivals the magnificence of princes. Their houses are decorated with pillars glistening with gold and silver. Their doors are crowned with vases and beset with jewels; the interior of their houses corresponds with the beauty of their outward appearance, and all the riches of other countries are here exhibited in a variety of profusion. (See the account extracted and translated, in Vincent’s Periplus, part i. p. 33. See also Strabo, lib. xvi. p. 778.) In the barbarous state of the ancient Russian court at Moscow, there was the highest degree of magnificence and splendour. The Earl of Carlisle, giving an account of his embassy, says, that he could see nothing but gold and precious stones, in the robes of the Czar, and his courtiers.—The treasure of Sardanapalus was a thousand myriads of talents of gold, at the lowest estimation, 44, 174,999,760*l*. (Herodot. lib. ii. cap. 150; Athenæi Deipnosop. lib. xii.; Gibbon sur la Monarchie des Medes, Miscel. Works, 8vo. Ed. iii. 68.)—"What is said to be given by David (1 Chron. xxii. 14, 15, 16, and xxix. 3, 4, 5,) and contributed by his princes, xxix. 6, 7, 8,) toward the building of the temple at Jerusalem, if valued by the Mosaic talents, exceeded the value of 800,000,000*l*. of our money.” (Prideaux, Connexion of the History of the Old and New Testament, i. 5. Edit. 5th.) The Arcadian who was sent ambassador to the court of the king of Persia, in the days of Agesilaus, saw through the glare of eastern magnificence. ? δε Αντοχος απηγγειλε προς τθς μυριθς, ο’τι βασιλευς αρτοκοπ[Editor: illegible character]ς, και οψοποι[Editor: illegible character]ς, και οινοχο[Editor: illegible character]ς, και θυρωρ[Editor: illegible character]ς παμπλ[Editor: illegible character]θεις, εχι ανδρας δε, άι μαχοινΤ’ αν Ελληρι, απανν ςθτων [Editor: illegible character]κ αν εφη δυνασαι ιδειν. προς δε τ[Editor: illegible character]τοις, και το των χρηματων πληθος αλαζονειαν όι γε δοκειν ειναι επφη· επει και τθν ύμν[Editor: illegible character]μενην αν χρυσ[Editor: illegible character]ν πλατανον [Editor: illegible character]χ κανην εφη ειναι τετδιγι γκρεχειν. Xenophontis Græcorum, &c. lib. vii. sect. 1, near the end.)

[1]Francklin's Life of George Thomas, p. 103.

[2]Orme, on the Government and People of Indostan, p. 420. The exquisite ignorance and stupidity of the Mysoreans in the art of war, while yet a purely Hindu people, is strongly remarked by Orme, i. 207. In the following description appears the simplicity of the fortification of Hindu towns; "A place that hath eight cose in length and breadth, and on the skirts of which, on all the four sides, is a ditch, and above the ditch, on all the four sides, a wall or parapet, and on all the four sides of it are bamboos, and on the east or north side thereof, a hollow or covered way, such place is called Nigher, or a city; in the same manner, if it hath four cose in length and breadth, it is called Gherbut, or a small city." Gentoo Code, ch. xiv. See also Motte's Journey to Orissa, As. An. Reg. i. 51, 67.—"The fortifications of places of the first order formerly consisted, and in many places still consist, in one or two thick walls, flanked with round or triangular towers. A wide and deep ditch is on the outside; but as the Hindus are unskilful in the construction of bridges, they always leave a causeway from the gate of the town over the ditch." The Abbé Dubois, p. 543.—See a curious testimony to the imperfection of the military art among the Mahrattas, (Broughton's Letters from a Mahratta Camp, p. 107, 108); and another, still more remarkable, to the wretched pusillanimity of the rajpoots, those boasted descendants of the supposed magnanimous Cshatriyas, a pusillanimity, which, according to Mr. Broughton, forfeits their title even to pity, while "possessing so many advantages, they voluntarily bend their necks to one of the most galling yokes in the world." Ibid. p. 133.

[1]Asiat. Res. i. 354.

[2]Ibid. iv. 159.

[3]Craufurd's Sketches. Sir William Jones says, "We may readily believe those who assure us, that some tribes of wandering Tartars had real skill in applying herbs and minerals to the purpose of medicine;" the utmost pretended extent of the medical science of the Hindus. As. Res. ii. 40. See Tennant's Indian Recreations, for some important details, i. 357; Buchanan's Journey through Mysore, &c. i. 336.—"Medicine," says the last intelligent observer, "in this country has indeed fallen into the hands of charlatans equally impudent and ignorant." Ibid. "There are not indeed wanting several persons who prescribe in physic, play upon a variety of musical instruments, and are concerned in some actions and performances which seem at least to suppose some skill in nature or mathematics. Yet all this is learned merely by practice, long habit, and custom; assisted for the most part with great strength of memory, and quickness of invention." (Shaw's Travels, speaking of the people of Barbary, p. 263.) The good sense of Colonel Wilks has made that instructive writer use the following terms: "The golden age of India, like that of other regions, belongs exclusively to the poet. In the sober investigation of facts, this imaginary era recedes still farther and farther at every stage of the inquiry; and all that we find is still the empty praise of the ages which have passed.....If the comparative happiness of mankind in different ages be measured by its only true and rational standard, namely, the degree of peace and security which they shall be found collectively and individually to possess, we shall certainly discover, in every successive step towards remote antiquity, a larger share of wretchedness to have been

the portion of the human race.....The force of these observations, general in their nature, is perhaps more strongly marked in the history of India than of any other region of the earth. At periods long antecedent to the Mohammedan invasion, wars, revolutions, and conquests, seem to have followed each other, in a succession more strangely complex, rapid, and destructive, as the events more deeply recede into the gloom of antiquity. The rude valour, which had achieved a conquest, was seldom combined with the sagacity requisite for interior rule; and the fabric of the conquered state, shaken by the rupture of its ancient bonds, and the substitution of instruments, clumsy, unapt, and misapplied, either fell to sudden ruin, or gradually dissolved." Historical Sketches of the South of India, by Lieut. Col. Mark Wilks, p. 1, 2.

[1]The barbarians from Germany and Scythia quickly learned the discipline of the Roman armies, and turned their own arts against the legions. See Gibbon, vii. 377. The Hindus have never been able, without European officers, to avail themselves of European discipline.

[2]The monastery of Bangor, demolished by Adelfrid, the first king of Northumberland, was so extensive, that there was a mile's distance from one gate of it to another, and it contained two thousand one hundred monks, who are said to have been there maintained by their own labour. (Hume's England, i. 41.) "Les Etrusques, predecesseurs des Romains, et les premiers peuples de l'Italie sur lesquels l'histoire jette quelque lueur.....paroissent avoir devancé les Grecs dans la carriere des sciences et des arts, bien qu'ils n'aient pas pu, comme leurs successeurs, la parcourir toute entiere. Les poetes ont placé au milieu d'enx l'age d'or sous le regne de Saturne, et leurs fictions n'ont voilé qu'à demi la verité.—Comme nous ne savons pas même le nom des ecrivains Etrusques ou Tyrrheniens, et que ces peuples ne nous sont connus que par quelques fragmens d'historiens Grecs et Latins, ils resteront toujours enveloppés d'une grande obscurité. Cependant nous avons une indication de leur puissance, dans les murailles colossales de Volterra; de leur gout, dans les vases qui nous sont restés d'eux; de leur savoir, dans le culte de Jupiter Elicius, auqucl ils attribuerent l'art qu'ils connurent et que nous avons retrouvés, d'eviter et de diriger la foudre." Simonde de Sismondi, Hist. des Rep. Ital. Introd. p. iii. These Tuscans cannot have been advanced beyond the stage of semi-barbarism; and yet here are proofs of a progress in the arts, with which the Hindus have nothing to compare.—The Afghauns use a water-mill for grinding their corn. "It is also used in the north of India, under the Sireenugger hills; but, in general, no water-mills are known in India, where all grain is ground with the hand." Elphinstone's Caubul, p. 307.

[1]The Hindus are often found to be orderly and good servants at Calcutta, Madras, &c. This is but a fallacious proof of civilization. Hear Lord Macartney in his account of Russia. "All the inhabitants of Siberia, Casan, and the eastern provinces of Russia, to the sea of Kamschatka, who are not Christians, are confounded under the general name of Tartars. Many of these come to the capital in order to procure employment, either as workmen or domestics, and are exceedingly sober, acute, dextrous, and faithful." Barrow's Life of Lord Macartney, ii. 26. "Calmack servants are greatly esteemed all over Russia, for their intelligence and fidelity." Mr. Heber's Journal, in Clarke's Travels in Russia, p. 241. "I recollect," adds Dr. Clarke, "seeing some of

them in that capacity among English families in Petersburg. The most remarkable instance ever known of an expatriated Calmuck, was that of an artist employed by the Earl of Elgin, whom I saw, (a second Auacharsis, from the plains of Scythia) executing most beautiful designs among the rums of Athens. Some Russian family had previously sent him to finish his studies in Rome, where he acquired the highest perfection in design. He had the peculiar features, and many of the manners, of the nomade Calmucks." Ibid. The negroes, when properly treated, make faithful, affectionate, and good servants.—But it is more than doubtful whether the Hindus do in reality make those good servants we have heard them called. Dr. Gilchrist says (Preface to his Hindostanee Dictionary, printed at Calcutta, 1787, p. 27)—and Lord Teignmouth repeats, (Considerations, &c. on communicating to the Natives of India the Knowledge of Christianity p. 82) "that he cannot hesitate about beheving the fact—*that among a thousand servants of all descriptions whom he had trusted and employed, he had the luck to meet with one only whom he knew to be upright in his conduct*." By the author of that interesting little book, entitled, Sketches of India, or Observations descriptive of the Scenery, &c. in Bengal, written in India in the years 1811, 1812, 1813, 1814, p. 13, we are told that when you are travelling in India, "An object of attention which must excite peculiar attention in every honourable mind, is the thefts and depredations which are apt to he committed at every bazar or market, and indeed whenever opportunity offers, both by your own servants and the boatmen, Astonishing as this may seem, it is an undoubted fact that these people pillage every step they take; and, to escape the just indignation of the sufferers, shelter themselves under the name of their innocent master, to whom these poor wretches are often afraid to refer."

[1]Forster's Travels, ii. 135.

[1]Gibbon, i. 342.

[1]οι δε βασιληιοι δικαζαι κεκριμενοι ανδρες γ;νοται Περσειν, ες [Editor: illegible character] αποθανισι, η σφι παρευρεθη τι αδικον μεχρι τ[Editor: illegible character]τιων. [Editor: illegible character]ε τοισι τικαζ δικζ[Editor: illegible character]σι και εξηγηται τιν πατριων θεσμιν γινονται και παντα ες τ[Editor: illegible character]τ[Editor: illegible character]ς ανακεεται ειρομεν[Editor: illegible character] ών τ[Editor: illegible character] Καμβνσεω, ?πεκρινοντο αντ[Editor: illegible character] [Editor: illegible character]τοι, . . . . . τΨ βασιλευοντι Περσειν εόειναι ποιεειν τα αν βουληται. Herodot. Hist. lib. iii. cap. xxxi. This, Sir Wiliam Jones would have said, is a despotism limited by law; and thus the government of the ancient Persians stood upon a foundation resembling that of the Hindus.

[2]Gibbon, Hist. Decl. and Fall, &c. vii. 304. Some ancient sculpture in the vicinity of Shahpoor in honour of Sapo the First, "represents a king, seated in state, amid a group of figures standing before him, one of whom offers two heads to the monarch's notice. If we wanted other evidence, this alone would mark the state of civilization to which a nation had advanced, that could suffer its glory to be perpetuated by a representation of so barbarous a character." Sir John Malcolm, Hist. of Persia, i. 254. No historical writings in ancient Persia: none in Hindustan.

[3]Lord Macartney's Journal, Barrow's Life of Lord Macartney, ii. 279. In reading this passage, one seems to be reading an account of Hindu religion, temples, and sculpture.

[1]Lord Macartney's Journal, Barrow's Life of Lord Macartney, ii. 357.

[2]Barrow's China, p. 585. A large portion of the country, wet, swampy ground, the rich alluvion of rivers, which might be easily gained; if the Chinese had but the skill. Ibid. p. 70, 83, 208, 533.

[3]Barrow's Life of Lord Macartney, ii. 357.

[4]Barrow's China, p. 513.

[5]Ibid. p. 43.

[6]Ibid. p. 561, 499.

[1]Barrow's Life of Lord Macartney, ii. 363.

[2]Lord Macartney remarks that the Chinese had a very limited knowledge of mathematics and astronomy, "although from some of the printed accounts of China one might be led to imagine that they were well versed in them." "Their affectation of the science of astronomy or astrology (for they have but one word in their language to express both,) induced them at a very remote period to establish a mathematical college or tribunal, the duty of which is to furnish to the nation an annual calendar, somewhat like our *Poor Robin's Almanack*, with lists of all the lucky and unlucky days of the year, predictions of the weather, directions for sowing and reaping, &c. This branch entirely belongs to the Chinese doctors, who are chosen for the purpose from among the most celebrated philomaths of the nation." Ibid. p. 481; See too Barrow's China, 284, 291, 292, 295, 323.

[3]Barrow's China, p. 311, 512.

[1]Barrow's China, p. 101–330.

[2]Ibid. p. 306, 323.

[99]Similar traces are found in the following character of the Persians, drawn by a recent observer, Mr. Scott Waring, Tour to Sheeraz. "Mean and obsequious to their superiors and to their equals, if they have a prospect of advantage; but invariably arrogant and brutal in their behaviour towards their inferiors; always boasting of some action they never performed, and delighted with flattery, though they are aware of the imposition. I have repeatedly heard them compliment a person in his hearing, or in the presence of some one who would convey this adulation to his ears; and the instant that he has departed, their praises have turned into abuse:" p. 101. "Not the least reliance is to be placed on their words or most solemn protestations."....."They conceive it their duty to please; and to effect this, they forget all sentiments of honour and good faith."....."The Persians have but a faint notion of gratitude, for they cannot conceive

that any one should *be guilty* of an act of generosity, without some simster motive:" p. 103. "Philosophers have held it for a maxim, that the most notorious liar utters a hundred truths for every falsehood. This is not the case in Persia; they are unacquainted with the *beauty of truth*, and only think of it when it is likely to advance their interests."...."The generality of Persians are sunk in the lowest state of profligacy and infamy; and they seldom hesitate alluding to crimes which are abhorred and detested in every civilized country in the universe." The following is an important observation. (Voyage dans l'Empire Othoman, l'Egypt, et la Perse, par G. A. Olivier, v. 120.) "En Europe, il y a un espace immense entre les habitans des grandes villes et ceux des campagnes, entre l'homme bien élevé et celui qui ne l'est pas. Eu Perse, nous n'avons pas trouvé que cet espace fut bien grand: la classe pauvre des villes diffère tres-peu, pour l'esprit, les connaissances et les mœurs, de l'habitant des campagnes, et il n'y a pas non plus un grande difference, dans les villes, entre les riches et les pauvres. C'est presque partout la même conduite, la même allure, la même maniere de s'exprimer; ce sont les mêmes idées, et j'oserais presque dire la même instruction. Ici l'habitant des campagnes, celui-la même qui se trouve toute l'année sous la tente, et qui conduit ses troupeaux d'un pâturage à un autre, nous a paru plus delié, plus rusé, plus poli, plus instrut, que le cultivateur Européen un peu eloigné des grandes villes."

[1]Turner's Embassy to Tibet, book i. ch. iv.

[2]Ibid.

[1]Turner's Embassy to Tibet, book ii. ch. ii. The agriculture is promoted by artificial irrigation, the water being conveyed to the fields through hollow cylinders, formed of the trunks of trees. Ibid. book i. ch. vi.

[2]Ibid.

[3]Ibid. book ii. ch. ii.

[1]Narrative of a Voyage to Cochin-China in 1778 by Mr. Chapman, in the Asiatic Annual Register for 1801, Miscellaneous Tracts, p. 85.

[2]Ibid. p. 72. Of China, Mr. Barrow says, "There are no inus in any part of this vast empire; or, to speak more correctly (for there are resting-places,) no inhabited and furnished houses where, in consideration of paying a sum of money, a traveller may purchase the refreshments of comfortable rest, and of allaying the calls of hunger. The state of society admits of no such accommodation. What they call inns are mean hovels consisting of bare walls, where, perhaps, a traveller may procure his cup of tea, for a piece of copper money, and permission to pass the night; but this is the extent of the comforts which such places hold out." Barrow's China, p. 241. Such is the description of the Indian choultries; empty buildings into which the travellers may retire, but into which he must carry with him every accommodation, of which he stands in need. "The Kans, or Caravanseras," says Volney, speaking of another Asiatic country, Syria, "afford only cells for the accommodation of travellers, with bare walls, dust, and sometimes scorpions. The keeper gives the lodger a key and a

mat, and he must find every thing else himself." Travels in Egypt, &c. ii. 420. "In the inland towns and villages of Barbary, there is, for the most part, a house set apart for the reception of strangers, with a proper officer (the Maharak, I think they call him) to attend it. Here persons are lodged and entertained, for one night, in the best manner the place will afford at the expence of the community." Shaw's Travels, Pref. p. ii.

[1]Chapman's Voyage, ubi supra, p. 73, 76. Sir George Staunton says, Embassy of Lord Macartney, i. 389: "The Cochin-Chinese seemed sufficiently dexterous and attentive, though with scarcely any principles of science, to make, on any substances which promised to be of use or comfort to them in private life, such trials and experiments, as were likely to produce beneficial results. In the culture of their lands, and in the few manufactures exercised amongst them, they were not behind nations where the sciences flourish." "Though these people possessed not scientifically the art of reducing the metallic ore into the metal, they had attained the practice, for example, of making very good iron, as well as of manufacturing it afterwards, into match-locks, spears, and other weapons. Their earthenware was very neat. Their dexterity appeared in every operation they undertook:" p. 387.

[1]Symes' Embassy to Ava, ii. 326.—The following, too, are abundantly similar to corresponding features in the character of the Hindus. The Birmans, in some points of their disposition, display the ferocity of barbarians, and in others all the humanity and tenderness of polished life. They inflict the most savage vengeance on their enemies. As invaders, desolation marks their track; for they spare neither sex nor age. But at home they assume a different character. Ibid.

[2]Ibid.

[3]Ibid. iii. 96.

[4]See Description of the Kingdom of Assam, &c. Asiat. An. Register for 1800, Miscellaneous Tracts, p. 43.

[112]See Description of the Kingdom of Assam, &c. Asiat. An. Register for 1800, Miscellaneous Tracts, p. 43.

[2]Ibid.

[3]Ibid. p. 45.

[4]Ibid.

[1]See Description of the Kingdom of Assam, &c. Asiat. An. Register for 1800, Miscellaneous Tracts, p. 47, 48.

[1]Goguet, Origin of Laws, part iii. book vi. ch. ii. He adds, "I should be greatly tempted to compare this nation with the Chinese. I think a good deal of resemblance and conformity is to be perceived between one people and the other." Ibid. Had the Hindus been then as fully described as they are now, he would have found a much more remarkable similarity between them and the Egyptians.—Exaggeration was long

in quitting its hold of Egypt. At the time of the Arabian conquest, in the seventh century, "We may read," (says Gibbon, ix. 446) "in the gravest authors, that Egypt was crowded with 20,000 cities or villages: *that* exclusive of the Greeks and Arabs, the Copts alone were found on the assessment, six millions of tributary subjects, or twenty millions of either sex, and of every age: *that* three hundred millions of gold or silver were annually paid to the treasury of the Caliph." He adds in a note, "And this gross lump is swallowed without scruple by d'Herbelot, Arbuthnot, and De Guignes. They might allege the not less extravagant liberality of Appian, in favour of the Ptolemies; an annual income of 185, or near 300 millions of pounds sterling; according as we reckon by the Egyptian or the Alexandrian talent." If this be wonderful, what is to be said of the lumps swallowed by the admirers of the Hindus? Voltaire remarks, "Que les Egyptiens tant vantés pour leurs lois, leurs connaissances, et leurs pyramides, n'avaient presque jamais été qu'un peuple esclave, superstitieux et ignorant, dont tout le merite avait consisté à elever des rangs inutiles de pierres les unes sur les autres par l'ordre de leurs tyrans; qu'en bátissant leurs palais superbes ils n'avaient jamais su seulement former une vo?te; qu'ils ignoraient la coupe de pierres; que toute leur architecture consistait à poser de longues pierres plates sur des piliers sans proportion; que l'ancienne Egypte n'a jamais eu une statue tolerable que de la main des Grecs; que ni les Grecs ni les Romains n'ont jamais daigné traduire un seul livre des Egyptiens; que les elemens de geometrie composés dans Alexandrie le furent par un Grec, etc. etc.....on n'aperçoit dans les lois de l'Egypte que celles d'un peuple très borné." Voltaire, Supplement à l'Essai sur les Mœurs, &c. Remarque Premier

[1]Essay on the History of Astronomy, p. 27.

[1]Rennel's Geography of Herodotus, p. 305. The Major, who is here puzzled with a mistranslation of 600, for 360, corrects the hyperbolical statement of the amount of the tribute, though he doubts not it was great. Herodot. lib. iii. cap. 94, 95. It is by no means impossible, or perhaps improbable, that Cyrus subdued part of India. Herodotus, who knew India, says that his General, Harpagus, subdued one part of Asia, and he another, παν τθνος καταςρεφομενος, και ονδεν ῦαριεις. . . . παντα τα της ηπειρον ?οχειρια εποιησατο. Herodot.lib. i. cap. 147. Justin says that Cyrus, having reduced Asia, and *the East in general*, carried war into Scythia: lib. i. cap. 8. Xenophon says expressly, ηρξε δε κακτριων και Ινδιν. Cyri Institut. lib. i. cap. i. The Persian historians describe the Persians, in the early ages, as chiefly occupied by wars in Turan and India.

[1]The notices relating to the conquests of Alexander and his successors in India are collected in Robertson's Disquisition concerning Ancient India, and Gillies' History of the World. Strabo and Arrian are the authorities from whom almost every thing we know of the transactions of the Greeks in India, is borrowed.

[1]A curious history of the Greek kingdom of Bactria has been compiled by Bayer, entitled, Historia regni Græcorum Bactriani. In this, and in Strabo, lib. xi. Diod. lib. xv. and Justin, lib. xli. the only remaining memorials of this kingdom are to be found. The progress of the barbarians by whom it was destroyed has been traced by De Guignes, Mem. de Literat. xxv. 17, and Hist. de Huns, *Passim*. Herodotus says that those of the Indians, whose mode of life most resembled that of the Bactrians, were

the most warlike of all the Indians, (lib. iii. cap. 102) which would seem to indicate a nearer affinity between the Hindus, and their Bactrian neighbours, than is generally supposed. There is some confusion however in this part of Herodotus, nor is it easy to know whether he means the people called Indians on the Euxine Sea, or those beyond the Indus, when he says they were like the Bactrians. He distinguishes them from the Indians living προς νοτον ανεμον, by saying they were contiguous to the city Caspatyrus and the Pactyan territory, and lying προς βορεον ανεμον (lib. iii. cap. 102) but (cap. 93 of the same book) he says that the Pactyan territory is contiguous to Armenia, and the countries on the Euxine Sea. Yet in another place (lib. iv. cap. 44) he says that Scylax setting out from the city Caspatyrus, and the Pactyan territory, sailed down the Indus eastward to the sea. And Rennel places Caspatyrus and Pactya towards the sources of the Indus, about the regions of Cabul and Cashmere. Rennel's Mem. Introd. p. xxiii. Rennel's Herodot. sect. 12.

[1]What is known to us from the Greek and Roman authors, of the Parthian empire, is industriously collected in Gillies' History of the World; from the oriental writers by D'Herbelot, Biblioth, Orient. *ad verba* Arschak, Arminiah. See also Gibbon, i. 316.

[1]In Gibbon, vols. vii. viii. ix. the reader will find a slight sketch, correctly but quaintly given, of this portion of the Persian history. Gibbon's first object unfortunately was to inspire admiration of the writer; to impart knowledge of his subject only the second. The results of the Persian records (if such they may be called) are carefully collected in D'Herbelot, Bibliotheque Orient. under the several titles.

[2]Gibbon, ix. 364; D'Herbelot, Bibliotheque Orient. *ad verb*.

[1]Polyb. Hist. lib. x.; M. de Guignes, Hist. des Huns, tom. ii.; Gibbon's Roman Empire, iv. 367.

[2]The rise and progress of the power of the Turkish horde may be collected from Abulghazi, Hist. Genealogique des Tartars; De Guignes, Hist. des Huns; and D'Herbelot, Biblioth. Orient. Mr. Gibbon, vii. 284, throws a glance at the leading facts.

[1]See D'Herbelot, Biblioth. Orient. *ad verb. Thaher, Soffar*, et *Saman;* Gibbon, x. 80; De Guignes, Hist. des Huns, i. 404—406.

[2]D'Herbelot, Biblioth. Orient. *ad verb*. Buiah.

[1]D'Herbelot, Biblioth, Orient. *ad verb*. Sebecteghen, Mahmoud, Gaznaviah; Ferishta, by Dow, i. 41, 2d Ed. in 4to.

[2]The origin and progress of the Indo-Scythæ are traced in D'Anville sur l'Inde, p. 18, 45, and 69, &c. His authorities are drawn from Dionys. Perieget. 1088, with the Commentary of Eustathius, and Cosmas, Topograph. Christ. lib. ix.

[1]Ferishta, (*apud* Dow, Hist. of Hindost. i. 40—42;) D'Herbelot, Bibl. Orient. *ad verb*. Mahmoud.

[2]Ferishta, ut supra, p. 42—44; D'Herbelot, ut supra.

[1]Ferista, ut supra, p. 47—50; D'Herbelot, ut supra.

[2]Viz. of the Hegira; 1011, A. D.

[3]Ferishta, ut supra, p. 51—58; D'Herbelot, ut supra.

[1]It may be necessary once for all to state, that in this sketch of Mahomedan history, the distances are given generally as in the native historians. Their very inaccuracies (here they do not mislead) are sources of information.

[1]D'Herbelot, ut supra; Ferishta, p. 56—60. Ferishta says, that the taste of the sovereign for architecture being followed by his nobles, Ghizui soon became the *finest* city in the East. Ibid. p. 60. So that the grandeur, and riches, and beauty, he so lavishly ascribes to some of the Hindu cities, get an object of comparison, which enables us to reduce them to their true dimensions. The architecture of the Mahomedans was superior to that of the Hindus.

[2]This incorrect expression, which refers to the fourth avatar, shows the carelessness and ignorance of Ferishta and the Persian historians, in regard to the Brahmenical faith.

[1]D'Herbelot, misled by some of the Persian historians, makes Sumnaut the same with the city of Visiapore in Deccan. Biblioth. Orient. *ad verbun* Soumenat.

[2]Ferishta says "some crores of gold." Dow says in a note, at the bottom of the page, "ten millions," which is the explanation of the word crore. Mr. Gibbon says rashly and carelessly, that the sum offered by the Brahmens was *ten millions sterling*. Decl. and Fall. x. 337.

[1]Ferishta *apud* Dow, Mahmood I.; D'Herbelot, Bibl. Orient. *adverb*. Mahmoud.

[1]Ferishta mentions a city to which he came (the place not intelligibly marked,) the inhabitants of which came originally from Chorasan having been banished thither with their families, for rebellion, by an ancient Persian king. See Ferishta, Dow, i. 117.

[1 ]Hist. of Bengal, by Charles Stewart, Esq. sect. iii.

[1]This fact; the passage of an army from Tartary, through Tibet into Bengal (if real) is of no small importance. Ferishta gives us no further intelligence of the place; and it is in vain to inquire. Chitta may perhaps correspond with Kitta or Kitay, or Catay, which is one of the names of China, but is also applied by the Persian historians to many parts of Tartary; to the country, for example, of the Igoors; to the kingdom of Koten, south from Cashgar, &c. See D'Herbelot, Biblioth. Orient. articles *Igurs, Cara Calhai, Tarikh Khatha, Kholan*. — Mr. Stewart, (See Hist. of Bengal, p. 62,) says, that the invasion which is here spoken of by Ferishta was an invasion of Orissians only, not of Moguls.

[1 ]Ferishta. Mr. Stewart says, that in his Mss. the name is Bagora.

[1 ]Mr. Stewart has greatly softened the account of the insolence of Kei Kobad.

[1 ]It is written Khuliji by Major Stewart.

[1 ]Written Deogire, by Col. Wilks, and declared to be the Tagara of Ptolemy. The author of the Tibcat Nasiri says, that Alla left Corah on pretence of a hunting party, and passing through the territories of many petty rajahs, too feeble to think of opposing him, he came upon Ramdeo by surprise. Ferishta, i. 231. The proofs of the division and subdivision of India into a great number of petty states meet us at every step in its authentic history.

[1 ]This is the first mention which we find of any of the tribes to whom the term Mahrattor, or Mahratta, is applied, by the Moslem historians. From this statement we can only conjecture, that some district in Deccan, inhabited by the description of Hindus to whom this name was applied, was overrun, and nominally parcelled out by Cafoor.

[2 ]Wilks, Hist. of Mysore, p. 6.

[1 ]The neighbouring Rajahs, says Ferishta, hastened to the assistance of the Rajah of Warunkul; another proof of the division into petty sovereignties.

[2 ]Besides several *chests*, of jewels, pearls, and other precious things, the gold alone amounted to about one hundred millions sterling. Col. Dow thinks this not at all incredible: Hist. of Hindost. i. 276: and Col. Wilks (Hist. of Mysore, p. 11) seems to have little objection.

[1 ]According to Wilks, what is here called Malabar was not the district which is now called by that name, but the hilly belt along the summit of the Ghauts, from Soonda to Coorg. Hist. of Mysore, p. 10.

[1 ]A circumstantial history of the Bahmenee sovereigns was composed by Ferishta; and to Jonathan Scott we are indebted for an instructive translation of it. The above sketch of the origin of the Bahmenee dynasty is drawn partly from Ferishta's Deccan, translated by Scott; partly from his history of Delhi, translated by Dow. The facts are very shortly mentioned, or rather alluded to, by Lieut.-Col. Mark Wilks, (Historical Sketches of the South of India, ch. i.;) where the reader will also find all that research has been able to procure of Hindu materials, and all that sagacious conjecture has been able to build upon a few imperfect fragments of the history of the ancient Hindu governments in the south of India.

[2 ]Such is the account of Ferishta. Mr. Stewart, (Hist. of Bengal, sect. iv.) follows other authorities, who represent Bengal as now erected into a Mahomedan kingdom, perfectly independent.

[1 ]The two dynasties of Gaur are spoken of occasionally by the Oriental historians under the title of the Afghaun and Patan government of India; Afghaun and Patan, as

also Abdauly, and several others, being names, applied to the whole or a part of the people who inhabit the chain of mountains from Heart, to the mouths of the Indus.

[1 ]By Ferishta, as translated by Dow, he is called Shabiani, ii. 100.

[1 ]This district, which gave its name to the Rohillas, a people considerable in the history of British India, is said by Major Stewart, on his Persian authorities, to have been the original seat of the Afghauns, whose mountainous country (Roh signifies a mountainous country; and Rohillas, mountaineers or highlanders) extended, according to the same authorities, in length from Sewad and Bijore to the town of Sia, in Bukharest, and in breadth from Hussin to Rabul. Stewart's Bengal, p. 127.

[1 ]What relates to Bengal, in these transactions, is extracted minutely by Mr. Stewart, (Hist. Bengal, sect. 5.)

[1 ]This is a stage of civilization to which the Hindus had not arrived.

[1 ]For the succeeding sketch of the history of the Mahomedan sovereignties in Deccan, Ferishta's History of Deccan, translated by Captain Jonathan Scott, and Wilk's Historical Sketches of the South of India, have been the principal guides.

[1 ]Called Bisnagar, in the common maps, and Vijeyanuggur by Col. Wilks. Bijanuggur was but a modern power, in the south of India, and had risen upon the ruins of the Rajahship of Warunkul. Historical Sketches, by Col. Wilks, ch. i.

[2 ]Col. Wilks thinks that the whole of the south of India, (i. e. India to the south of the Kistna) had for a considerable space of time been comprised in the empire of Vijeyanuggur. Ibid. p. 20. After the ruin of the Rajahship of Warunkul, when was the time for such an aggrandisement?

[1 ]Ayeen Akberry, ii. 2.

[1 ]Written also Brampore, and Boorhanpore.

[1]Ferishta's History of Deccan, by Scott, i. 400–403. Umber was one of the adventurers from Abyssinia, of whom so many sought, and obtained, their fortunes in Deccan, during the existence of the Afghâun dynasties.

[2 ]Ibid. p. 339, 340; and 409, 410.

[1 ]The fall of Dowlatabad is somewhat differently related by Dow in his history of Nizam Shah, p. 151. We have here followed the account of Ferishta. Scott's Deccan, i. 402.

[1 ]We meet with boasts, in the Oriental historians, of kings, whose administration of justice was so perfect, that a purse of gold might be exposed on the highways, and no man would touch it. Never was justice better administered in India than under the reign of Shah Jehan; yet knowing more of the circumstances of his reign, we know better what the general enlogies of the Oriental historians mean. Bernier, describing

his situation at the time of his arrival at the court of Shah Jehan, speaks of "le peu d'argent qui me restoit de diverses rencontres de voleurs." Hist. des Estats du Grand Magol, p. 5.

[1 ]For these transactions of Aurungzebe and Emir Jumla, see Bernier, ut supra, p. 22–32, and the reign of Shah Jehan, chap. v. in Dow.

[2 ]Dow, who follows his Persian authority, says, the malady was paralysis and strangury, brought on by excesses in the haram; Bernier the physician speaks of it in the following terms: "Je ne parlerai point ici de sa maladie, et je n'en raporteray pas les particularitez. Je diray seulement qu'elle estoit peu convenable à un vieillard de soixantedix ans et plus, qui devoit pl?tot songer a conserver ses forces qu'à les ruiner comme il fit." Ut supra, p. 33.

[1 ]Bernier had not heard of the attempt of Morâd upon the life of Aurungzebe. It is here stated upon the Persian authorities of Dow. Bernier, ut supra, p. 109–114. Dow's Shah Jehan, ch. iii. Hist. of Hindostan, vol. iii.

[1 ]This account of the fate of Mahomed is given by Mr. Stewart, (Hist. Bengal, p. 276) on the authority of the Muasir Alumgiery, and varies from the account of Ferishta, who says he died in Gualior.

[1 ]Dow, (Hist. of Aurungzebe, chap. iv.) places the Emperor's illness after the famine. But Bernier, who was on the spot, and mentions the arrival of ambassadors from the Khan of the Usbecks first among the events succeeding the termination of the civil war, says, that those ambassadors, who remained somewhat more than four months, had not departed from Delhi when the Emperor was taken ill. Bernier, Evenemens Particuliers des Etats du Mogul, p. 10.

[1 ]Bernier, ut supra, p 87.

[1 ]The Pousta is thus described by the physician, Bernier. Ce pousta n'est autre chose que du pavot écrasé qu'on laisse la nuit tremper dans de l'eau; c'est ce qu'on fait ordinairement boire à Goualeor, à ces princes ausquels on ne veut pas faire couper la teste; c'est la premiere chose qu'on leur porte le matin, et on ne leur donne point à manger qu'ils n'en ayent beu une grande tasse, on les laisseroit pl?tot mourir de faim; cela les fait devenir maigres et mourir insensiblement, perdans pen à peu les forces et l'entendement, et devenus comme tout endormis et étourdis, et c'est par là qu'on dit qu'on s'est defait de Sepe-Chekouh, du petit fils de Morad, et de Soliman meme. Bernier, Hist. de la derniere Revolut. des Estats du Grand Mogul, p. 170. It is said, that when the gallant Soliman was, by the treachery of the Rajah of Serinagur, delivered into the cruel hands of Aurungzebe, and introduced into his presence, when every one was struck with the noble appearance of the graceful and manly youth, he entreated that he might be immediately beheaded; and not reserved to the lingering destruction of the pousta; when the hypocritical Aurungzebe forbade him to fear, adding, that he was cautious, but not cruel. Bernier, Ibid. p. 169. Dow, Reign of Aurungzebe, ch. iv.

[1 ]Bernier, (Evenemens Particul. des Etats du Mogul, p. 88–101) speaks of these Portuguese as infamous buccaneers; and their own historian, Faria de Sowza, countenances the assertion, which might have been founded upon the reports of enemies. The Portuguese followed their merchandize as their chief occupation, but, like the English and Dutch of the same period, had no objection to plunder, when it fell in their way.

[1 ]Dow, Reign of Aurunzebe, ch. vi.

[2 ]Mheerut, or Mharat, the name of a district, which under the Deccanee sovereigns was part of the province of Dowlutabad, may in former ages, says Mr. Jonathan Scott, have given name to a larger division of Dekkan, and the original country of the Mahrattas. Scott's Deccan, Introd. p. x. Ibid. i. 32. The Mahratta language extends along the coast from the island of Bardez to the river Tapti. Orme, Histor. Frag. p. 57. It is said by Col. Wilks (Hist. Sketches, p. 6) that "from Beder the Mahratta language is spread over the whole country to the northwestward of the Canara, and of a line which, passing considerably to the eastward of Dowletabad, forms an irregular sweep until it touches the Tapti, and follows the course of that river to the western sea—but that in the geographical tables of the Hindus, the name of Maharashtra, and by contraction Mahratta dasum (or country) seems to have been more particularly appropriated to the eastern portion of this great region, including Baglana, part of Berar and Candeish: the western was known by its present name of Coucan."

[1 ]Aurungzebe's Operations in Dekkan, translated by Scott, p. 6.

[1 ]Aurungzebe's operations in Dekkan, a translation from a Persian manuscript, by Jonathan Scott, p. 6;—Appendix A. to Lord Wellesley's Notes on the Mahratta war;—East India Papers, printed by the House of Commons, 1804, p. 255. Lord Wellesley seems to have followed Scott. Ekogee, as he is called by Mr. Orme and others, is written Angojee in Mr. Scott's translation, p. 32. The history and origin of the family is related with considerable variations, by Col. Wilks, on Mahratta authorities. (Hist. Sketches, chap. iii) But if Hindu authority were better than Persian, (and it is far inferior) the facts are not worth the trouble of a critical comparison. It is of some importance to state what is related (ibid.) by Wilks, that Shahjee went second in command in the army of the King of Beejapore which proceeded to the conquest of the Carnatic in 1638; that he was left provincial governor of all the Beejapore conquests in Carnatic, when the general in chief returned to the capital; that his first residence was at Bangalore, but that he afterwards seems to have divided his time between Colar and Balapoor. Wilks infers from some grants of laud by Shawjee, of which the writings still remain, that he affected independence of the declining government which he had served. The acquisition of Tanjore was made, as the Colonel thinks, not by Shawjee, but after his death by Ekojee his son; and his accomplice was not the Rajah or Folygar of Mudkul, but the Naik of Madura, which however appears to have been called Mudkul by the Persian historians. Naik and Polygar were Hindu names of governors of districts, who, as often as they dared to assume independance, affected the title of Rajah. Naik was a title of inferior dignity to Polygar.

[1 ]The mountainous districts, lying between the provinces of Agra and Guzerat, and forming part of the provinces of Malwa and Ajmere, were inhabited by a race of warlike Hindus, named Rajpoots, who, from pride of superior prowess, claimed to be of a higher caste than the mass of other Hindus. They had been divided into three principal Rajahships; that of Abnir or Ambeer, called afterwards Jeypore and Jyenagur, on the borders of Agra; that of Jodepore or Marwar, south west from Abnir, approaching the centre of Ajmere; and lastly that of Chitore, called also Odeypore, from another city, lying further south. Of these Rajahs the most powerful had been the Rajah of Chitore, whose distinctive title was Rana. Jesswint Sing, the Rajah of Judpore, having married the daughter of the last Rana, had merged those two kingdoms of Rajapoots into one. Mr. Orme seems not to have been aware of the marriage of Jesswint Sing, and of its effects; as he mentions with some surprise, that the name of the Rajah of Chitore no where appears in the history of the present transactions. Bernier, Revol. p. 52, 56; Dow. Reign of Shah Jehan, ch. v. p. 212; Scott, ut supra, p. 10; Memoirs of Eradut Khan, p. 18; Rennel's Memoir, Introd. p. cxxxii. To the above nations of Rajapoots should also be added those of Boudela, or Bundelcund, a district between the provinces of Agra and Malwa, extending from Jeypore, by Gualior and Callinger, as far as Benares. Memoirs of Eradut Khan, p. 17: Rennel, ut supra, p. cxxxii.

[1 ]Scott, ut supra, p. 11–17. Mr. Orme, from scattered reports, has stated the circumstances differently. Historical Frag. p. 17, &c.

[2 ]Not without suspicion of poison.—Mr. Scott's author, who probably wished to spare Aurungzebe, says, by his moonshee, or secretary (p. 17). Mr. Orme says, by order of Aurungzebe (p. 27). But the Rajah was worn out with age and laborious services; and the only poison, perhaps, was the anguish of disgrace. He is praised by the Mahomedan historians as the most eminent, in personal qualities, of all the Hindus they had yet known; acomplished in Persian and Arabian learning. His successor, of whom more will be heard hereafter, was celebrated for his astronomical learning, and for the observatory which he erected at Jeypore. Memoirs of Eradut Khan, p. 18. Note (1) by Scott.

[1 ]Wilks, (p. 80) says nine, upon what authorities he, as usual, omits to state.

[1 ]This expedition into the Carnatic is noticed by Scott, ut supra, p. 32; by Orme, Hist. Frag. p. 82–87. Col. Wilks, however, (ch. iii. ut supra,) has given the most distinct account, and is here followed.

[1 ]Orme's Hist. Frag. p. 9 to 11, 79 to 81.

[2 ]Ibid. p. 133, 134. Wilks says he died in 1680, (ubi supra, p. 91).

[1 ]Orme's Hist. Frag. p. 68–72.

[1 ]Scott's Operations of Aurungzebe in Deccan, p. 53. Orme, ut supra, p. 100–105, and 119–121.

[1 ]Scott, ut supra, p. 54–64; Orme Hist. Frag. p. 134–152.

[1 ]Scott, ut supra, p. 65–73.

[2 ]The greatest part of Carnatic had belonged to the rajahs of Beejanugger, in the flourishing state of that empire. After the reduction of that state by the Mahomedan powers of Deccan, it was divided between the states of Golconda and Beejapore. Aurungzebe's Operations in Deccan, Scott, p. 73, 74, 75. Orme, p. 119–130.

[1 ]Scott, ut supra, p. 77–80; Orme, p. 230–234. Wilks (p. 215) says it was taken in 1698.

[1 ]For the last seven years of the reign of Aurungzebe, the author of Aurungzebe's operations in Deccan, by Scott, (p. 73–123,) is our principal authority. The age of Aurungzebe is stated on the authority of Golam Hussein Khan (Seer Mutakhareen, i. 2). Mr. Scott's author mentions not the age. Both writers miscalculate the length of the reign (which began in August 1658, and ended in February 1707); the one calling it more than fifty, the other more than fifty-one years.

[1 ]The reign of Shah Aulum is related by two Persian noblemen, both cotemporary with the events, Eradut Khan, (Mem. p. 11–64,) and Golâm Hussein Khan, Seer Mutakhareen, p. 1–23.

[2 ]This was the highest office in an Indian government, and seldom bestowed unless on some great emergency. Scott, Memoirs of Eradut Khan, p. 46.

[3 ]Chief paymaster; an office of great trust and dignity. Ibid.

[1 ]Sir John Malcolm writes it Grant'h. Sketch of the Sikhs, p. 25.

[1 ]Golâm Hussein, (Seer Mutakhareen, i. 87–93) who gives a pretty detailed account of the origin of the Seiks; and Scott, (Hist. of Aurungzebe's Successors, p. 142) who gives an abridged one, agree pretty exactly in the facts. Eradut Khan (Mem. p. 61) describes the reduction of Daber. Some general remarks are found in a paper of Mr. Wilkins, in the first vol. of the Asiatic Researches. The more detailed account of Sir John Malcolm, (Sketch of the Sikhs, p. 1–85,) taken from Seik authorities, differs widely in the history of Nannuk; but though the inaccurate Persians are not much to be trusted, the fabling Seiks, making every thing miraculous in the origin of their sect, are still less.

[1 ]Eradut Khan, (Memoirs, p. 65–67,) and Golam Hussein Khan, (Seer Mutakhareen, i. 23–36, agree in the general points of this struggle for the crown; the former describing it like an eye-witness, but not a very curious one; the other from report merely, but not without diligence and criticism.

[1 ]The Memoirs of Eradut Khan finish with the reign of Jehandar Shah. He describes the scenes with the knowledge of an eye-witness, but with little favour to Jehandar Shah or Zulfeccar, the victims of the severity or cruelty of the prince under whom he wrote, and whom it was adviseable not to offend. Golam Houssein is more candid and more discerning. Seer Mutakhareen, i. 42–63.

[1 ]Before the departure of Hussun, the marriage of the Emperor was celebrated with the daughter of Maharaja Ajeet Sing, stipulated for, in the conditions lately imposed by Hussun upon the Rajah. She had been conveyed from her father's palace to that of Hussun, as her adopted father, who graced her nuptials with a magnificence which surpassed all that hitherto had been seen in Hindustan.

An indisposition of the Emperor, rather inconvenient at the time of a marriage, cured by a medical gentleman of the name of Hamilton, is said to have been the cause of obtaining the first phirmaun of free trade, for the East India Company. Scott's Successors of Aurungzebe, p. 139.

[1]£ 3,500,000.

[2]£ 1,500,000.

[3 ]£ 15,000,000.

[4 ]£ 1,000,000.

[5 ]£ 11,000,000.

In all, if we believe our authorities, £32,000,000.

[1 ]Aurungzebe's Successors, by Scott, p. 214.

[2 ]The most valuable of the details respecting the invasion of Nadir are furnished us by Golam Hussein, (Seer Mutakhareen, i. 325–344.) Scott, as usual, gives chiefly an abridgement of the Seer Mutakhareen, but here, enriched with some particulars from the known historians of Nadir. An interesting account of the march of the Persian army back, and its operations in Bucharia, and Karisme, to which Nadir immediately proceeded, is given us by an eye-witness, Khojeh Abdulkurreem, a Cashmerian of distinction, who accompanied him from Hindustan, and whose narrative has been translated for us by Mr. Gladwin. Khojeh Abdulkurreem differs from Scott, in the day of the conqueror's departure from Delhi, which he makes the 4th of May. Memoirs of Khojeh Abdulkurreem, p. 1. A curious letter of Nadir Shah himself, giving an account to his son of his march towards Delhi, of the battle, and of his intention not to seize the crown of Mahomed, has been translated by Sir John Malcolm. (Asiat. Res. x. 539.)

[1 ]For the circumstances of Nizam ul Mulk's resumption of his government in Deccan, see Seer Mutakhareen, iii. 3, 8.

[1 ]Memoirs of Khojeh Abdulkurreem, p. 183.

[1 ]Seer Mutakhareen, (iii. 20–26); Memoirs of Khojeh Abdulkurreem, (p. 183–185). Scott gives a very short and unsatisfactory abridgement of the passage in the Seer Mutakhareen; Aurungzebe's Successors, p. 218.

[1 ]Memoirs of Khojeh Abdulkurreem, p. 204.

[1 ]Seer Mutakhareen, (iii. 38–52); Memoirs of Khojeh Abdulkurreem, p. 186, 203–207. Life of Ahmed Shah, king of the Abdallees, who are also called Duranees, from the custom of wearing a pearl in one of their ears, translated from the Persian by Henry Vansittart, published in Gladwin's Asiatic Miscellany.

[2 ]The Seer Mutakhareen is the great authority for this reign; Mr. Scott giving little more than an abridgment of the narrative in that work. Some curious facts are contained in the memoirs of Khojeh Abdulkurreem. Frazer's Nadir Shah; and the history of that ferocious conqueror, translated into French by Sir Wilham Jones, are to be consulted for the details on the Persian side. In Frazer there is an abridgment of the Mogul history, from Aurungzebe to Mahomed Shah, which is given in a still more abridged form by Holwell in his "Interesting Historical Events." Frazer's materials were imperfect.

[1 ]Seer Mutakhareen (iii. 79). Mr. Scott speaks of a vigorous resistance on the part of the Governor (p. 225); but Golâm Hussun says, there was no fighting; and so does Kojeh Abdulkurreem (p. 236).

[1 ]The Jaats or Jauts, inhabiting the mountainous region, from the Chumbul and Jumna eastward, to the Jeypoor Rajahship on the west; and from twenty coss to the southward of Agra, to the province of Delhi on the north, were known as a formidable predatory tribe from the earliest period of the Mohamedan history. The original seat of the Jaats appears to have been near the Indus, in the lower part of Multan. Their chief, or one of their chiefs, was received into the service of Jehandar Shah, and behaved with gallantry in the war between that Prince and Feroksere. Upon the ascendancy gained by the latter Prince, the Jaat retired with his plunder to his fortress of Bhurtpore. This chief was succeeded by his son, who was obliged to become tributary to the Rajah of Jeypoor. To him succeeded his brother, who contrived to throw off his dependance upon the Rajpoot; and, first of his race, assumed the title of Rajah. During the weakness of Mahomed Shah's administration, he spread his incursions to the very walls of Agra, and left to his son and successor, Sooraje Mull, a considerable kingdom. His power, and vicimty to the capital, rendered him an object of consequence; and the Vizir had attached him to his interests by placing him among the Omrahs of the empire, and other favours. See an account of the Jaats, Asiat. An. Reg. 1802; Characters, p. 12. Also "A Sketch of Rajehpootaneh," translated from the Persian, in "Tracts, &c." by William Francklin, a small volume, published in 1811.

[1 ]The Seer Mutakhareen is followed in the text. Francklin (Hist. of Shah Aulum, p. 4) says, 1755.

[2 ]Seer Mutakhareen, iii, 137.

[1 ]The term Nabob, as equivalent to Subahdar, is very modern in Hindustan; and is said to have begun with Sujah Dowlah. Formerly it was not applied to the Subahdar or governor of the Subah, but to the Subahdar's deputy, or *locum tenens;* the literal meaning of the word being *deputy*. The new use of the term is thus accounted for in the Seer Mutakhareen (iii. 167): When the Prince Alee Gohur was on the visit just mentioned, to Sujah ad Dowlah, and received the compliments of that Governor, he

addressed him by the title of *brother Nabob*, which being reckoned an elegant compliment, passed into conversation, when the name was afterwards currently applied to him, and also to other governors.

[1 ]The events of Aulumgeer's and the preceding reign are found in considerable detail in the Seer Mutakhareen (iii. 62–192), which is abridged by Scott, Hist. of Aurungzebe's Successors, p. 224–246. The principal facts are noticed, but in certain respects somewhat differently, by Francklin, life of Shah Aulum, p. 7–27.

[1 ]For these facts, the reader will find the original authors faithfully quoted and extracted, in the Universal History, ii. 352, 354; iv. 309, 393; v. 123. Modern Part, 8vo. Ed. In exploring the Persian and Arabian Authorities, the authors of the Universal History are not the worst of our guides.

[2 ]Vide supra, p. 223.

[1 ]Mr. Grant remarks that Kirkpatrick's account of Nepaul exhibits a form of government, state officers, civil, and military, nearly the same as were established in Hindustan, under the rule of the Moguls. Grant's Observations on the Hindus, p. 41. But Kirkpatrick's account is very imperfect, and he appears to have supplied his want of information, by ideas borrowed from what he knew in other parts of India. Besides, the Nepaulians, as well as the Mahrattas, were in a situation to borrow from the Mahomedans.

[1 ]The Persian version was translated by Major Davy; and edited, with a preface and other additions, by Mr. White, the Arabic Professor at Oxford, in 1783.

[1 ]The Hedaya, or Guide; a commentary on the Mussulman Laws: Translated by order of the Governor-General and Council of Bengal, by Charles Hamilton, in 4 vols. 4to. Preliminary Discourse, by the translator, p. lxxxiii.

[1 ]Hedaya, ii. 614.

[1 ]Hedaya, ii. 615.

[2 ]Ibid. 620.

[1 ]"The moderation of the tribute imposed by all Mahomedan conquerors, and the simplicity of their method of collecting it, accounts for the surprising facility with which they retained possession of their conquests. The form of their government was despotic: but in fact it was not oppressive to the mass of the conquered people. In general they introduced no change, but in the army, and in the name of the sovereign." Francis, Plan for a Settlement of the Revenues of Bengal, par. 9. "The gentiles (Hindus) are better contented to live under the Mogul's laws than under Pagan princes, for the Mogul taxes them gently, and every one knows what he must pay, but the Pagan kings or princes tax at discretion, making their own avarice the standard of equity; besides, there were formerly many small Rajahs, that used upon frivolous occasions to pick quarrels with one another, and before they could be made friends

again, their subjects were forced to open both their veins and purses to gratify ambition or folly." Hamilton's New Account of the East Indies. ii. 26.

[1 ]Sir Thomas Roe, speaking of even the Mogul Emperor and his court, says, "Experience had taught me that there was no faith among these barbarians." Journal in Churchill's Voyages, i. 799. Contrasting the opposition he met with, when he had not, and the obsequiousness when he had something to give, he says, "This made me sensible of the poor spirits of those people. Asaph Khan [the minister] was become so much our friend, in hopes to buy some trifles, that he would have betrayed his own son to serve us, and was my humble servant." Ibid. Sir Thomas Roe said it was better not to send ambassadors to the Mogul's court, but to employ the money in bribing. "Half my charge," said he, "shall corrupt all this court to be your slaves." Letter to the E. I. Company, Ibid. p. 809.

[1 ]Vide supra, p. 13, 14

[1 ]Laws of Menu, ch. i. 14. See the passage quoted at length, supra, vol. i. p. 425.

[2 ]Laws of Menu. ch. i. 14.

[3 ]Ibid. 15.

[1 ]Laws of Menu, ch. i. 15.

[2 ]Ibid. 16.

[3]Ibid. 17

[4 ]Ibid. 18.

[1 ]Laws of Menu, ch. i. 19.

[2 ]Not only are consciousness and the five perceptions regarded as separate existences, and separate products of creative power, but various other operations of the mind, and even states of the affections. Thus, among the other creations, it is said, that the Creator "gave being to devotion, speech, complaceny, desire, and wrath." (Laws of Menu, ch. i. 25.)

[3 ]Ibid. ch. ii. 2.

[1]He might have got proofs, equal to those with which they presented him, of Plato's having been acquainted with the circulation of the blood; viz. because when speaking of that fluid he uses the word περιμγεσθαι, which signifies to be carried round.—It is worthy of remark, that the philosopher, of whom Sir William heard, and whose works contained such important discoveries, was called Yavan Acharya, that is Gentile or Greek. By the argument of Sir William, we might believe that the Greeks anticipated Newton. When Copernicus, dissatisfied with the received account of the heavenly motions, addressed himself to discover a new arrangement, we are told that "he examined all the obscure traditions delivered down to us, concerning every other

hypothesis which the ancients had invented. He found in Plutarch, that some old Pythagoreans had represented the earth as revolving in the centre of the universe, like a wheel round its own axis; and that others of the same sect, had removed it from the centre, and represented it as revolving in the ecliptic, like a star round the central fire. By this central fire he supposed they meant the sun," &c. Dr. Ad. Smith, Essay on Hist Astron. p. 51. We might prove that Parmenides had a just conception of the figure of the globe. Plato informs us that, according to that inquirer, To ολον ιτι

Παντοθεν ενκνκλθ σφαιρας εναλιγκιον ογκψ, Μεσσοθν ισοπαλις ισοπαλις παντη τ[Editor: illegible character] γαρ [Editor: illegible character]τε τι μει ζον Οντε βεβαιοτερον πελει. Plat. Souphista, p. 171 Herodotus mentions the opinion of a naturalist, even in his days, who supposed that the ocean flowed round the earth, (a bold step towards the conception of its right figure,) τοο ωχεανον γην περι περι πασαν ρεειν, lib. ii. sect. 22. Dr. Vincent, giving an account of the knowledge possessed by the ancients of the globular form of the earth, and of the saying of Strabo, that nothing obstructed the passage from Spain to India by a westerly course, but the immensity of the Atlantic ocean, has the following note; "Aristotle seems the author of this supposition, as well as of most other things that are extraordinary in the knowledge of the ancients. See Bochart, Phaleg. 169. Συναπιειν τον περι τας ?ρακλει[Editor: illegible character]ς σχλας τοπον τψ περι την ?ρακλεει[Editor: illegible character]ς σηλας τοηον τψ περι την Ινδικην. The parts about the pillars of Hercules join to those about India. This is a nearer approach still; but both suppositions arise from the contemplation of the earth as a sphere.—Aristotle has also preserved the opinion of the Pythagoreans, who made the sun the centre of our system, with the earth and the other planets revolving round it, which is the hypothesis adopted by Copernicus, and established by Newton. Strabo, likewise, who left the phenomena of the heavens, and the form of the earth, to the mathematicians, still thought the earth a sphere, and describes our system agreeably to the theory which was afterwards adopted by Ptolemy; but he adds the idea of gravitation in a most singular manner. Σφαιροδης μεν ? Κοσμοςκαι ? Ουρανος ? ΡΟΠΗ δ'επι το μεσον των βαρεων.....? δ' ονραννος περιφρεται περι περι τε αυτην και περι το αξονονα, απ' ανατολης επι δυσινLib. ii. 110. The earth and the heaven are both spherical; but the tendency is to the centre of gravity. The heaven is carried round itself, and round its axis from east to west. I barely suggest the extent of ancient knowledge on these questions; those who wish to gratify their curiosity may consult Stobæus, tom. ii. cap. 25, Ed. Heeren, Gotting. 1792, 1794; and Diogenes Laertius in Anaximander, Pythagoras, and Zeno, lib. vii. sect. 155." Periplus of the Erythræan Sea, part ii. 517.—Sir William Jones tells us, in his Discourse on the Hindu zodiac, that the pundit Ramachandra had a correct notion of the figure of the earth.—So had the elder Hermes, of whom it was one of the established maxims, that the earth was oviform, and hence the oval form of many of the oldest temples of Egypt. The earth was called Brahma's egg. See Asiat. Res. i. 360. Or Ramachandra, like a common fortune-teller, might only repeat to Sir William what he had learned from Sir William.—Europeans will arrive in time to think justly respecting the Hindus: Thus speaks Dr. Buchanan; "No useful science have the Brahmens diffused among their followers; history they have abolished; morality they have depressed to the utmost; and the dignity and power of the altar they have erected on the ruins of the state, and the rights of the subject." Asiat. Res. vi. 166.

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## James Mill, ***The History of British India, vol. 3*** [1817]

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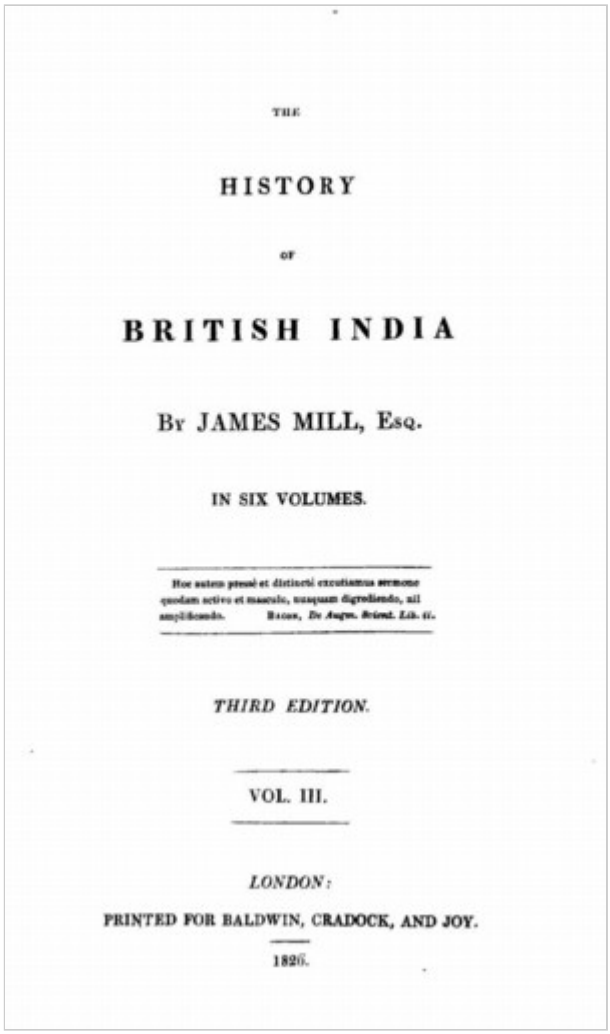

THE

HISTORY

OF

BRITISH INDIA

By JAMES MILL, Esq.

IN SIX VOLUMES.

Hoc autem pressè et distinctè excutiamus sermone quodam acrivo et masculo, nusquam digrediendo, nil amplificando. Bacon, *De Augm. Scient. Lib. ii.*

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James Mill's *History* is a work of Benthamite "philosophical history" from which the reader is supposed to draw lessons about human nature, reason and religion, and the deleterious impact of commercial monopolies like the East India Company.

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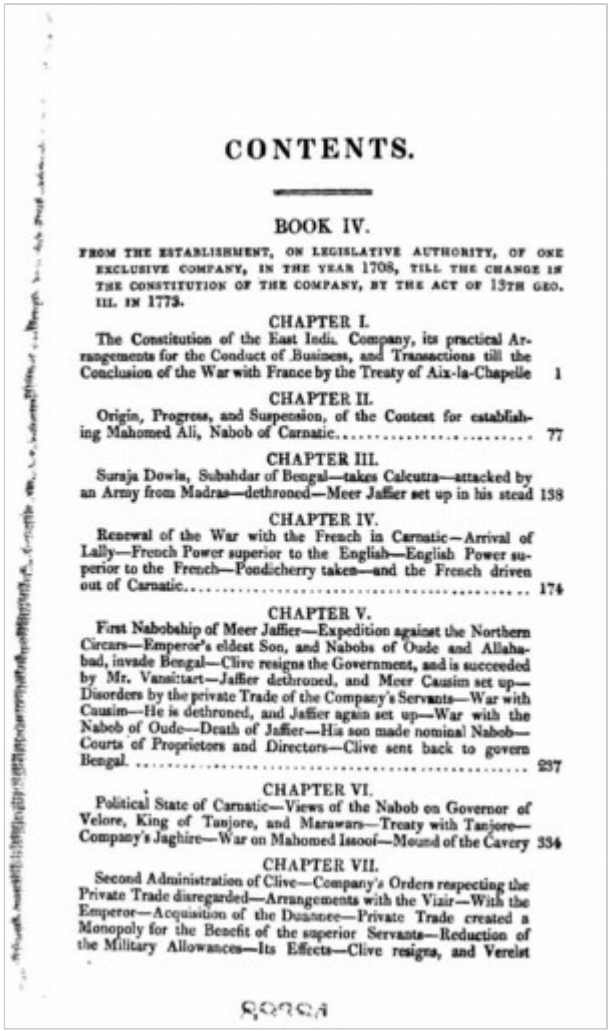

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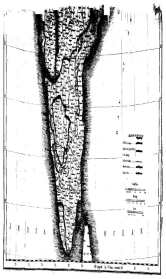

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# HISTORY OF BRITISH INDIA

## BOOK IV.

from the establishment, on legislative authority, of one exclusive company, in the year 1708, till the change in the constitution of the company, by the act of 13th geo. iii. in 1773.

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# CHAP. I.

The Constitution of the East India Company, its practical Arrangements for the Conduct of Business, and Transactions till the Conclusion of the War with France by the Treaty of Aix-la-Chapelle.

When the competitors for Indian commerce were united into one corporate body, and the privilege of exclusive trade was founded on legislative authority, the business of the East India Company became regular and uniform. Their capital, composed of the shares of the subscribers, was a fixed and definite sum: Of the modes of dealing, adapted to the nature of the business, little information remained to be acquired: Their proceedings were reduced to an established routine, or a series of operations periodically recurring: A general description, therefore, of the plan upon which the Company conducted themselves, and a statement of its principal results, appear to comprehend every thing which falls within the design of a history of that commercial body, during a period of several years.

book iv.Chap. 1. 1708.

book iv.Chap. 1. 1708.

When a number of individuals unite themselves in any common interest, reason suggests, that they themselves should manage as much as it is convenient for them to manage; and that they should make choice of persons to execute for them such parts of the business as cannot be conveniently transacted by themselves.

It was upon this principle, that the adventurers in the trade to India originally framed the constitution of their Company. They met in assemblies, which were called Courts of Proprietors, and transacted certain parts of the common business: And they chose a certain number of persons belonging to their own body, and who were called Committees,[1] to manage for them other parts of the business, which they could not so well perform themselves. The whole of the managing business, therefore, or the whole of the government, was in the hands of,

1st. The Proprietors, assembled in general court;

2dly. The Committees, called afterwards the Directors, assembled in their special courts.

At the time of the award of the Earl of Godolphin, power was distributed between these assemblies according to the following plan:

To have a vote in the Court of Proprietors, that is, any share in its power, it was necessary to be the owner of 500*l*. of the Company's stock: and no additional share, contrary to a more early regulation, gave any advantage, or more to any proprietor than a single vote.

book iv.Chap. 1. 1708.

The directors were twenty-four in number: No person was competent to be chosen as a Director who possessed less than 2,000*l*. of the Company's stock: And of these directors, one was Chairman, and another Deputy-Chairman, presiding in the Courts.

The Directors were chosen annually by the Proprietors in their General Court; and no Director could serve for more than a year, except by reelection.

Four Courts of Proprietors, or General Courts, were held regularly in each year, in the month of December, March, June, and September, respectively; the Directors might summon Courts at other times, as often as they saw cause, and were bound to summon Courts within ten days, upon a requisition signed by any nine of the Proprietors, qualified to vote.

The Courts of Directors, of whom thirteen were requisite to constitute a Court, were held by appointment of the Directors themselves, as often, and at such times and places, as they might deem expedient for the dispatch of affairs.[1]

According to this constitution, the supreme power was vested in the Court of Proprietors. In the first place they held the legislative power entire: All laws and regulations, all determinations of dividend, all grants of money, were made by the Court of Proprietors. To act under their ordinances, and manage the business of routine, was the department reserved for the Court of Directors. In the second place, the supreme power was secured to the Court of Proprietors, by the important power of displacing, annually, the persons whom they chose to act in their behalf.



In this constitution, if the Court of Proprietors be regarded as representing the general body of the people, the Court of Directors as representing an aristocratical senate, and the Chairman as representing the sovereign, we have an image of the British constitution; a system in which the forms of the different species of government, the monarchical, aristocratical, and democratical, are mixed and combined.

In the constitution however of the East India Company, the power allotted to the democratical part was so great, that a small portion may seem to have been reserved to the other two. Not only were the sovereignty, and the aristocracy, both elective, but they were elected from year to year; that is, were in a state of complete dependence upon the democratical part. This was not all: no decrees, but those of the democracy, were binding, at least in the last resort; the aristocracy, therefore, and monarchy, were subordinate, and subject. Under the common impression of democratic ambition, irregularity, and violence, it might be concluded, that the democratic assembly would grasp at the whole of the power; would constrain and disturb the proceedings of the Chairmen and Directors; would deliberate with violence and animosity; and exhibit all the confusion, precipitation, and imprudence, which are so commonly ascribed to the exercise of popular power.

The actual result is extremely different from what the common modes of reasoning incite common minds to infer. Notwithstanding the power which, by the theory of the constitution, was thus reserved to the popular part of the system, all power has

centered in the court of directors; and the government of the Company has been an oligarchy, in fact. So far from meddling too much, the Court of Proprietors have not attended to the common affairs even sufficiently for the business of inspection: And the known principles of human nature abundantly secured that unfortunate result. To watch, to scrutinize, to inquire, is labour, and labour is pain. To confide, to take for granted that all is well, is easy, is exempt from labour, and, to the great mass of mankind, comparatively delightful. On all ordinary occasions, on all occasions which present not a powerful motive to action, the great mass of mankind are sure to be led by the soft and agreeable feeling. And if they who act have only sufficient prudence to avoid those occurrences which are calculated to rouse the people on account of whom they act, the people will allow them abundant scope to manage the common concerns in a way conformable to their own liking and advantage. It is thus that all constitutions, however democratically formed, have a tendency to become oligarchical in practice. By the numerous body who constitute the democracy, the objects of ambition are beheld at so great a distance, and the competition for them is shared with so great a number, that in general they make but a feeble impression upon their minds: The small number, on the other hand, entrusted with the management, feel so immediately the advantages, and their affections are so powerfully engaged by the presence, of their object, that they easily concentrate their views, and point their energies with perfect constancy in the selfish direction. The apathy and inattention of the people, on the one hand, and the interested activity of the rulers on the other, are two powers, the action of which may always be counted upon; nor has the art of government as yet exemplified, however the science may or may not have discovered, any certain means by which the unhappy effects of that action may be prevented.[1]



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For conducting the affairs of the Company, the Directors divided themselves into parties called Committees; and the business into as many separate shares.[2]

The first was the Committee of Correspondence, of which the business was more confidential, as well as extensive, than that of any of the rest. Its duties were, to study the advices from India, and to prepare answers for the inspection of the Court of Directors: To report upon the number of ships expedient for the trade of the season, and the stations proper for each: To report upon the number of servants, civil and military, in the different stations abroad; on the demand for alterations, and the applications made for leave of absence, or leave to return: All complaints of grievances, and all pecuniary demands on the Company, were decided upon in the first instance by this Committee, which nominated to all places, in the treasury, and in the secretary's, examiner's, and auditor's offices. It performed, in fact, the prime and governing business of the Company: The rest was secondary and subordinate.

The next Committee was that of Law-suits; of which the business was to deliberate and direct in all cases of litigation; and to examine the bills of law charges. It is not a little remarkable that there should be work of this description sufficient to engross the time of a committee.

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The third was the Committee of Treasury. Its business was, to provide, agreeably to the orders of the Court, for the payment of dividends and interest on bonds; to negociate the Company's loans; to purchase gold and silver for exportation: to affix the Company's seal to bonds and other deeds; to examine monthly, or oftener, the balance of cash; and to decide, in the first instance, on applications respecting the loss of bonds, on pecuniary questions in general, and the delivery of unregistered diamonds and bullion.

The Committee of Warehouses was the fourth. The business of importation was the principal part of its charge. It framed the orders for the species of goods of which the investment or importation was intended to consist: It had the superintendance of the servants employed in the inspection of the purchases; determined upon the modes of shipping and conveyance; superintended the landing and warehousing of the goods; arranged the order of sales; and deliberated generally upon the means of promoting and improving the trade.

The fifth was the Committee of Accounts; of whose duties the principal were, to examine bills of exchange, and money certificates; to compare advices with bills; to examine the estimates, and accounts of cash and stock; and to superintend the office of the accountant, and the office of transfer, in which are effected the transfers of the Company's stock and annuities, and in which the foreign letters of attorney for that purpose are examined.

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A committee, called the Committee of Buying, was the sixth. Its business was, to superintend the purchase and preparation of the standard articles of export, of which lead and woollens constituted the chief; to contract with the dyers and other tradesmen; to audit their accounts, and keep charge of the goods till deposited in the ships for exportation.

The Committee of the House was the seventh, and its business was mostly of an inferior and ministerial nature. The alterations and repairs of the buildings, regulations for the attendance of the several officers and clerks, the appointment of the inferior servants of the House, and the control of the secretary's accounts for domestic disbursements, were included in its province.

The eighth Committee, that of Shipping, had the charge of purchasing stores, and all other articles of export, except the grand articles appropriated to the Committee of Buying; the business of hiring ships, and of ascertaining the qualifications of their commanders and officers; of distributing the outward cargoes; of fixing seamen's wages; of issuing orders for building, repairing, and fitting out the ships, packets, &c. of which the Company were proprietors; and of regulating and determining the tonnage allowed for private trade, to the commanders and officers of the Company's ships.

The ninth was the Committee of Private Trade; and its occupation was to adjust the accounts of freight, and other charges, payable on the goods exported for private account, in the chartered ships of the Company; to regulate the indulgences to private

trade homeward; and, by examining the commanders of ships, and other inquiries, to ascertain how far the regulations of the Company had been violated or obeyed.

The tenth Committee was of a characteristic description.
It was the Committee for preventing the growth of Private Trade. Its business was to take cognizance of all instances in which the licence, granted by the Company for private trade, was exceeded; to decide upon the controversies to which the encroachments of the private traders gave birth; and to make application of the penalties which were provided for transgression. So closely, however, did the provinces of this and the preceding Committee border upon one another; and so little, in truth, were their boundaries defined, that the business of the one was not unfrequently transferred to the other.



Other transactions respecting the employment of troops and the government of territory, required additions to the system of Committees, when the Company afterwards became conquerors and rulers. But of these it will be time to speak when the events arrive which produced them.

The Chairmen, as the name imports, preside in the Courts, whether of Directors or Proprietors; they are the organs of official communication between the Company and other parties, and are by office members of all the Committees.

The articles in which the export branch of the Indian trade has all along consisted are bullion, lead, quicksilver, woollen cloths, and hardware, of which the proportions have varied at various times.

The official value of all the exports to India for the year 1708, the year in which the union of the two Companies was completed, exceeded not 60,915*l*. The following year it rose to 168,357*l*. But from this it descended gradually till, in the year 1715, it amounted to no more than 36,997*l*. It made a start, however, in the following year; and the medium exportation for the first twenty years, subsequent to 1708, was 92,288*l*. per annum.[1] The average annual exportation of bullion during the same years was 442,350*l*.

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The articles of which the import trade of the East India Company chiefly consisted, were calicoes and the other woven manufactures of India; raw silk, diamonds, tea, porcelain, pepper, drugs, and saltpetre. The official value of their imports in 1708 was 493,257*l*.; and their annual average importation for this and the nineteen following years was 758,042*l*. At that period the official value assigned to goods at the Custom House differed not greatly from the real value; and the statements which have been made by the East India Company of the actual value of their exports and imports for some of those years, though not according with the Custom House accounts from year to year, probably from their being made up to different periods in the year, yet on a sum of several years pretty nearly coincide.[2] The business of sale is transacted by the East India Company in the way of auction. On stated days, the goods, according to the discretion of the Directors, are put up to sale at the India House; and transferred to the highest bidder.

At first the Company built and owned the ships employed in their trade. But in the progress and sub-division of commerce, ship-owning became a distinct branch of business; and the company preferred the hiring of ships, called chartering. It was in hired or chartered ships, accordingly, that from this time the trade of the Company was chiefly conveyed; and a few swift-sailing vessels, called packets, more for the purpose of intelligence than of freight, formed, with some occasional exceptions, the only article of shipping which they properly called their own. This regulation set free a considerable portion of the funds or resources of the Company, for direct traffic, or the simple transactions of buying and selling.[1]

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That part of the business of the Company which was situated in India, was distinguished by several features which the peculiar circumstances of the country forced it to assume. The sale indeed of the commodities imported from Europe, they transacted in the simplest and easiest of all possible ways; namely, by auction, the mode in which they disposed of Indian goods in England. At the beginning of this trade, the English, as well as other European adventurers, used to carry their commodities to the interior towns and markets, transporting them in the hackeries of the country, and established factories or warehouses, where the goods were exposed to sale. During the confusion, however, which prevailed, while the empire of the Moguls was in the progress of dissolution, the security which had formerly existed, imperfect as it was, became greatly impaired: and, shortly after the union of the two Companies, a rule was adopted, not to permit any of the persons in the Company's service, or under their jurisdiction, to remove far into the inland country, without leave obtained from the Governor and Council of the place to which they belonged. According to this plan, the care of distributing the goods into the country, and of introducing them to the consumers, was left to the native and other independent dealers.

For the purchase, collection, and custody of the goods, which constituted the freight to England, a complicated system of operations was required. As the state of the country was too low in respect of civilization and of wealth, to possess manufacturers and merchants, on a large scale, capable of executing extensive orders, and delivering the goods contracted for on pre-appointed days, the Company were under the necessity of employing their own agents to collect throughout the country, in such quantities as presented themselves, the different articles of which the cargoes to Europe were composed. Places of reception were required, in which the goods might be collected, and ready upon the arrival of the ships, that the expense of demurrage might be reduced to its lowest terms. Warehouses were built; and these, with the counting-houses, and other apartments for the agents and business of the place, constituted what were called the factories of the Company. Under the disorderly and inefficient system of government which prevailed in India, deposits of property were always exposed, either to the rapacity of the government, or under the weakness of the government to the hands of depredators. It was always therefore an object of importance to build the factories strong, and to keep their inmates armed and disciplined for self-defence, as perfectly as circumstances would admit. At an early period the Company even fortified those stations of their trade, and maintained

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professional troops, as often as the negligence permitted, or the assent could be obtained, of the Kings and Governors of the countries in which they were placed.

Of the commodities collected for the European market, that part, the acquisition of which was attended with the greatest variety of operations, was the produce of the loom. The weavers, like the other laborious classes of India, are in the lowest stage of poverty, being always reduced to the bare means of the most scanty subsistence. They must at all times, therefore, be furnished with the materials of their work, or the means of purchasing them; and with subsistence while the piece is under their hands. To transact in this manner with each particular weaver, to watch him that he may not sell the fabric which his employer has enabled him to produce, and to provide a large supply, is a work of infinite detail, and gives employment to a multitude of agents. The European functionary, who, in each district, is the head of as much business as it is supposed that he can superintend, has first his banyan, or native secretary, through whom the whole of the business is conducted: The banyan hires a species of broker, called a gomastah, at so much a month: The gomastah repairs to the aurung, or manufacturing town, which is assigned as his station; and there fixes upon a habitation, which he calls his cutchery: He is provided with a sufficient number of peons, a sort of armed servants; and hircarahs, messengers or letter carriers, by his employer: These he immediately dispatches about the place, to summon to him the dallâls, pycârs and weavers: The dallâls and pycârs are two sets of brokers; of whom the pycârs are the lowest, transacting the business of detail with the weavers; the dallâls again transact with the pycârs; the gomastah transacts with the dallâls, the banyan with the gomastah, and the Company's European servant with the banyan. The Company's servant is thus five removes from the workman; and it may easily be supposed that much collusion and trick, that much of fraud towards the Company, and much of oppression towards the weaver, is the consequence of the obscurity which so much complication implies.[1] Besides his banyan, there is attached to the European agent a mohurree, or clerk, and a cash-keeper, with a sufficient allowance of peons and hircarahs. Along with the gomastah is dispatched in the first instance as much money as suffices for the first advance to the weaver, that is, suffices to purchase the materials, and to afford him subsistence during part at least of the time in which he is engaged with the work. The cloth, when made, is collected in a warehouse, adapted for the purpose, and called a kattah. Each piece is marked with the weaver's name; and when the whole is finished, or when it is convenient for the gomastah, he *holds a kattah*, as the business is called, when each piece is examined, the price fixed, and the money due upon it paid to the weaver. This last is the stage at which chiefly the injustice to the workman is said to take place; as he is then obliged to content himself with fifteen or twenty, and often thirty or forty per cent. less than his work would fetch in the market. This is a species of traffic which could not exist but where the rulers of the country were favourable to the dealer; as every thing, however, which increased the productive powers of the labourers added directly in India to the income of the rulers, their protection was but seldom denied.



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The business of India was at this time under the government of three Presidencies, one at Bombay, another at Madras, and a third at Calcutta, of which the last had been created so lately as the year 1707,
the business at Calcutta having, till that time, been conducted under the government of the Presidency of Madras. These Presidencies had as yet no dependance upon one another; each was absolute within its own limits, and responsible only to the Company in England. A Presidency was composed of a President or Governor, and a Council; both appointed by commission of the Company. The council was not any fixed number, but determined by the views of the Directors; being sometimes nine, and sometimes twelve, according to the presumed importance or extent of the business to be performed. The Members of the Council were the superior servants in the civil or non-military class, promoted according to the rule of seniority, unless where directions from home prescribed aberration. All power was lodged in the President and Council jointly; nor could any thing be transacted, except by a majority of votes. When any man became a ruler, he was not however debarred from subordinate functions; and the members of council, by natural consequence, distributed all the most lucrative offices among themselves. Of the offices which any man held, that which was the chief source of his gain failed not to be the chief object of his attention; and the business of the Council, the duties of governing, did not, in general, engross the greatest part of the study and care of a Member of Council. It seldom, if ever, happened, that less or more of the Members of Council were not appointed as chiefs of the more important factories under the Presidency, and, by their absence, were not disqualified for assisting in the deliberations of the governing body. The irresistible motive, thus afforded to the persons entrusted with the government, to neglect the business of government, occupied a high rank among
the causes to which the defects at that time in the management of the Company's affairs in India may, doubtless, be ascribed. Notwithstanding the equality assigned to the votes of all the Members of the Council, the influence of the President was commonly sufficient to make the decisions agreeable to his inclination. The appointment of the Members to the gainful offices after which they aspired, was in a considerable degree subject to his determination; while he had it in his power to make the situation even of a member of the Council so uneasy to him, that his continuance in the service ceased to be an object of desire. Under the notion of supporting authority, the Company always lent an unwilling ear to complaints brought by a subordinate against his superior; and in the case of councilmen, disposed to complain, it seldom happened, that of the transactions in which they themselves had been concerned, a portion was not unfit to be revealed.



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The powers exercised by the Governor or President and Council, were, in the first place, those of masters in regard to servants over all the persons who were in the employment of the Company; and as the Company were the sole master, without fellow or competitor, and those under them had adopted their service as the business of their lives, the power of the master, in reality, and in the majority of cases, extended to almost every thing valuable to man. With regard to such of their countrymen, as were not in their service, the Company were armed with powers to seize them, to keep them in confinement, and send them to England, an extent of

authority which amounted to confiscation of goods, to imprisonment, and what to a European constitution is the natural effect of any long confinement under an Indian climate, actual death. At an early period of the Company's history, it had been deemed necessary to intrust them with the powers of martial law, for the government of the troops which they maintained in defence of their factories and presidencies; and by a charter of Charles II., granted them in 1661, the Presidents and Councils in their factories were empowered to exercise civil and criminal jurisdiction according to the laws of England. Under this sanction they had exercised judicial powers, during all the changes which their affairs had undergone; but at last it appeared desirable that so important an article of their authority should rest on a better foundation. In the year 1726 a charter was granted, by which the Company were permitted to establish a Mayor's Court at each of their three presidencies, Bombay, Madras, and Calcutta; consisting of a mayor and nine aldermen, empowered to decide in civil cases of all descriptions. From this jurisdiction, the President and Council were erected into a Court of Appeal. They were also vested with the power of holding Courts of Quarter Sessions for the exercise of penal judicature, in all cases, excepting those of high treason. And a Court of Requests, or Court of Conscience, was instituted, for the decision, by summary procedure, of pecuniary questions of inconsiderable amount.



This reform in the judicature of India was not attended with all the beneficial effects which were probably expected from it. Negligence was left to corrupt the business of detail. The charter is said to have been procured by the influence of an individual, for the extension of his own authority; and when his ends were gained, his solicitude expired. The persons appointed to fill the judicial offices were the servants of the Company, bred to commerce, and nursed in its details: while a manuscript book of instructions comprised the whole of the assistance which the wisdom of the King and the Company provided to guide uninstructed men in the administration of justice.

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Nor was the obscurity of the English law, and the inexperience of the judges, the only source of the many evils which the new arrangements continued, or produced. Jealousy arose between the Councils, and the Mayor's Courts. The Councils complained that the Courts encroached upon their authority; and the Courts complained that they were oppressed by the Councils. The most violent dissensions often prevailed; and many of the members of the Mayor's Courts quitted the service, and went home with their animosities and complaints.

Besides the above-mentioned tribunals established by the Company for the administration of the British laws to the British people in India, they erected, in the capacity of Zemindar of the district around Calcutta, the usual Zemindary Courts, for the administration of the Indian laws to the Indian people. The Phousdary Court for the trial of crimes; and the Cutcherry for civil causes; besides the Collector's Court for matters of revenue. The judges, in these tribunals, were servants of the Company, appointed by the Governor and Council, and holding their offices during pleasure; the rule of judgment was the supposed usage of the country, and the discretion of the court; and the mode of procedure was summary. Punishments extended to fine;

imprisonment; labour upon the roads in chains for a limited time, or for life; and flagellation, either to a limited degree, or death. The ideas of honour, prevalent among the natives, induced the Mogul government to forbid the European mode of capital punishment, by hanging, in the case of a Mussulman. In compensation, however, it had no objection to his being whipped to death; and the flagellants in India are said to be so dexterous, as to kill a man with a few strokes of the chawbuck.[1]



The executive and judicial functions were combined in the Councils, at the Indian presidencies; the powers even of justices of the peace being granted to the Members of Council, and to them alone. If complaints were not wanting of the oppression by these authorities upon their fellow-servants; it is abundantly evident that the Company were judge in their own cause in all cases in which the dispute existed between them and any other party.

The President was Commander-in-Chief of the Military Force maintained within his presidency. It consisted, partly of the recruits sent out in the ships of the Company; partly of deserters from the other European nations settled in India, French, Dutch, and Portuguese; and partly, at least at Bombay and Surat, of Topasses, or persons whom we may denominate Indo-Portuguese, either the mixed produce of Portuguese and Indian parents, or converts to the Portuguese, from the Indian, faith. These were troops disciplined and uniformed; besides whom, the natives were already, to a small extent, employed by the Company in military service, and called Sepoys, from the Indian term Sipahi, equivalent to soldier. They were made to use the musket, but remained chiefly armed in the fashion of the country, with sword and target; they wore the Indian dress, the turban, *cabay* or vest, and long drawers; and were provided with native officers according to the custom of the country; but ultimately all under English command. It had not as yet been attempted to train them to the European discipline, in which it was possible to render them so expert and steady; but considerable service was derived from them; and under the conduct of European leaders they were found capable of facing danger with great constancy and firmness. What at this time was the average number at each presidency, is not particularly stated. It is mentioned, that at the time when the presidency was established at Calcutta in 1707, an effort was made to augment the garrison to 300 men.



The President was the organ of correspondence, by letter, or otherwise, with the country powers. It rested with him to communicate to the Council the account of what he thus transacted, at any time, and in any form, which he deemed expedient; and from this no slight accession to his power was derived.

The several denominations of the Company's servants in India were, writers, factors, junior merchants, and senior merchants: the business of the writers, as the term, in some degree, imports, was that of clerking, with the inferior details of commerce; and when dominion succeeded, of government. In the capacity of writers they remained during five years. The first promotion was to the rank of factor; the next to that of junior merchant; in each of which the period of service was three years. After this

extent of service, they became senior merchants. And out of the class of senior merchants were taken by seniority the members of the Council, and when no particular appointment interfered, even the presidents themselves.[1]

Shortly after the first great era, in the history of the British commerce with India, the nation was delivered from the destructive burthen of the long war with France which preceded the treaty of Utrecht: And though the accession of a new family to the throne, and the resentments which one party of statesmen had to gratify against another, kept the minds of men for a time in a feverish anxiety, not the most favourable to the persevering studies and pursuits on which the triumphs of industry depend, the commerce and wealth of the nation-made rapid advances. The town of Liverpool, which was not formed into a separate parish till 1699, so rapidly increased, that in 1715 a new parish, with a church, was erected; and it doubled its size between 1690 and 1726. The town of Manchester increased in a similar proportion; and was computed in 1727 to contain no less than 50,000 inhabitants: the manufactures of Birmingham, which thirty years before was little more than a village, are stated as giving maintenance at that time to upwards of 30,000 individuals.[1] In 1719, a patent was granted to Sir Thomas Lombe, for his machine for throwing silk, one of the first of those noble efforts of invention and enterprise which have raised this country to unrivalled eminence in the useful arts. The novelty and powers of this machine, the model of which he is said to have stolen from the Piedmontese, into whose manufactories he introduced himself in the guise of a common workman, excited the highest admiration; and its parts and performances are described to us by the historians of the time with curious exactness; 26,586 wheels, 97,746 movements, which worked 73,726 yards of organzine silk by every revolution of the water-wheel, 318,504,960 yards in one day and a night; a single water-wheel giving motion to the whole machine, of which any separate movement might be stopped without obstructing the rest; and one fire communicating warmth by heated air to every part of the manufactory, not less than the eighth part of a mile in length.[1] London was increased by several new parishes. And from the year 1708 to the year 1730, the imports of Great Britain, according to the valuation of the custom-house, had increased from 4,698,663*l*. to 7,780,019*l*.; the exports from 6,969,089*l*. to 11,974,135*l*.[2]

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During this period of national prosperity, the imports of the East India Company rose from 493,257*l*., the importation of 1708, to 1,059,759*l*. the importation of 1730. But the other, and not the least important, the export branch of the Company's trade, exhibited another result: As the exportation of the year 1708 was exceedingly small, compared with that of 1709 and the following years, it is fair to take an average of four years from 1706 to 1709 (two with a small, two an increased exportation), producing 105,773*l*.: The exportation of the year 1730 was 135,484*l*.; while that of 1709 was 168,357*l*.; that of 1710, 126,310*l*.; that of 1711, 151,874*l*.; and that of 1712, 142,329*l*.

With regard to the rate of profit, during this period, or the real advantage of the Indian trade, the Company, for part of the year 1708, divided at the rate of five per cent. per annum to the proprietors upon 3,163,200*l*. of capital; for the next year, eight per cent.;

for the two following years, nine per cent.; and thence to the year 1716, ten per cent. per annum. In the year 1717, they paid dividends on a capital of 3,194,080*l*., at the same rate of ten per cent. per annum, and so on till the year 1723. That year the dividend was reduced to eight per cent. per annum, at which rate it continued till the year 1732.[1]

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In the year 1712, on the petition of the Company, the period of their exclusive trade was extended by act of parliament, from the year 1726, to which by the last regulation it stood confined, to the year 1733, with the usual allowance of three years for notice, should their privileges be withdrawn.[2]

In the year 1716, they obtained a proclamation against interlopers. Their complaints, it seems, were occasioned by the enterprises of British subjects, trading to India under foreign commissions. As this proclamation answered not the wishes of the Company, nor deterred their countrymen from seeking the gains of Indian traffic, even through all the disadvantages which they incurred by entrusting their property to the protection of foreign laws and the fidelity of foreign agents; they were able, in 1718, to procure an act of parliament for the punishment of all such competitors. British subjects, trading from foreign countries, and under the commission of a foreign government, were declared amenable to the laws for the protection of the Company's rights; the Company were authorized to seize merchants of this description when found within their limits, and to send them to England, subject to a penalty of 500*l*. for each offence.[3]

The Company's present alarm for their monopoly arose from the establishment for trading with India, which, under the authority of the Emperor, was formed at his port of Ostend. After the peace of Utrecht, which bestowed the Netherlands upon the house of Austria, the people of those provinces began to breathe from the distractions, the tyranny, and the wars which had so long wasted their fruitful country. Among other projects of improvement, a trade to India was fondly embraced. Two ships, after long preparations, sailed from Ostend in the year 1717, under the passports of the Emperor; and several more soon followed their example. The India Companies of Holland and England were in the highest degree alarmed; and easily communicated their fears and agitations to their respective governments. These governments not only expostulated, and to the highest degree of importunity, with the Emperor himself; but, amid the important negotiations of that diplomatic period, hardly any interest was more earnestly contended for in the discussions at the courts both of Paris and Madrid.[1] The Dutch captured some of the Ostend East India ships: The Emperor, who dreamed of an inundation of wealth from Indian trade, persevered in his purpose; and granted his commission of reprisal to the merchants of Ostend. In the beginning of 1720, they sent no fewer than six vessels to India, and as many the year that followed. The English East India Company pressed the Government with renewed terrors and complaints. They asserted that, not only the capital, with which the trade was carried on, was to a great degree furnished by British subjects, but the trade and navigation were conducted by men who had been bred up in the trade and navigation of the British Company: They procured, in 1721,

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another act of parliament, enforcing the penalties already enacted; and as this also failed in producing the intended
effects, another act was passed in the spring of 1723; prohibiting foreign adventures to India, under the penalty of triple the sum embarked; declaring all British subjects found in India, and not in the service, or under the licence of the East India Company, guilty of a high misdemeanour; and empowering the Company to seize, and send them home for punishment.1 The Emperor had been importuned, by the adventurers of Ostend, for a charter to make them an exclusive company; but, under the notion of saving appearances in some little degree with England and Holland, or the maritime powers, as they were called in the diplomatic language of the day, he had induced them to trade under passports as individuals. In the month of August, however, of 1723, the charter was granted; in less than twenty-four hours the subscription books of the Company were filled up; and in less than a month the shares were sold at a premium of fifteen per cent. Notwithstanding the virulent opposition of all the other nations, already engaged in the Indian trade, the Ostend Company experienced the greatest success. At a meeting of Proprietors, in 1726, the remaining instalment on the subscriptions, equal to a dividend of thirty-three and one-third per cent., was paid up from the gains of the trade. But by this time political difficulties pressed upon the Emperor. He was abandoned by his only ally, the King of Spain, and opposed by a triple alliance of France, England, and Holland. To give satisfaction to this potent confederacy, and to obtain their support to the pragmatic sanction, or the guarantee of his dominions to his daughter and only child, he submitted to sacrifice the
Ostend Company. To save appearances, and consult the imperial dignity, nothing was stipulated in words, except that the business of the Ostend Company should be suspended for seven years; but all men understood that, in this case, suspension and extinction were the same.



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By the act of 7 Geo. I. c. 5, the Company were authorized to borrw money on their common seal, to the amount of the sums lent by them to government, if not beyond the sum of five millions sterling in the whole. They were permitted, however, to borrow solely for the purposes of their trade. They were expressly interdicted from receiving moneys in any of the capacities of a banker; and for that purpose several restrictive clauses were inserted in the act; they were not to borrow any sums payable on demand, or at a shorter date than six months; they were not to discount any bills; or to keep books or cash for any persons sole or corporate, or otherwise than for the real business of the Company.1

When the Company commenced operations in India, upon the new foundation on which their affairs were placed by the grand arrangements in 1708, Shah Aulum, successor of Aurungzebe, was Emperor of the Moguls. His second son Azeem Ooshaun had been appointed Viceroy of Bengal before the death of Aurungzebe, and having bent his chief attention to the amassing of a treasure, against the impending contest between the competitors for the throne, he accepted the bribes of the company, and granted them proportional privileges. Under his authority they had purchased, in 1698, the Zemindarship of the three towns of Sutanutty, Calcutta, and Govindpore, with their districts. When Azeem Ooshaun left Bengal to assist his father, in the war

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which ensued upon the death of Aurungzebe, he left his son Feroksere his deputy. In 1712 Shah Aulum died; Azeem Ooshaun lost his life in the struggle for the succession; and Feroksere, by the help of two able chiefs, the Syed brothers, gained the throne. The government of Bengal now devolved upon Jaffier Khan, and the company experienced a change. This chief, of Tartar extraction, was born at Boorhanpore, in Deccan, and rose to eminence in the latter part of the reign of Aurungzebe, by whom he had been appointed duan (or controller of the revenues) of Bengal. It would appear that he was nominated, by Shah Aulum, to the viceroyalty of Bengal, shortly after his accession to the throne; but it is probable that, during the short reign of that prince, the appointment never took place; as, at the time of his death, Feroksere was in possession of the province. Upon the departure, however, of Feroksere to ascend the imperial throne, Jaffier Khan was invested with entire authority, as subahdar of Bengal; and the English Company, along with his other subjects, began speedily to feel the effects of his severe and oppressive administration.[1]

In 1713, the first year of the reign of Feroksere, the Presidency of Calcutta applied to the Company at home for leave to send an embassy, with a handsome present, to the Mogul durbar, in hopes of obtaining greater protection and privileges. Two of the Company's factors, under the direction of an Armenian merchant, named Serhaud, set out for Delhi; and the Emperor, who had received the most magnificent account of the presents of which they were the bearers, ordered them to be escorted by the governors of the provinces through which they were to pass.

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They arrived at the capital on the eighth of July, 1715, after a journey of three months; and, in pursuance of the advice which had been received at Calcutta, applied themselves to gain the protection of Khan Dowran,[1] a nobleman in favour with the Emperor, and in the interest of Emir Jumla. Whatever was promoted by the interest of Emir Jumla was opposed by that of the vizir. The influence also of Jaffier Khan was exerted to defeat an application, which tended to abridge his authority, and impeach his government. The embassy and costly present of the Company were doomed to imperial neglect, had not an accident, over which they had no control, and the virtue of a public-spirited man, who preferred their interest to his own, opened an avenue to the grace of Feroksere. The intemperance of that prince had communicated to him a secret disease, from which the luxury of the harem does not always exempt: Under the unskilful treatment of Indian physicians the disorder lingered; and the Emperor's impatience was augmented, by the delay which it imposed upon the celebration of his marriage with the daughter of the Rajah of Judpore. A medical gentleman of the name of Hamilton accompanied the embassy of the English Company: The Emperor was advised to make trial of his skill: A cure was the speedy consequence: The Emperor commanded his benefactor to name his own reward: And the generous Hamilton solicited privileges for the Company.[2] The festival of the marriage, however, ensued; during which it would not have been decorous to importune with business the imperial mind: and six months elapsed before the ambassadors could present their petition. It was delivered in January, 1716; and prayed, "that the cargoes of English ships, wrecked on the Mogul's coast, should be protected from plunder; that a

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fixed sum should be received at Surat in lieu of all duties; that three villages, contiguous to Madras, which had been granted and again resumed by the government of Arcot, should be restored in perpetuity; that the island of Diu, near the port of Masulipatam, should be given to the Company, for an annual rent; that all persons in Bengal, who might be indebted to the Company, should be delivered up to the presidency on the first demand; that a passport (*dustuck*, in the language of the country), signed by the President of Calcutta, should exempt the goods which it specified from stop-page or examination by the officers of the Bengal government; and that the Company should be permitted to purchase the Zemindarship of thirty-seven towns, in the same manner as they had been authorised by Azeem Ooshaun to purchase Calcutta, Sutta-nutty, and Govindpore." The power of the vizir could defeat the grants of the Emperor, himself; and he disputed the principal articles. Repeated applications were made to the Emperor, and at last the vizir gave way; when mandates were issued confirming all the privileges for which the petition had prayed. To the disappointment, however, and grief of the ambassadors, the mandates were not under the seals of the Emperor, but only those of the vizir, the authority of which the distant viceroys would be sure to dispute. It was resolved to remonstrate, how delicate soever the ground on which they must tread; and to solicit mandates to which the highest authority should be attached. It was now the month of April, 1716, when the Emperor, at the head of an expedition against the Seiks, began his march towards Lahore. No choice remained but to follow the camp. The campaign was tedious: It heightened the dissensions between the favourites of the Emperor and the vizir; the ambassadors found their difficulties increased; and contemplated a long, and probably a fruitless negotiation, when they were advised to bribe a favourite eunuch in the seraglio. No sooner was the money paid, than the vizir himself appeared eager to accomplish their designs, and the patents were issued under the highest authority. There was a secret, of which the eunuch had made his advantage. The factory at Surat, having lately been oppressed by the Mogul governor and officers, had been withdrawn by the Presidency of Bombay, as not worth maintaining. It was recollected by the Moguls, that in consequence of oppression the factory at Surat had once before been withdrawn; immediately after which an English fleet had appeared; had swept the sea of Mogul ships, and inflicted a deep wound upon the Mogul treasury. A similar visitation was now regarded as a certain consequence; and, as many valuable ships of the Moguls were at sea, the event was deprecated with proportional ardour. This intelligence was transmitted to the eunuch, by his friend the viceroy of Guzerat. The eunuch knew what effect it would produce upon the mind of the vizir; obtained his bribe from the English; and then communicated to the vizir the expectation prevalent in Guzerat of a hostile visit from an English fleet. The vizir hastened to prevent such a calamity, by granting satisfaction. The patents were dispatched; and the ambassadors took leave of the Emperor in the month of July, 1717, two years after their arrival.



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The mandates in favour of the Company produced their full effect in Guzerat and Deccan; but in Bengal, where the most important privileges were conceded, the subahdar, or nabob as he was called by the English, had power to impede their operation. The thirty-seven towns which the Company had obtained leave to

purchase, would have given them a district extending ten miles from Calcutta on each side of the river Hoogley; where a number of weavers, subject to their own jurisdiction, might have been established. The viceroy ventured not directly to oppose the operation of an imperial mandate, but his authority was sufficient to deter the holders of the land from disposing of it to the Company; and the most important of the advantages aimed at by the embassy was thus prevented. The nabob, however, disputed not the authority of the President's dustucks; a species of passports which entitled the merchandise to pass free from duty, stoppage, or inspection; and this immunity, from which the other European traders were excluded, promoted the vent of the Company's goods.1

The trade of the Company's servants occasioned another dispute. Beside the business which the factors and agents of the Company were engaged to perform on the Company's account, they had been allowed to carry on an independent traffic of their own, for their own profit. Every man had in this manner a double occupation and pursuit; one for the benefit of the Company, and one for the benefit of himself. Either the inattention of the feebly interested Directors of a common concern had overlooked the premium for neglecting that concern which was thus bestowed upon the individuals entrusted with it in India: Or the shortness of their foresight made them count this neglect a smaller evil, than the additional salaries which their servants, if debarred from other sources of emolument, would probably require. The President of Calcutta granted his dustucks for protecting from the duties and taxes of the native government, not only the goods of the Company, but also the goods of the Company's servants; and possibly the officers of that government were too little acquainted with the internal affairs of their English visitants to remark the distinction. The Company had appropriated to themselves, in all its branches, the trade between India and the mother country. Their servants were thus confined to what was called the country trade, or that from one part of India to another. This consisted of two branches, maritime, and inland; either that which was carried on by ships from one port of India to another, and from the ports of India to the other countries in the adjacent seas; or that which was carried on by land between one town or province and another. When the dustucks of the President, therefore, were granted to the Company's servants, they were often granted to protect from duties, commodities, the produce of the kingdom itself, in their passage by land from one district or province to another. This, Jaffier Khan, the viceroy, declared it his determination to prevent; as a practice at once destructive of his revenue, and ruinous to the native traders, on whom heavy duties were opposed: And he commanded the dustucks of the President to receive no respect, except for goods, either imported by sea, or purchased for exportation.

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The Company remonstrated, but in vain. Nor were the pretensions of their servants exempt from unpleasant consequences; as the pretext of examining whether the goods were really imported by sea, or really meant for exportation, often produced those interferences of the officers of revenue, from which it was so great a privilege to be saved. Interrupted and disturbed in their endeavours to grasp the inland trade, the Company's servants directed their ardour to the maritime branch; and their superior skill soon induced the merchants of the province, Moors, Armenians, and Hindus, to

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freight most of the goods, which they exported, on English bottoms. Within ten years, from the period of the embassy, the shipping of the port of Calcutta increased to 10,000 tons.

The year 1730 was distinguished by transactions of considerable moment in the history of the Company. In England, a new sovereign had but lately ascended the throne; an active and powerful Opposition made a greater use of the press, and more employed the public mind as a power in the state, than any party which had gone before them; success rendered the trading interest enterprising and highminded; intellect was becoming every day more enlightened, more penetrating, more independent; and experience testified the advantages of freedom in all the departments of trade.

Though the gains of the East India Company, had they been exactly known, would not have presented an object greatly calculated to inflame mercantile cupidity; yet the riches of India were celebrated as proverbially great; the boastings of the Company, in the representations they had made of the benefit derived to the nation from trading with
India, had confirmed the popular prejudice; and a general opinion seems to have prevailed, that the British subjects at large ought to be no longer debarred from enriching themselves in the trade which was invidiously, and, it seemed, imprudently, reserved for the East India Company.



Three years were still unexpired of the period of the Company's exclusive charter: yet the plans of those who desired a total alteration in the scheme of the trade were moulded into form, and a petition, grounded upon them, was presented to the legislature so early as February, 1730.

As the payment of 3,200,000*l*. which the Company had advanced to government at an interest of five per cent. was a condition preliminary to the abolition of their exclusive privileges, the petitioners offered to lend to government an equal sum on far more favourable terms. They proposed to advance the money in five instalments, the last at Lady-day in 1733, the date of the expiration of the Company's charter; requiring, till that period, interest on the money paid at the rate of four per cent., but offering to accept of two per cent. for the whole sum, from that time forward: Whence, they observed, a saving would accrue to the public of 92,000*l*. per annum, worth, at twenty-five years' purchase, 2,500,000*l*.[1]

For the more profitable management of this branch of the national affairs, the following was the scheme which they proposed. They would constitute the subscribers to this original fund a company, for the purpose of opening the trade, in its most favourable shape, to the whole body of their countrymen. It was not intended that the Company should trade
upon a joint stock, and in their corporate capacity; but that every man in the nation, who pleased, should trade in the way of private adventure. The Company were to have the charge of erecting and maintaining the forts and establishments abroad; and for this, and for

other expenses, attending what was called “the enlargement and preservation of the trade,” it was proposed that they should receive a duty of one per cent. upon all exports to India, and of five per cent. on all imports from it. For ensuring obedience to this and other regulations, it should be made lawful to trade to India only under the licence of the Company. And it was proposed that thirtyone years, with three years’ notice, should be granted as the duration of the peculiar privileges.

It appears from this account, that the end which was proposed to be answered, by incorporating such a company, was the preservation and erection of the forts, buildings, and other fixed establishments, required for the trade in India. This was its only use, or intent; for the business of trading, resigned to private hands, was to be carried on by the individuals of the nation at large. And, if it were true, as it has been always maintained, that for the trade of India, forts and factories are requisite, of such a nature as no individual, or precarious combination of individuals, is competent to provide, this project offers peculiar claims to consideration and respect. It promised to supply that demand which has always been held forth, as peculiar to Indian trade, as the grand exigency which, distinguishing the traffic with India from all other branches of trade, rendered monopoly advantageous in that peculiar case, how much soever proved to be injurious in others. While it provided for this real or pretended want, it left the trade open
to all the advantages of private enterprise, private vigilance, private skill, and private economy; the virtues by which individuals thrive, and nations prosper: And it afforded an interest to the proposed Company in the careful discharge of its duty; as its profits were to increase in exact proportion with the increase of the trade, and of course, with the facilities and accommodation by which the trade was promoted.



As no trade was to be carried on by the Company, the source, whence dividends to the proprietors would arise, was the interest to be received from government, and the duties upon the exports and imports: And as the territorial and other duties belonging to the forts and establishments in India were deemed sufficient to defray the expense of those establishments, this source was described as competent to yield an annual return of five or six per cent. upon the capital advanced. Under absence of risk, and the low rate of interest at the time, this was deemed a sufficient inducement to subscribe. Had the pernicious example, of lending the stock of trading companies to government, been rejected, a very small capital would have sufficed to fulfil the engagements of such a company; and either the gains upon it would have been uncommonly high, or the rate of duties upon the trade might have been greatly reduced.

The friends of this proposition urged; that, as the change which had taken place in the African trade, from monopoly to freedom, was allowed to have produced great national advantages, it was not to be disputed, that a similar change in the Indian trade would be attended with benefits so much the greater, as the trade was more valuable; that it would produce a larger exportation of our own produce and manufactures to India, and create employment for a much greater number of ships and seamen; that it would greatly reduce the price of all Indian commodities to the people at home; that it would enable the nation to supply foreign

markets with Indian commodities at a cheaper rate, and, by consequence, to a larger amount; that new channels of traffic would thence be opened, in Asia and America, as well as in Europe; that a free trade to India would increase the produce of the customs and excise, and "thereby lessen the national debt;" that it would introduce a much more extensive employment of British shipping from one part of India to another, from which great profit would arise; and that it would prevent the nation from being deprived of the resources of those who, for want of permission or opportunity at home, were driven to employ their skill and capital in the Indian trade of other countries.

The attention of the nation seems to have been highly excited. Three petitions were presented to the House of Commons, from the merchants, traders, &c. of the three chief places of foreign trade in England, London, Bristol, and Liverpool, in behalf of themselves and all other his Majesty's subjects, praying, that the trade to India might be laid open to the nation at large, and that they might be heard by their counsel at the bar of the House. The press, too, yielded a variety of productions, which compared with one another the systems of monopoly and freedom, and showed, or pretended to show, the preference due to the last. Though competition might appear to reduce the gains of individuals, it would, by its exploring sagacity, its vigilance, address, and economy, even with an equal capital, undoubtedly increase the mass of business, in other words, the annual produce, that is to say, the riches and prosperity of the country: The superior economy, the superior dispatch, the superior intelligence and skill of private adventure, while they enable the dealers to traffic on cheaper terms, were found by experience to yield a profit on the capital employed, not inferior to what was yielded by monopoly; by the business, for example, of the East India Company, whose dividends exceeded not eight per cent.: Whatever was gained by the monopolizing company, in the high prices at which it was enabled to sell, or the low prices at which it was enabled to buy, was all lost by its dilatory, negligent, and wasteful management: This was not production, but the reverse; it was not enriching a nation, but preventing its being enriched.[1]



The Company manifested their usual ardour in defence of the monopoly. They magnified the importance of the trade; and asked if it was wise to risk the loss of known advantages, of the greatest magnitude, in pursuit of others which were only supposed: they alledged that it was envy which stimulated the exertions of their opponents; coveting the gains of the Company, but unable to produce any instance of misconduct, without going forty years back for the materials of their interested accusations: The Company employed an immense stock in trade, their sales amounting to about three millions yearly: The customs, about 300,000*l*. per annum, for the service of government, ought not to be sacrificed for less than a certainty of an equal supply: And the maintenance of the forts and factories cost 300,000*l*. a year. Where, they asked, was the security that an open trade, subject to all the fluctuation of individual fancy, one year liable to be great, another to be small, would afford regularly an annual revenue of 600,000*l*. for customs and forts? By the competition of so many buyers in India, and of so many sellers in Europe, the goods would be so much enhanced in price in the one place, and

so much reduced in the other, that all profit would be destroyed, and the competitors, as had happened in the case of the rival companies, would end with a scene of general ruin.

Under the increased experience of succeeding times, and the progress of the science of national wealth, the arguments of the Company's opponents have gained, those of the Company have lost, a portion of strength. To exaggerate the importance of the Indian trade; and because it is important, assume that the monopoly ought to remain, is merely to say, that when a thing is important, it ought never to be improved; in things of no moment society may be allowed to make progress; in things of magnitude that progress ought ever to be strenuously and unbendingly opposed. This argument is, unhappily, not confined to the use of the East India Company. Whoever has attentively traced the progress of government, will find that it has been employed by the enemies of improvement, at every stage; and only in so far as it has been disregarded and contemned, has the condition of man ascended above the miseries of savage life. Instead of the maxim, A thing is important, therefore it ought not to be improved; reason would doubtless suggest, that the more any thing is important, the more its improvement should be studied and pursued. When a thing is of small importance, a small inconvenience may suffice to dissuade the pursuit of its improvement. When it is of great importance, a great inconvenience alone can be allowed to produce that unhappy
effect. If it be said, that where much is enjoyed, care should be taken to avoid its loss; this is merely to say that men ought to be prudent; which is very true, but surely authorizes no such inference, as that improvement, in matters of importance, should be always opposed.

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The Company quitted the argument, to criminate the arguers: The objections to the monopoly were the impure and odious offspring of avaricious envy. But, if the monopoly, as the opponents said, was a bad thing, and free trade a good thing; from whatever motive they spoke, the good thing was to be adopted, the evil to be shunned. The question of their motives was one thing; the truth or falsehood of their positions another. When truth is spoken from a bad motive, it is no less truth; nor is it less entitled to its command over human action, than when it is spoken from the finest motive which can enter the human breast; if otherwise, an ill-designing man would enjoy the wonderful power, by recommending a good course of action, to render a bad one obligatory upon the human race.

If, as they argued, the East India Company had a large stock in trade, that was no reason why the monopoly should remain. The capital of the mercantile body of Great Britain was much greater than the capital of the East India Company, and of that capital, whatever proportion could find a more profitable employment in the Indian trade, than in any other branch of the national industry, the Indian trade would be sure to receive.

With regard to the annual expense of the forts and factories, it was asserted by the opponents of the Company; and, as far as appears, without contradiction, that they defrayed their own expense, and supported themselves.

As to the customs paid by the East India Company;
all trade paid customs, and if the Indian trade increased under the system of freedom, it would pay a greater amount of customs than it paid before; if it decreased, the capital now employed in it would seek another destination, and pay customs and taxes in the second channel as well as the first. To lay stress upon the customs paid by the Company, unless to take advantage of the gross ignorance of a minister, or of a parliment, was absurd.

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The argument, that the competition of free trade, would make the merchants buy so dear in India, and sell so cheap in England, as to ruin themselves, however depended upon, was contradicted by experience. What hindered this effect, in trading with France, in trading with Holland, or any other country? Or what hindered it in every branch of business within the kingdom itself? If the two East India Companies ruined themselves by competition, why reason from a case, which bore no analogy whatsoever to the one under contemplation; while the cases which exactly corresponded, those of free trade, and boundless competition, led to a conclusion directly the reverse? If two East India Companies ruined one another, it was only an additional proof, that they were ineligible instruments of commerce. The ruin proceeded, not from the nature of competition, but the circumstances of the competitors. Where two corporate bodies contended against one another, and the ruin of the one left the field vacant to the other, their contention might very well be ruinous; because each might hope, that, by exhausting its antagonist in a competition of loss, it would deliver itself from its only rival. Where every merchant had not one, but a multitude of competitors, the hope was clearly vain of wearing all of them out by a contest of loss. Every
merchant therefore would deal on such terms alone, as allowed him the usual, or more than the usual rate of profit; and he would find it his interest to observe an obliging, rather than an hostile deportment towards others, that they might do the same toward him. As it is this principle which produces the harmony and prosperity of trade in all other cases in which freedom prevails, it remained to be shown why it would not produce them in the Indian trade.

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The subject was introduced into parliament, and discussed. But the advocates for the freedom of the trade were there overruled, and those of monopoly triumphed.

In order to aid the parliament in coming to such a decision as the Company desired, and to counteract in some degree the impression likely to be made by the proposal of their antagonists to accept of two per cent. for the whole of the loan to government, they offered to reduce the interest from five to four per cent., and, as a premium for the renewal of their charter, to contribute a sum of 200,000*l*. to the public service. On these conditions it was enacted that the exclusive privileges should be prolonged to Lady Day in the year 1766, with the usual addition of three years' notice, and a proviso that nothing in this arrangement should be construed to limit their power of continuing a body corporate, and of trading to India on their joint stock with other of their fellow subjects, even after their exclusive privileges should expire.[1]

On the ground on which the affairs of the East India Company were now established, they remained
till the year 1744. From 1730 to that year, the trade of the Company underwent but little variation. Of goods exported, the amount indeed was considerably increased; but as in this stores were included, and as the demand for stores, by the extension of forts, and increase of military apparatus, was augmented, the greater part of the increase of exports may be justly set down to this account. The official value of the goods imported had kept rather below a million annually; sometimes indeed exceeding that sum, but commonly the reverse, and some years to a considerable amount; with little or no progressive improvement from the beginning of the period to the end. The exports had increased from 135,484*l*., the exportation of the first year, to 476,274*l*., that of the last; and they had been still greater in the preceding year. But the greater part of the increase had taken place after the prospect of wars and the necessity of military preparations; when a great addition was demanded in the article of stores.[1]

book iv.Chap. 1. 1732.

In the year 1732, the Company first began to make up annual accounts; and from that period we have regular statements of the actual purchase of their exports, and the actual sale of their imports. In the year 1732, the sales of the Company amounted to 1,940,996*l*. In 1744, they amounted to 1,997,506*l*.; and in all the intermediate years were less. The quantity of goods and stores paid for in the year 1732 amounted to 105,230*l*.; the quantity paid for in 1744, to 231,318*l*. The quantity of bullion exported in 1732 was 393,377*l*.; the quantity exported in 1744 was 458,544*l*. The quantity then of goods exported was increased, and in some degree, also, that of bullion, while the quantity of goods imported remained
nearly the same. It follows, that the additional exportation, not having been employed in the additional purchase of goods, must have been not merchandize, but stores. It is to be observed, also, that in the amount of sales, as exhibited in the Company's accounts, were included at this time the duties paid to government, stated at thirty per cent.; a deduction which brings the amount of the sales to nearly the official valuation of the imports at the custom-house.[1]

book iv.Chap. 1. 1732–44.

In 1732, the Company were obliged to reduce their dividends from eight to seven per cent. per annum; and at this rate they continued till 1744, in which year they returned to eight per cent.[2] The Dutch East India Company, from 1730 to 1736, divided twenty-five per cent. per annum upon the capital stock; in 1736, twenty per cent.; for the next three years, fifteen per cent. per annum; for the next four, twelve and a half per annum; and in 1744, as much as fifteen per cent.[3] The grand advantage of the English East India Company, in the peculiar privilege of having their trade exempted from duties in Bengal and in the other concessions obtained by their embassy to the court of the Mogul, had thus produced no improvement in the final result, the ultimate profits of the trade.

The Company seem to have been extremely anxious to avoid a renewal of the discussion on the utility or fitness of the monopoly, and, for that purpose, to forestal the excitement of the public attention by the approach to the conclusion of the privileged term. At a moment accordingly when no one was prepared

book iv.Chap. 1. 1744.

to oppose them; and in the middle of an expensive war, when the offer of any pecuniary facilities was a powerful bribe to the government, they made a proposal to lend to it the sum of one million, at an interest of three per cent. provided the period of their exclusive privileges should be prolonged to three years' notice after Lady-day 1780. On these conditions, a new act was passed in 1744; and to enable the Company to make good their loan to government, they were authorized to borrow to the extent of a million on their bonds.1

On the death of the Emperor Charles VI. in the year 1740, a violent war, kindled by competition for the imperial throne, and for a share in the spoils of the house of Austria, had begun in Germany. In this contest, France and England, the latter involved by her Hanoverian interests, had both engaged as auxiliaries; and in the end had become nearly, or rather altogether principals. From 1739, England had been at war with Spain, a war intended to annul the right, claimed and exercised by the Spaniards, of searching English ships on the coast of America for contraband goods. England and France, though contending against one another, with no ordinary efforts, in a cause ostensibly not their own, abstained from hostilities directly on their own account, till 1744; when the two governments came to mutual declarations of war. And it was not long before the most distant settlements of the two nations felt the effects of their destructive contentions.

book iv.Chap. 1. 1746.

On the 14th2 of September, 1746, a French fleet anchored four leagues to the south of Madras; and landed five or six hundred men. On the 15th the fleet moved along the coast, while the troops marched by land; and about noon it arrived within cannon-shot of the town. Labourdonnais, who commanded the expedition, then landed, with the rest of the troops. The whole force destined for the siege, consisted of 1000 or 1100. Europeans, 400 Sepoys, and 400 Caffres, or blacks of Madagascar, brought from the island of Mauritius: 1700 or 1800 men, all sorts included, remained in the ships.1

Madras had, during the space of 100 years, been the principal settlement of the English on the Coromandel coast. The territory belonging to the Company extended five miles along the shore, and was about one mile in breadth. The town consisted of three divisions. The first, denominated the white town, in which resided none but the English, or Europeans under their protection, consisted of about fifty houses, together with the warehouses and other buildings of the Company, and two churches, one an English, the other a Roman Catholic church. This division was surrounded with a slender wall, defended with four bastions, and four batteries, but weak and badly constructed, decorated with the title of Fort St. George. Contiguous to it, on the north side, was the division in which resided the Armenian, and the richest of the Indian, merchants, larger, and still worse fortified than the former. And on the northern side of this division was a space, covered by the hovels of the country, in which the mass of the natives resided. These two divisions constituted what was called the black town. The English in this colony exceeded not 300 men, of whom 200 were the soldiers of the garrison. The Indian Christians, converts or descendants

of the Portuguese, amounted to three or four thousand; the rest were Armenians, Mahomedans, or Hindus, the last in by far the largest proportion; and the whole population of the Company's territory amounted to about 250,000. With the exception of Goa and Batavia, Madras was, in point both of magnitude and riches, the most important of the European establishments in India.

The town sustained the bombardment for five days, when the inhabitants, expecting an assault, capitulated. They had endeavoured to save the place, by the offer of a ransom; but Labourdonnais coveted the glory of displaying French colours on the ramparts of fort St. George. He engaged however his honour to restore the settlement, and content himself with a moderate ransom; and on these terms he was received into the town. He had not lost so much as one man in the enterprise. Among the English four or five were killed by the explosion of the bombs, and two or three houses were destroyed. Labourdonnais protected the inhabitants, with the care of a man of virtue; but the magazines and warehouses of the Company, as public property, were taken possession of by the commissaries of the French.[1]

Labourdonnais, with the force under his command, had arrived in India in the month of June, 1746. At that time the settlements of France in the Indian seas were under two separate governments, analogous to the English Presidencies; one established at the Isle of France, the other at Pondicherry. Under the former of these governments were placed the two islands; the one called the isle of France, about sixty leagues in circumference; the other that of Bourbon,



of nearly the same dimensions. These islands, lying on the eastern side of Madagascar, between the nineteenth and twentieth degrees of latitude, were discovered by the Portuguese, and by them called Cerne, and Mascarhenas. In 1660 seven or eight Frenchmen settled on the island of Mascarhenas; five years afterwards they were joined by twentytwo of their countrymen; the remains of the French colony which was destroyed in Madagascar sought refuge in this island; and when it became an object of some importance, the French changed its name to the island of Bourbon. The island of Cerne was, at an early date, taken possession of by the Dutch, and by them denominated the island of Mauritius, in honour of their leader Maurice, Prince of Orange; but, after the formation of their establishment at the Cape of Good Hope, was abandoned as useless. The French, who were subject to great inconvenience by want of a good harbour on the island of Bourbon, took possession of it in 1720, and changed its name from the isle of Mauritius, to the isle of France. Both islands are fruitful, and produce the corn of Europe, along with most of the tropical productions. Some plants of coffee, accidentally introduced from Arabia, succeeded so well on the island of Bourbon, as to render that commodity the staple of the island.[1]

Pondicherry was the seat of the other Indian government of the French. It had under its jurisdiction the town and territory of Pondicherry; and three factories, or *Comptoirs*, one at Mahé, not far south from Tellicherry on the Malabar coast, one at Karical on one of the branches of the Coleroon on the Coromandel coast, and one at Chandernagor on

the river Hoogley in Bengal.[1]



The form of the government at both places was the same. It consisted, like the English, the form of which was borrowed from the Dutch, of a Governor, and a Council; the Governor being President of the Council, and allowed, according to the genius of the government in the mother country, to engross from the Council a greater share of power than in the colonies of the English and the Dutch. The peculiar business of the Governor and Council was, to direct, in conformity with instructions from home, all persons in the employment of the Company; to regulate the expenditure, and take care of the receipts; to administer justice, and in general to watch over the whole economy of the establishment. Each of the islands had a Council of its own; but one Governor sufficed for both.[2]

In 1745 Labourdonnais was appointed Governor of the islands. This was a remarkable man. He was born at St. Malo, in 1699; and was entered on board a ship bound for the South Sea at the age of ten. In 1713 he made a voyage to the East Indies, and the Philippine islands; and availed himself of the presence of a Jesuit, who was a passenger in the ship, to acquire a knowledge of the mathematics. After performing several voyages to other parts of the world, he entered for the first time, in 1719, into the service of the East India Company, as second lieutenant of a vessel bound to Surat. He sailed again to India, as first lieutenant in 1723; and a third time, as second captain in 1724. In every voyage he found opportunity to distinguish himself by some remarkable action; and during the last he acquired, from another passenger, an officer of engineers, a knowledge of the principles of fortification and tactics. He now resolved to remain in India, and to navigate a vessel on his own account. He is said to have been the first Frenchman who embarked in what is called the country trade; in which he conducted himself with so much skill, as to realize in a few years a considerable fortune. The force of his mind procured him an ascendancy wherever its influence was exerted: A violent quarrel was excited between some Arabian and Portuguese ships in the harbour of Mocca, and blood was about to be shed, when Labourdonnais interposed, and terminated the dispute to the satisfaction of the parties. So far did his services on this occasion recommend him to the Viceroy of Goa, that he invited him into the service of the King of Portugal, gave him the command of a King's ship, the order of Christ, the rank of Fidalgo, and the title of agent of his Portuguese Majesty on the coast of Coromandel. In this situation he remained for two years, and perfected his knowledge of the traffic and navigation of India; after which, in 1733, he returned to France. Apprized of his knowledge and capacity, the French government turned its eyes upon him, as a man well qualified to aid in raising the colonies in the eastern seas from that state of depression in which they remained. In 1734 he was nominated Governor General of the isles of France and Bourbon; where he arrived in June 1735. So little had been done for the improvement of these islands, that the people, few in number, were living nearly in the state of nature. They were poor, without industry, and without the knowledge of almost any of the useful arts. They had neither magazine, nor hospital, neither fortification, nor defensive force, military or naval. They had no roads; they had no beasts of burden, and no vehicles. Every thing remained to be done by Labourdonnais; and he was capable of

every thing. With the hand to execute, as well as the head to contrive, he could construct a ship from the keel; He performed the functions of engineer, of architect, of agriculturist: He broke bulls to the yoke, constructed vehicles, and made roads: He apprenticed blacks to the few handicrafts whom he carried out with him: He prevailed upon the inhabitants to cultivate the ground; and introduced the culture of the sugar-cane and indigo: He made industry and the useful arts to flourish; contending with the ignorance, the prejudices, and the inveterate habits of idleness, of those with whom he had to deal, and who opposed him at every step. To introduce any degree of order and vigilance into the management even of the hospital which he constructed for the sick, it was necessary for him to perform the office of superintendant himself, and for a whole twelvemonth he visited it regularly every morning. Justice had been administered by the Councils, to whom that function regularly belonged, in a manner which produced great dissatisfaction. During eleven years that Labourdonnais was Governor, there was but one law-suit in the isle of France, he himself having terminated all differences by arbitration.

The vast improvements which he effected in the islands did not secure him from the disapprobation of his employers. The captains of ships, and other visitants of the islands, whom he checked in their unreasonable demands, and from whom he exacted the discharge of their duties, filled the ears of the Company's Directors with complaints; and the Directors, with too little knowledge for accurate judgment, and too little interest for careful inquiry, inferred culpability, because there was accusation. He returned to France in 1740, disgusted with his treatment; and fully determined to resign the government: But the minister refused his consent. It is said that being asked by one of the Directors of the Company, how it was, that he had conducted his own affairs so prosperously, those of the Company so much the reverse; he replied that he had conducted his own affairs according to his own judgement: those of the Company according to that of the Directors.[1]



Perceiving, by the state of affairs in Europe, that a rupture was approaching between France and the maritime powers, his fertile mind conceived a project for striking a fatal blow at the English trade in the East. Imparting the design to some of his friends, he perceived that he should be aided with funds sufficient to equip, as ships of war, six vessels and two frigates; with which, being on the spot when war should be declared, he could sweep the seas of the English commerce, before a fleet could arrive for its protection. He communicated the scheme to the ministry, by whom it was embraced, but moulded into a different form. They proposed to send out a fleet, composed partly of the King's and partly of the Company's ships, with Labourdonnais in the command: And though he foresaw opposition from the Company, to whom neither he nor the scheme was agreeable, he refused not to lend himself to the ministerial scheme. He sailed from L'Orient on the 5th of April, 1741, with five ships of the Company: one carrying fifty-six; two carrying fifty; one, twentyeight; and one, sixteen guns; having on board about 1,200 sailors, and 500 soldiers. Two King's ships had been intended to make part of his squadron; but they, to his great disappointment, received another destination. He also found that, of the ship's crews, three-fourths had never before been at sea; and that of either soldiers or sailors hardly

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one had ever fired a cannon or a musket. His mind was formed to contend with, rather than yield to difficulties: and he began immediately to exercise his men with all his industry; or rather with as much industry as their love of ease, and the opposition it engendered, rendered practicable. He arrived at the Isle of France on the 14th of August, 1741; where he learned, that Pondicherry was menaced by the Mahrattas, and that the islands of France and Bourbon had sent their garrisons to its assistance. After a few necessary operations to put the islands in security, he sailed for Pondicherry on the 22d of August, where he arrived on the 30th of September. The danger there was blown over; but the settlement at Mahé had been eight months blockaded by the natives. He repaired to the place of danger; chastised the enemy; re-established the factory; and then returned to the islands to wait for the declaration of war between France and England. There he soon received the mortifying orders of the Company to send home all the vessels under his command. Upon this he again requested leave to resign, and again the minister refused his consent. His views were now confined to his islands, and he betook himself with his pristine ardour to their improvement. On the 14th of September, 1744, in the midst of these occupations, the intelligence arrived of the declaration of war between France and England; and filled his mind with the mortifying conception of the important things he now might have achieved, but which the mistaken policy or perversity of his employers had prevented.



Unable to do what he wished, he still resolved to do what he could. He retained whatever ships had arrived at the islands, namely, one of forty-four guns, one of forty, one of thirty, one of twenty-six, one of eighteen, and another of twenty-six, which was sent to him from Pondicherry with the most pressing solicitations to hasten to its protection. The islands, at which unusual scarcity prevailed, were destitute of almost every requisite for the equipment of the ships; and their captains, chagrined at the interruption of their voyages, seconded the efforts of the Governor with all the ill-will it was safe for them to show. He was obliged to make even a requisition of negrees to man the fleet. In want of hands trained to the different operations of the building and equipping of ships, he employed the various handicrafts whom he was able to muster; and by skilfully assigning to them such parts of the business as were most analogous to the operations of their respective trades, by furnishing them with models which he prepared himself, by giving the most precise directions, and with infinite diligence superintending every operation in person, he overcame in some measure the difficulties with which he was surrounded. In the mean time intelligence was brought by a frigate, that five of the Company's ships which he was required to protect, and which he was authorized by the King to command, would arrive at the islands in October. They did not arrive till January, 1746. The delay had consumed a great part of the provisions of the former ships: those which arrived had remaining for themselves a supply of only four months; they were in bad order: and there was no time, nor materials, nor hands to repair them. Only one was armed. It was necessary they should all be armed; and the means for that purpose were totally wanting. The ships' crews, incorporated with the negroes and the handicrafts, Labourdonnais formed into companies; he taught them the manual exercise, and military movements; showed them how to scale a wall, and apply petards; exercised them in firing at a mark; and employed the most dexterous among them in preparing

themselves to use a machine, which he had invented, for throwing with mortars grappling-hooks for boarding to the distance of thirty toises.[1]

He forwarded the ships, as fast as they were prepared, to Madagascar, where they might add to their stock of provisions, or at any rate save the stock which was already on board; and he followed with the last on the 24th of March. Before sailing from Madagascar, a storm arose by which the ships were driven from their anchorage. One was lost; and the rest, greatly damaged, collected themselves in the bay of a desert island on the coast of Madagascar. Here the operations of repairing were to be renewed; and in still more unfavourable circumstances. To get the wood they required, a road was made across a marsh, a league in circumference; the rains were incessant; disease broke out among the people; and many of the officers showed a bad disposition; yet the work was prosecuted with so much efficiency, that in forty-eight days the fleet was ready for sea.



It now consisted of nine sail, containing 3,342 men, among whom were 720 blacks, and from three to four hundred sick.

In passing the island of Ceylon, they received intelligence that the English fleet was at hand. Labourdonnais summoned his captains on board, many of whom had shown themselves ill-disposed in the operations of industry; but all of whom manifested an eagerness to fight. As Labourdonnais understood that he was superior to the English in number of men, but greatly inferior in weight of metal, he declared his intention to gain, if possible, the wind, and to board. On the 6th of July, on the coast of Coromandel, the English fleet appeared to windward, advancing with full sail toward the French.[1]

Immediately after the declaration of war between France and England, a fleet, consisting of two ships of sixty guns each, one of fifty, and a frigate of twenty, commanded by Commodore Barnet, had been dispatched to India. It cruized, at first, in two divisions; one in the straits of Sunda, the other in the straits of Malacca, the places best fitted for intercepting the French traders, of which it captured four. After rendezvousing at Batavia, the united fleet appeared on the coast of Coromandel, in the month of July, 1745. The Governor of Pondicherry, the garrison of which at that time consisted of only 436 Europeans, prevailed on the Mogul Governor of the province, to declare Pondicherry under his protection, and to threaten Madras, if the English fleet should commit hostilities on any part of his dominions. This intimidated the government of Madras, and they requested Commodore Barnet to confine his operations to the sea; who accordingly left the coast of Coromandel, to avoid the stormy season, which he passed at Mergui, a port on the opposite coast; and returned in the beginning of 1746. His fleet was now reinforced by two fifty gun ships, and a frigate of twenty guns from England; but one of the sixty gun ships had become unfit for service, and, together with the twenty gun frigate, went back to England. Commodore Barnet died at Fort St. David in the month of April; and was succeeded by Mr. Peyton, the second in command; who was cruizing to the southward of Fort St. David, near Negapatnam, when he descried the enemy just arriving on the coast.[1]

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Labourdonnais formed his line, and waited for the English, who kept the advantage of the wind, and frustrated his design of boarding. A distant fight began about four in the afternoon, and the fleets separated for want of light about seven. Next morning Mr. Peyton called a council of war, and it was resolved, because the sixty gun ship was leaky, to sail for Trincomalee. The enemy lay to, the whole day, expecting that the English, who had the wind, would return to the engagement. The French, however, were in no condition to pursue, and sailed for Pondicherry, at which they arrived on the eighth day of the month.2

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Joseph Francis Dupleix was at that time Governor of Pondicherry; having succeeded to the supreme command of the French settlements in 1742. To this man are to be traced some of the most important of the modern revolutions in India. His father was a farmer-general of the revenues, and a Director of the East India Company. He had set his heart upon rearing his son to a life of commerce; and his education, which was liberal, was carefully directed to that end. As the study of mathematics, of fortification, and engineering, seemed to engross his attention too exclusively,1 his father in 1715 sent him to sea; and he made several voyages to the Indies and America. He soon imbibed the taste of his occupation, and, desiring to pursue the line of maritime commerce, his father recommended him to the East India Company, and had sufficient interest to send him out in 1720 as first Member of the Council at Pondicherry. Impatient for distinction, the young man devoted himself to the business of his office; and became in time minutely acquainted with the commerce of the country. He embarked in it, on his own account; a species of adventure from which the poverty of the servants of the French Company had in general debarred them. In this station he continued for ten years, when his knowledge and talents pointed him out as the fittest person to superintend the business of the Company at their settlement at Chandernagor in Bengal. Though Bengal was the richest part of India, the French factory in that province had, from want of funds and from bad management, remained in a low condition. The colony was still to be formed; and the activity and resources of the new manager soon produced the most favourable changes. The colonists multiplied; enterprise succeeded to languor; Dupleix on his own account entered with ardour into the country trade, in which he employed the inheritance he derived from his father, and had frequently not less than twelve vessels, belonging to himself and his partners, navigating to Surat, Mocca, Jedda, the Manillas, the Maldivias, Goa, Bussora, and the coast of Malabar. He realized a great fortune: During his administration more than 2,000 brick houses were built at Chandernagor: He formed a new establishment for the French Company at Patna; and rendered the French commerce in Bengal an object of envy to the most commercial of the European colonies.

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The reputation which he acquired in this situation pointed him out as the fittest person to occupy the station of Governor at Pondicherry. Upon his appointment to this chief command, he found the Company in debt; and he was pressed by instructions from home, to effect immediately a great reduction of expense.

The reduction of expense, in India, raising up a host of enemies, is an arduous and a dangerous task to a European Governor. Dupleix was informed that war was

impending between France and the maritime powers. Pondicherry was entirely open to the sea, and very imperfectly fortified even toward the land. He proceeded, with his usual industry, to inquire, to plan, and to execute. Though expressly forbidden, under the present circumstances of the Company, to incur any expense for fortifications, he, on the prospect of a war with the maritime powers, made the works at Pondicherry a primary object. He had been struggling with the difficulties of narrow resources, and the strong temptation of extended views, about four years, when Labourdonnais arrived in the roads.[1]

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The mind of Dupleix, though ambitious, active, and ingenious, seems to have possessed but little elevation. His vanity was excessive, and even effeminate; and he was not exempt from the infirmities of jealousy and revenge. In the enterprizes in which the fleet was destined to be employed, Labourdonnais was to reap the glory; and from the very first he had reason to complain of the air of haughtiness and reserve which his rival assumed. As the English traders were warned out of the seas, and nothing was to be gained by cruizing, Labourdonnais directed his thoughts to Madras. The danger however was great, so long as his ships were liable to be attacked, with the greater part of their crews on shore. He, therefore, demanded sixty pieces of cannon from Dupleix, to place him on a level in point of metal with the English fleet, and resolved to proceed in quest of it. Dupleix alleged the danger of leaving Pondicherry deprived of its guns, and refused. With a very inferior reinforcement of guns,[2] with a very inadequate supply of ammunition, and with water given him at Pondicherry, so bad, as to produce the dysentery in his fleet, Labourdonnais put to sea on the 4th of August. On the 17th he descried the English fleet off Negapatnam, and hoisted Dutch colours as a decoy. The English understood the stratagem; changed their course; and fled. Labourdonnais says he pursued them all that day and the next; when, having the wind, they escaped.[1] He returned to Pondicherry on the 23d, much enfeebled by disease, and found all hearty co-operation on the part of the governor and council still more hopeless than before. After a series of unfriendly proceedings, under which he had behaved with a manly temperance; after Dupleix had even commanded him to re-land the Pondicherry troops, he resolved to send the fleet, which he was still too much indisposed to command, towards Madras, for the double purpose, of seizing the vessels by which the people of Madras were preparing to send away the most valuable of their effects, and of ascertaining whether his motions were watched by the English fleet. The cruise was unskilfully conducted, and yielded little in the way of prize; it afforded presumption, however, that the English fleet had abandoned the coast. Labourdonnais saw, therefore, a chance of executing his plan upon Madras. He left Pondicherry on the 12th of September, and on the 14th commenced the operations, which ended, as we have seen, in the surrender of the place.

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It was in consequence of an express article in his orders from home that Labourdonnais agreed to the restoration of Madras.[2] But nothing could be more adverse to the views of Duplex. He advised, he intreated, he menaced, he protested; Labourdonnais, however, proceeded with firmness to fulfil the conditions into which he had entered. Dupleix not only refused all assistance to

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expedite the removal of the goods, and enable the ships to leave Madras before the storms which accompany the change of monsoon; he raised up every obstruction in his power, and even endeavoured to excite sedition among Labourdonnais' own people, that they might seize and send him to Pondicherry. On the night of the 13th of October a storm arose, which forced the ships out to sea. Two were lost, and only fourteen of the crew of one of them were saved. Another was carried so far to the southward, that she was unable to regain the coast; all lost their masts, and sustained great and formidable injury. Disregarding the most urgent entreaties for assistance, Dupleix maintained his opposition. At last, a suggestion was made, that the articles of the treaty of ransom should be so far altered, as to afford time to the French, for removal of the goods; and Labourdonnais and the English, though with some reluctance, agreed, that the period of evacuation should be changed from the 15th of October to the 15th of January. This was all that Dupleix desired. Upon the departure of Labourdonnais, which the state of the season rendered indispensable, the place would be delivered into the hands of Dupleix, and he was not to be embarrassed with the fetters of a treaty.1

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The remaining history of Labourdonnais may be shortly adduced. Upon his return to Pondicherry, the opposition, which he had formerly experienced, was changed into open hostility. All his proposals for a union of counsels and of resources were rejected with scorn. Three fresh ships had arrived from the islands; and, notwithstanding the loss occasioned by the storm, the force of the French was still sufficient to endanger, if not to destroy, the whole of the English settlements in India.1 Convinced, by the counteraction which he experienced, that he possessed not the means of carrying his designs into execution, Labourdonnais acceded to the proposition of Dupleix that he should proceed to Acheen with such of the ships as were able to keep the sea, and return to Pondicherry after they were repaired; resigning five of them to Dupleix to carry next year's investment to Europe. At its departure, the squadron consisted of seven ships, of which four were in tolerable repair; the rest were in such a condition that it was doubted whether they could reach Acheen; if this was impracticable, they were to sail for the islands. In conformity with this plan, Labourdonnais divided them into two parts. The first, consisting of the sound vessels, was directed to make its way to Acheen, without waiting for the rest: he himself remained with the second, with intention to follow, if that were in his power. The first division outsailed, and soon lost sight of the other; with which Labourdonnais, finding it in vain to strive for Acheen, at last directed his course to the islands. Hastening to Europe, to make his defence, or answer the accusations of his enemies, he took his passage in a ship belonging to Holland. In consequence of the declaration of war she was forced into an English harbour. Labourdonnais was recognized, and made a prisoner; but the conduct which he had displayed at Madras was known and remembered. All ranks received him with favour and distinction. That he might not be detained, a Director of the East India Company offered to become security for him with his person and property. With a corresponding liberality, the government declined the offer, desiring no security but the word of Labourdonnais. His treatment in France was different. The representations of Dupleix had arrived: A brother of Dupleix was a Director of the

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East India Company; Dupleix had only violated a solemn treaty; Labourdonnais had only faithfully and gloriously served his country; and he was thrown into the Bastile. He remained in that prison three years; while the vindication which he published, and the authentic documents by which he supported it, fully established his innocence, and the ardour and ability of his services. He survived his liberation a short time, a memorable example of the manner in which a blind government encourages desert.[1]

He had not taken his departure from Madras, when the troops of the Nabob appeared. Dupleix had been able to dissuade that native ruler from yielding his protection to Madras, a service which the English, who had prevailed on Commodore Barnet to abstain from molesting Pondicherry, claimed as their due. Dupleix had gained him by the promise of Madras. The Moor (so at that time the Moslems in India were generally called) quickly however perceived, that the promise was a delusion; and he now proposed to take vengeance by driving the French from the place. As soon as Labourdonnais and his fleet disappeared, a numerous army of the Nabob, led by his son, invested Madras. From the disaster however which had befallen the fleet, Labourdonnais had been under the necessity of leaving behind him about 1200 Europeans, disciplined by himself; the French, therefore, encountered the Indians; astonished them beyond measure, by the rapidity of their artillery; with a numerical force which bore no proportion to the enemy, gained over them a decisive victory; and first broke the spell which held the Europenas in subjection to the native powers.[1]



The masters of mankind, how little soever disposed to share better things with the people, are abundantly willing to give them a share of their disgrace. Though, on other occasions, they may affect a merit in despising the public will, they diligently put on the appearance of being constrained by it in any dishonourable action which they have a mind to perform. In violating the treaty with the English, Dupleix recognized his own baseness; means were therefore used to make the French inhabitants of Pondicherry assemble and draw up a remonstrance against it, and a prayer that it might be annulled. Moved by respect for the general voice of his countrymen, Dupleix sent his orders to declare the treaty of ransom annulled; to take the keys of all magazines; and to seize every article of property, except the clothes of the wearers, the moveables of their houses, and the jewels of the women; orders which were executed with avaricious exactness. The governor and principal inhabitants were carried prisoners to Pondicherry, and exhibited, by Dupleix, in a species of triumph.[1]



The English still possessed the settlement of Fort St. David, on the coast of Coromandel. It was situated twelve miles south from Pondicherry; with a territory still larger than that of Madras. Besides Fort St. David, at which were placed the houses of the Company, and other Europeans, it contained the town of Cuddalore, inhabited by the Indian merchants, and other natives; and two or three populous villages. The fort was small; but stronger than any of its size in India. Cuddalore was surrounded, on the three sides towards the land, by walls flanked with bastions. On the side towards the sea, it was open, but skirted by a river, which was

separated from the sea by a mound of sand. A part of the inhabitants of Madras had, after the violation of the treaty of ransom, made their way to Fort St. David; and the agents of the Company at that place now took upon themselves the functions of the Presidency of Madras, and the general administration of the English affairs on the Coromandel coast.1

Dupleix lost no time in following up the retention of Madras with an enterprise against Fort St. David, the reduction of which would have left him without a European rival. In the night of the 19th of December, a force consisting of 1700 men, mostly Europeans, of which fifty were cavalry, with two companies of the Caffre slaves trained by Labourdonnais, set out from Pondicherry, and arrived next morning in the vicinity of the English fort. The garrison, including the men who had escaped from Madras, amounted to no more than about 200 Europeans, and 100 Topasses. At this time the English had not yet learned to train Sepoys in the European discipline, though the French had already set them the example, and had four or five disciplined companies at Pondicherry.2 They had hired, however, 2000 of the undisciplined soldiers of the country, who are armed promiscuously with swords and targets, bows and arrows, pikes, lances, matchlocks or muskets, and known among the Europeans by the
name of Peons; among these men they had distributed eight or nine hundred muskets, and destined them for the defence of Cuddalore. They had also applied for assistance to the Nabob; and he, exasperated against the French, by his defeat at Madras, engaged, upon the promise of the English to defray part of the expense, to send his army to assist Fort St. David. The French, having gained an advantageous post, and laid down their arms for a little rest, were exulting in the prospect of an easy prey, when an army of nearly 10,000 men advanced in sight. Not attempting resistance, the French made good their retreat, with twelve Europeans killed and 120 wounded. Dupleix immediately entered into a correspondence with the Moors to detach them from the English; and, at the same time, meditated the capture of Cuddalore by surprise. On the night of the 10th of January, 500 men were embarked in boats, with orders to enter the river and attack the open quarter of the town at daybreak. But, as the wind rose, and the surf was high, they were compelled to return.1



Dupleix was fertile in expedients, and indefatigable in their application. He sent a detachment from Madras into the Nabob's territory, in hopes to withdraw him to its defence. The French troops disgraced themselves by the barbarity of their ravages; but the Indian army remained at Fort St. David, and the resentment of the Nabob was increased. On the 20th of January, the four ships of Labourdonnais' squadron, which had sailed to Acheen to refit, arrived in the road of Pondicherry. Dupleix conveyed to the Nabob an exaggerated account of the vast accession of force which he had received; describing the English as a contemptible handful of men, devoted to destruction.
"The governments of Indostan," says Mr. Orme on this occasion, "have no idea of national honour in the conduct of their politics; and as soon as they think the party with whom they are engaged is reduced to great distress, they shift, without hesitation, their alliance to the opposite side, making immediate advantage the only rule of their action." A peace was

accordingly concluded; the Nabob's troops abandoned the English; his son, who commanded the army, paid a visit to Pondicherry; was received, by Dupleix, with that display in which he delighted; and was gratified by a considerable present.1

Blocked up, as it would have been, from receiving supplies, by the British ships at sea, and by the Nabob's army on land, Pondicherry, but for this treaty, would soon have been reduced to extremity.2 And now the favourable opportunity for accomplishing the destruction of Fort St. David was eagerly seized. On the morning of the 13th of March, a French army was seen approaching the town. After some resistance, it had crossed the river, which flows a little way north from the fort, and had taken possession of its former advantageous position; when an English fleet was seen approaching the road. The French crossed the river with precipitation, and returned to Pondicherry.3

The fleet under Captain Peyton, after it was lost sight of by Labourdonnais, on the 18th of August, off Negapatnam, had tantalized the inhabitants of Madras, who looked to it with eagerness for protection, by appearing off Pullicat, about thirty miles to the northward on the 3d of September, and again sailing away. Peyton proceeded to Bengal: because the sixty gun ship was in such a condition as to be supposed incapable of bearing the shock of her own guns. The fleet was there reinforced by two ships, one of sixty and one of forty guns, sent from England with Admiral Griffin; who assumed the command, and proceeded with expedition to save Fort St. David, and menace Pondicherry. The garrison was reinforced by the arrival of 100 Europeans, 200 Topasses, and 100 Sepoys, from Bombay, beside 400 Sepoys from Tellichery: In the course of the year 150 soldiers were landed from the Company's ships from England: And, in the month of January, 1748, Major Laurence arrived, with a commission to command the whole of the Company's forces in India.1

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The four ships which had arrived at Pondicherry from Acheen, and which Dupleix foresaw would be in imminent danger, when the English fleet should return to the coast, he had, as soon as he felt assured of concluding peace with the Nabob, ordered from Pondicherry to Goa. From Goa they proceeded to Mauritius, where they were joined by three other ships from France. About the middle of June, this fleet was descried off Fort St. David, making sail, as if it intended to bear down upon the English. Admiral Griffin waited for the land wind, and put to sea at night, expecting to find the enemy in the morning. But the French admiral, as soon as it was dark, crowded sail, and proceeded directly to Madras, where he landed 300 soldiers, and 200,000*l*. in silver, the object of his voyage; and then returned to Mauritius. Admiral Griffin sought for him in vain. But Dupleix, knowing that several days would be necessary to bring the English ships back to Fort St. David, against the monsoon, contrived another attack upon Cuddalore. Major Laurence, by a well executed feint, allowed the enemy at midnight to approach the very walls, and even to apply the scaling ladders, under an idea that the garrison was withdrawn, when a sudden discharge of artillery and musketry struck them with dismay, and threw them into precipitate retreat.1

book iv.Chap. 1. 1748.

The government of England, moved by the disasters of the nation in India, and jealous of the ascendancy assumed by the French, had now prepared a formidable armament for the East. Nine ships of the public navy, one of seventy-four, one of sixty-four, two of sixty, two of fifty, one of twenty guns, a sloop of fourteen, a bomb ketch with her tender, and a hospital-ship, commanded by Admiral Boscawen; and eleven ships of the Company, carrying stores and troops to the amount of 1,400 men, set sail from England toward the end of the year 1747. They had instructions to capture the island of Mauritius in their way; as a place of great importance to the enterprises of the French in India. But the leaders of the expedition, after examining the coast, and observing the means of defence, were deterred, by the loss of time which the enterprise would occasion. On the 9th of August they arrived at Fort St. David, when the squadron, joined to that under Griffin, formed the largest European force that any one power had yet possessed in India.2

Dupleix, who had received early intelligence from France of the preparations for this armament, had
been the more eager to obtain an interval of friendship with the Nabob, and to improve it to the utmost for laying in provisions and stores at Pondicherry and Madras; knowing well, as soon as the superior force of the English should appear, that the Nabob would change sides, and the French settlements, both by sea and land, would again be cut off from supplies.1



Preparations at Fort St. David had been made, to expedite the operations of Boscawen, and he was in a very short time ready for action; when all Englishmen exulted in the hope of seeing the loss of Madras revenged by the destruction of Pondicherry. Amid other points of preparation for attaining this desirable object, there was one, to wit, knowledge, which they had, unfortunately, overlooked. At a place called Ariancopang, about two miles to the southwest of Pondicherry, the French had built a small fort. When the English arrived at this place, not a man was found who could give a description of it. They resolved, however, to take it by assault; but were repulsed, and the repulse dejected the men. Time was precious; for the season of the rains, and the change of monsoon, were at hand: A small detachment, too, left at the fort, might have held the feeble garrison in check: But it was resolved to take Ariancopang at any expense: Batteries were opened; but the enemy defended themselves with spirit: Major Laurence was taken prisoner in the trenches: Several days were consumed, and more would have been added to them, had not a part of the enemy's magazine of powder taken fire, which so terrified the garrison, that they blew up the walls and retreated to Pondicherry. As if sufficient time had not been lost, the English remained five days longer to repair the
fort, in which they resolved to leave a garrison, lest the enemy should resume possession during the siege.



They advanced to Pondicherry, and opened the trenches on the northwest side of the town, at the distance of 1,500 yards from the wall, though it was even then customary to open them within 800 yards of the covered way. The cannon and mortars in the ships were found capable of little execution; and, from want of experience, the approaches, with much labour, went slowly on. At last they were carried within 800

yards of the wall; when it was found impossible to extend them any further, on account of a large morass; while, on the northern side of the town, they might have been carried to the foot of the glacis. Batteries, at the distance of 800 yards, were constructed on the edge of the morass; but the enemy's fire proved double that of the besiegers; the rains came on; sickness prevailed in the camp; very little impression had been made on the defences of the town; a short time would make the roads impracticable; and hurricanes were apprehended, which would drive the ships from the coast. It was therefore determined, by a council of war, thirty-one days after the opening of the trenches, that the siege should be raised. Dupleix, as corresponded with the character of the man, made a great ostentation and parade on this unexpected event. He represented himself as having gained one of the most brilliant victories on record; he wrote letters in this strain, not only to France, but to the Indian princes, and even to the Great Mogul himself; he received in return the highest compliments on his own conduct and bravery, as well as on the prowess of his nation; and the English were regarded in India as only a secondary and inferior people.[1]



In November news arrived that a suspension of arms had taken place between England and France: and this was shortly after followed by intelligence of the treaty of Aix la Chapelle, in which the French government had agreed to restore Madras. It was delivered up in August, with its fortifications much improved. At the distance of four miles south from Madras was the town of San Tomé, or St. Thomas, built by the Portuguese, and, in the time of their prosperity, a place of note. It had long however been reduced to obscurity, and though inhabited mostly by Christians, had hardly been regarded as a possession by any of the European powers. It had been found that the Roman Catholic priests, from the sympathy of religion, had conveyed useful information to the French in their designs upon Madras. To prevent the like inconvenience in future, it was now taken possession of by the English, and the obnoxious part of the inhabitants ordered to withdraw.[2]

No events of any importance had occurred at the other presidencies, during these years of war. The Viceroy of Bengal had prohibited the French and English from prosecuting their hostilities in his dominions. This governor exacted contributions from the European colonies, for the protection which he bestowed; that however which he imposed upon the English did not exceed 100,000*l*. A quantity of raw silk, amounting to 300 bales, belonging to the Company, was plundered by the Mahrattas; and the distress which the incursions of that people produced in the province, increased the difficulties of traffic.[1]



The trade of the Company exhibited the following results:—

| | Goods and Stores exported. | Bullion ditto. | Total. |
|---|---|---|---|
| 1744.. | £231,318.. | £458,544.. | £689,862 |
| 1745.. | 91,364.. | 476,853.. | 568,217 |
| 1746.. | 265,818.. | 560,020.. | 825,838 |
| 1747.. | 107,979.. | 779,256.. | 887,235 |
| 1748.. | 127,224.. | 706,890.. | 834,114 |

The bills of exchange for which the Company paid during those years were:

| | | | |
|---|---|---|---|
| 1744.. | £103,349 | 1747.. | £441,651 |
| 1745.. | 98,213 | 1748.. | 178,419 |
| 1746.. | 417,647 | | |

The amount of sales for the same years (including thirty per cent. of duties, which remained to be deducted) was:

| | | | |
|---|---|---|---|
| 1744.. | £1,997,506 | 1747.. | £1,739,159 |
| 1745.. | 2,480,966 | 1748.. | 1,768,041[2] |
| 1746… | 1,602,388 | | |

[2] Third Report from the Committee of Secrecy, 1773, p. 75.

The official value at the custom-house of the imports and exports of the Company, during that period, was as follows:

| | Imports. | Exports. |
|---|---|---|
| 1744.... | £743,508.... | £476,274 |
| 1745.... | 973,705.... | 293,113 |

| | Imports. | Exports. |
|---|---|---|
| 1746.... | £646,697.... | 893,540 |
| 1747.... | 821,733.... | 345,526 |
| 1748.... | 1,098,712.... | 306,357[1] |

[1] Sir C. Whitworth's tables, part ii. p. 9.



The dividend was eight per cent. per annum, during the whole of the time.[2]

During the same period, the trade of the nation, notwithstanding the war, had considerably increased. The imports had risen from 6,362,971*l*. official value, to 8,136,408*l*.; and the exports from 11,429,628*l*. to 12,351,433*l*.; and, in the two following years, to 14,099,366*l*. and 15,132,004*l*.[3]

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# CHAP. II.

Origin, Progress, and Suspension, of the Contest for establishing Mahomed Ali, Nabob of Carnatic.

A new scene is now to open in the history of the East India Company. Before this period they had maintained the character of mere traders, and, by humility and submission, endeavoured to preserve a footing in that distant country, under the protection or oppression of the native powers. We shall now behold them entering the lists of war; and mixing with eagerness in the contests of the princes. Dupleix, whose views were larger than, at that time, those of any of the servants of the Company, had already planned, in his imagination, an empire for the French, and had entered pretty deeply into the intrigues of the country powers. The English were the first to draw the sword; and from no higher inducement than the promise of a trifling settlement on the Coromandel coast.

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A prince who, amid the revolutions of that country, had, some years before, possessed and lost the throne of Tanjore, repaired to Fort St. David, and entreated the assistance of the English. He represented his countrymen as ready to co-operate for his restoration; and promised the fort and country of Devi-Cotah, with the payment of all expenses, if, with their assistance, he should recover his rights. The war between the French and English had brought to the settlements of both nations in that quarter of India, a greater quantity of troops than was necessary for their defence; and with the masters of troops it seems to be a law of nature, whenever they possess them in greater abundance than is necessary for defence, to employ them for the disturbance of others. The French and English rulers in India showed themselves extremely obedient to that law. The interests of the Tanjore fugitive were embraced at Fort St. David; and in the beginning of April, 1749, 430 Europeans and 1,000 Sepoys, with four field-pieces and four small mortars, marched with him for Tanjore.

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Tanjore was one of those rajahships, or small kingdoms, into which the Mohamedans, at their first invasion of India, found the country in general divided. It occupied little more than the space enclosed and intersected by the numerous mouths of the river Cavery. The Coleroon, or most northern branch of that river, bounded it on the north, and it extended about seventy miles along the coast, and nearly as much inland from the sea. Like the rest of the neighbouring country, it appears to have become dependent upon the more powerful rajahship of Beejanuggur, before the establishment of the Mohamedan kingdoms in Deccan; and afterwards upon the kingdom of Beejapore, but subject still to its own laws and its own sovereign or rajah, who held it in the character of a Zemindar. In the time of Aurungzebe, it has been already seen, that a very remarkable personage, the father of Sevagee, who had obtained a footing in the Carnatic, had entered into a confederacy with the Rajah or Polygar of Mudkul or Madura, against the Rajah or Zemindar or Naig (for we find all

these titles applied to him) of Tanjore, whom they defeated and slew; that afterwards quarrelling with the Rajah of Mudkul, about the division of the conquered territory, the Mahratta stripped him of his dominions, took possession both of Mudkul and Tanjore, and transmitted them to his posterity.[1] His grandson Shawgee was attacked and taken prisoner by Zulfeccar Khan, who, to strengthen his party, restored him to his government or zemindary, upon the death of Aurungzebe. Shawgee had two brothers, Shurfagee and Tuckogee. They succeeded one another in the government, and all died without issue, excepting the last. Tuckogee had three sons Baba Saib, Nana, and Sahugee. Baba Saib succeeded his father, and died without issue. Nana died before him, but left an infant son, and his widow was raised to the government, by the influence of Seid the commander of the fort. This powerful servant soon deprived the Queen of all authority, threw her into prison, and set up as rajah a pretended son of Shurfagee. It suited the views of Seid to allow a very short existence to this prince and his power. He next placed Sahugee, the youngest of the sons of Tuckogee, in the seat of government. Sahugee also was soon driven from the throne. Seid now vested with the name of sovereign Pretaupa Sing, a son by one of the inferior wives of Tuckogee. This was in 1741. The first act of Pretaupa Sing's government was to assassinate Seid. It was Sahugee who now craved the assistance of the English.[2] And it was after having corresponded for years with Pretaupa Sing, as King of Tanjore; after having offered to him the friendship of the English nation; and after having courted his assistance against the French; that the English rulers now, without so much as a pretence of any provocation, and without the allegation of any other motive than the advantage of possessing Devi-Cotah, dispatched an army to dethrone him.[1]



The troops proceeded by land, while the battering-cannon and provisions were conveyed by sea. They had begun to proceed when the monsoon changed, with a violent hurricane. The army, having crossed the river Coleroon, without opposition, were on the point of turning into a road among the woods which they would have found inextricable. Some of the soldiers, however, discovered a passage along the river, into which they turned by blind but lucky chance; and this led them, after a march of about ten miles, to the neighbourhood of Devi-Cotah. They had been annoyed by the Tanjorines; no partisans appeared for Sahugee; it indeed appears not that so much as a notice had been conveyed to them of what was designed; and no intelligence could be procured of the ships, though they were at anchor only four miles off at the mouth of the river. The army threw at the fort what shells they had, and then retreated without delay.

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The shame of a defeat was difficult to bear; and the rulers of Madras resolved upon a second attempt. They exaggerated the value of Devi-Cotah; situated in the most fertile spot on the coast of Coromandel; and standing on the river Coleroon, the channel of which, within the bar, was capable of receiving ships of the largest burden, while there was not a port from Masulipatam to Cape Comorin, which could receive one of 300 tons: it was true the mouth of the river was obstructed by sand; but if that could be removed, the possession would be invaluable. This time, the expedition, again commanded by Major Laurence, proceeded wholly by sea; and from the mouth of the

river the troops and stores were conveyed up to Devi-Cotah in boats. The army was landed on the side of the river opposite to the fort, where it was proposed to erect the batteries, because the ground on the same side of the river with the fort, was marshy, covered with wood, and surrounded by the Tanjore army. After three days' firing a breach was made; but no advantage could be taken of it till the river was crossed. This was dangerous, as well from the breadth and rapidity of the stream, as from the number of soldiers in the thickets which covered the opposite shore. To the ingenuity of a common ship's carpenter, the army was indebted for the invention by which the danger was overcome. A raft was constructed sufficient to contain 400 men; but the difficulty was to move it across. John Moore, the man who suggested and constructed the raft, was again ready with his aid. He swam the river in the night; fastened to a tree on the opposite side a rope which he carefully concealed in the bushes and water; and returned without being perceived. Before the raft began to move, some pieces of artillery were made to fire briskly upon the spot where the rope was attached; and moved the Tanjorines to a distance too great to perceive it. The raft was moved across; it returned, and recrossed several times, till the whole of the troops were landed on the opposite bank. Major Laurence resolved to storm the breach without delay. Lieutenant Clive, who had given proofs of his ardent courage at the siege of Pondicherry, offered to lead the attack. He proceeded with a platoon of Europeans and 700 Sepoys; but rashly allowing himself, at the head of the platoon, to be separated from the Sepoys, he narrowly escaped with his life; and the platoon was almost wholly destroyed. Major Laurence advanced with the whole of his force, when the soldiers mounted the breach, and after a feeble resistance took possession of the place. An accommodation between the contending parties was effected soon after. The reigning king agreed to concede to the English the fort for which they contended, with a territory of the annual value of 9000 pagodas; and they, on their part. not only renounced the support of him for whom they had pretended to fight as the true and lawful king, but agreed to secure his person, in order that he might give no farther molestation to Pretaupa Sing, and demanded only 4000 rupees, about 400*l*., for his annual expenses.[1] It may well be supposed, that to conquer Tanjore for him would have been a frantic attempt. But no such reflection was made when a zeal for the justice of his cause was held up as the impelling motive to the war; nor can it be denied that his interests were very coolly resigned. It is even asserted that, but for the humanity of Boscawen, he would have been delivered into the hands of Pretaupa Sing.[2] He found means to make his escape from the English; who imprisoned his uncle, and kept him in confinement for nine years, till he was released by the French, when they took Fort St. David in 1758.[3]



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While the English were occupied with the unimportant conquest of Devi-Cotah, the French had engaged in transactions of the highest moment; and a great revolution was accomplished in Carnatic. This revolution, on which a great part of the history of the English East India Company depends, it is now necessary to explain. Carnatic is the name given to a large district of country along the coast of Coromandel, extending from near the river Kistna, to the northern branch of the Cavery. In extending westward from the sea, it was distinguished into two parts, the first, including the level country between the sea and the first range of mountains, and entitled Carnatic

below the Ghauts; the second, including the table land between the first and second range of mountains, and called Carnatic above the Ghauts. A corresponding track, extending from the northern branch of the Cavery to Cape Comorin, sometimes also receives the name of Carnatic; but in that case it is distinguished by the title of the Southern Carnatic.[1] The district of Carnatic had fallen into dependence upon the great rajahships of Beejanuggur and Warankul; and after the reduction of these Hindu powers, had been united to the Mahomedan kingdoms of Beejapore and Golconda. Upon the annexation of these kingdoms to the Mogul empire, in the reign of Aurungzebe, Carnatic was included in the general subjugation, and formed part of the great Subah of Deccan. In the smaller provinces or viceroyalties, the districts or sub-divisions were proportionally small; and the sub-governors of these divisions were known by the titles of Zemindar, and Phouzdar or Fogedar. In the great Subahs, however, particularly that of Deccan, the primary divisions were very large, and the first rank of sub-governors proportionally high. They were known by the name of nabob or deputy; that is, deputy of the Subahdar, or Viceroy, governor of the Subah; and under these deputies or nabobs were the Zemindars and Fogedars of the districts. Carnatic was one of the nabobships, or grand divisions of the great Subah of Deccan. During the vigour of the Mogul government, the grand deputies or nabobs, though immediately subject to the Subahdar, or Viceroy, were not always nominated by him. They were very often nominated immediately by the emperor; and not unfrequently as a check upon the dangerous power of the Subahdar. When the Subahdar however was powerful, and the emperor weak, the nabobs were nominated by the Subahdar.





When Nizam al Mulk was established Subahdar of Deccan, a chief, named Sadatullah, was nabob of Carnatic, and held that command under the Nizam till the year 1732, when he died. Sadatullah, who had no issue male, adopted the two sons of his brother; Doost Ali, and Bâkir Ali. Bâkir Ali he made governor of Velore: and he had influence to leave Doost Ali in possession of the nabobship at his death. Nizam al Mulk claimed a right to nominate his deputy in the government of Carnatic; and took displeasure that Doost Ali had been intruded into the office with so little deference to his authority; but he happened to be engaged at the time in disputes with the emperor, which rendered it inconvenient to resent the affront. Doost Ali had two sons and four daughters. Of these daughters one was married to Mortiz Ali, the son of his brother Bâkir Ali, governor of Velore; another to Chunda Saheb, a more distant relative, who became duan, or minister of the finances, under Doost Ali his father-in-law.

Trichinopoly was a little sovereignty bordering on the west upon Tanjore. Though subdued by the Mogul, it had been allowed, after the manner of Tanjore, to retain, as Zemindar, its own sovereign, accountable for the revenues and other services, required from it as a district of the Mogul empire. The rajahs of Tanjore and Trichinopoly were immediately accountable to the nabobs of Carnatic; and, like other Zemindars, frequently required the terror of an army to make them pay their arrears. In the year 1736 the Rajah of Trichinopoly died, and the sovereignty passed into the hands of his wife. The supposed weakness of female government pointed out the occasion as favourable for

enforcing the payment of the arrears; or for seizing the immediate government of the country. By intrigue and perfidy, Chunda Saheb was admitted into the city; when, imprisoning the queen who soon died with grief, he was appointed by his father-in-law governor of the kingdom.

The Hindu Rajahs were alarmed by the ambitious proceedings of the Nabob of Carnatic and his son-in-law, and incited the Mahrattas,1 as people of the same origin and religion, to march to their assistance. The attention of Nizam al Mulk was too deeply engaged in watching the motions of Nadir Shaw, who at that very time was prosecuting his destructive war in Hindustan, to oppose a prompt resistance to the Mahrattas; it has indeed been asserted though without proof, and not with much probability, that, as he was but little pleased with the appointment or proceedings of Doost Ali, he instigated the Mahrattas to this incursion, for the sake of chastising the presumption of his deputy.

An army, commanded by Ragogee Bonslah, appeared on the confines of Carnatic, in the month of May, 1740. The passes of the mountains might have been successfully defended by a small number of men; but an officer of Doost Ali, a Hindu, to whom that important post was committed, betrayed his trust, and left a free passage to the Mahrattas. Doost Ali encountered the invaders; but lost his life in the battle. Subder Ali, the eldest son of the deceased, retired to the strong fort of Velore, and began to negotiate with the Mahrattas. A large sum of money was partly promised, and partly paid; and Trichinopoly, which rendered Chunda Saheb an object of jealousy to the new Nabob, was secretly offered to them, if they chose the trouble of making the conquest. They returned in a few months and laid siege to Trichinopoly. Chunda Saheb defended himself gallantly for several months, but was obliged to yield on the 26th of March, 1741; and was carried a prisoner to Satarah; while Morari Row, a Mahratta chief, was left Governor of Trichinopoly. Subder Ali, afraid to trust himself in the open city of Arcot, the capital of Carnatic, took up his residence in Velore. Bâkir Ali was dead, the late governor of Velore, and uncle of the Nabob; and Mortiz Ali, his son, was now governor in his place. By instigation of this man, whose disposition was perfidious and cruel, Subder Ali was assassinated; and an attempt was made by the murderer to establish himself in the government of the province; but, finding his efforts hopeless, he shut himself up in his fort of Velore; and the infant son of Subder Ali was proclaimed Nabob.1



Nizam al Mulk, however, had now left the court of Delhi, and returned to his government of Deccan. To arrange the troubled affairs of Carnatic, he arrived at Arcot in the month of March 1743. He treated the son of Subder Ali with respect; but appointed his general Cojah Abdoolla, to the government of Carnatic; and compelled Morari Row, and the Mahrattas, to evacuate Trichinopoly. Cojah Abdoolla died suddenly, apparently through poison, before he had taken possession of his government; and the Nizam appointed An'war ad dien Khan, to supply his place. An'war ad dien Khan, the son of a man noted for his learning and piety, had been promoted to a place of some distinction, by the father of Nizam al Mulk, and after his death attached himself to the fortunes of his son. When Nizam al Mulk became Subahdar of Deccan, he made

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An'war ad dien Nabob of Ellore and Rajamundry, where he governed from the year 1725 to 1741; and from that period till the death of Cojah Abdoolla, he served as Governor of Golconda. In ostent, Nizam al Mulk conferred the government of Carnatic upon An'war ad dien, only for a time, till Seid Mahomed, the young son of Subder Ali, should arrive at the years of manhood; but, in the mean while, he consigned him to the guardianship of An'war ad dien, and in a short time the young Nabob was murdered by a party of Patan soldiers, who clamoured for arrears of pay, due to them, or pretended to be due, by his father. An'war ad dien escaped not the imputation of being author of the crime, but he was supported by Nizam al Mulk, and appointed Nabob in form. It was An'war ad dien, who was the Governor of Carnatic when the French and English contended for Madras, and whom Dupleix treated alternately as a friend and a foe.

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Nizam al Mulk, whose abilities and power were calculated to confirm the arrangements which he had made in Deccan, died in 1748, after a whole life spent in the toils and agitations of oriental ambition, at the extraordinary age of 104. The government of Sadatullah and his family had been highly popular in Carnatic; that of An'war ad dien Khan was very much hated: A strong desire prevailed that the government of An'war ad dien should be subverted, and that of the family of Sadatullah restored: The death of Nizam al Mulk opened a channel through which the hope of change made its way: Chunda Saheb was the only member of the family of Sadatullah, who possessed talents likely to support him in the ascent to the proposed elevation: The keen eye of Dupleix had early fixed itself upon the prospect of the ascendancy of Chunda Saheb; and if that chief should, by the assistance of the French, acquire the government of Carnatic, the most important concessions might be expected from his gratitude and friendship. At the first irruption of the Mahrattas, the whole family of Doost Ali had been sent to Pondicherry, (so strongly had the Indians already learned to confide in the superiority of European power) as the place of greatest safety in the province. They received protection and respect; and the wife and family of Chunda Saheb, during the whole time of his captivity, had never been removed. Dupleix treated them with the attention calculated to make a favourable impression on the man whom he wished to gain. He even corresponded with Chunda Saheb in his captivity; and agreed to advance money to assist in raising the sum which the Mahrattas demanded for his ransom. He was liberated in the beginning of the year 1748, and even furnished, it is said, with 3,000 Mahratta troops. He entered immediately into the quarrels of some contending Rajahs, whose dominions lay inland between the coast of Malabar and Carnatic, with a view to increase his followers, and collect treasure; and he was already at the head of 6000 men, when the death of Nizam al Mulk occurred.

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To maintain his authority, in his absence, both at court and in his province, Nizam al Mulk had procured the high office of Ameer al Omrah, for his eldest son, Ghazee ad dien Khan, who always attended the person of the Emperor. His second son, Nazir Jung, had resided for the most part in Deccan, and had officiated as his father's deputy, as often as the wars of the empire, or the intrigues of the court, had called him away. Though the obedience of Nazir Jung had been so little perfect as to have been lately chastised even by imprisonment, he was present when his father died; the army

was accustomed to obey him; he got possession of his father's treasures; the Emperor was far too weak to assert his right of nomination; and Nazir Jung assumed the power and titles of Subahdar of Deccan.

There was, however, a favourite grandson of Nizam al Mulk, the son of a descendant of Sadoollah Khan, Vizir to Shaw Jehan, by a daughter of Nizam al Mulk. His name was Hedayet Mohy ad dien; to which he added the title of Mirzapha Jung. He had been Nabob of Beejapore, for several years, during the life of his grandfather; who, it was now given out and believed, had nominated him successor by his will.1 Such a competitor for the government of Deccan appeared to Chunda Saheb the very man on whom his hopes might repose. He offered his services, and they were greedily received. To attain
the assistance of Dupleix was regarded by them both as an object of the highest importance; and in a Subahdar of Deccan, and a Nabob of Carnatic, whom he himself should be the chief
instrument in raising to power, Dupleix contemplated the highest advantages, both for himself and for his country. Chunda Saheb persuaded Mirzapha Jung that they ought to commence their operations in Carnatic; where the interest of the family of Chunda Saheb would afford advantages. Their troops had increased to the number of 40,000 men, when they approached the confines of Carnatic. They were joined here by the French, who consisted of 400 Europeans, 100 Caffres, and 1800 Sepoys, commanded by M. d'Auteuil.1 They immediately advanced towards An'war ad dien, whom on the 3d of August, 1749, they found encamped under the fort of Amboor, fifty miles west from Arcot. The French offered to storm the entrenchment; and though twice beaten back, they advanced three times to the charge, and at last prevailed. An'war ad dien was slain in the engagement, at the uncommon age of 107 years; his eldest son was taken prisoner; and his second son Mahomed Ali, with the wreck of the army, escaped to Trichinopoly, of which he was Governor.2



Dupleix affirms, that had the victorious leaders, according to his advice, advanced without delay against Trichinopoly, while the consternation of defeat remained, they would have obtained immediate possession of the place, and the success of their enterprise would have been assured. They chose
however to go first to Arcot, that they might play for a while the Subahdar and Nabob; they afterwards paid a visit at Pondicherry to M. Dupleix, who gratified himself by receiving them with
oriental display; and was gifted with the sovereignty of eighty-one villages in the neighbourhood of the settlement.1



They marched not from Pondicherry till the very end of October; and instead of proceeding directly against Trichinopoly, as they had settled with Dupleix, they directed their march to the city of Tanjore. The urgency of their pecuniary wants, and the prospect of an ample supply from the hoards of Tanjore, made them undervalue the delay. The King was summoned to pay his arrears of tribute, and a large sum as a compensation for the expense of the war. By negotiation, by promises, and stratagems, he endeavoured; and the softness of his enemies enabled him, to occupy their time till the very end of December, when news arrived that Nazir Jung, the Subahdar, was on his march to attack them.2

Nazir Jung had been summoned, upon his accession, to the imperial presence; and had advanced with a considerable army as far as the Nerbudda, when a counter-order arrived. Informed of the ambitious designs of his nephew, he accelerated his return; and was arrived at Aurengabad, when he heard of the overthrow and death of the Nabob of Carnatic.[1] The impolitic delays of his enemies afforded time for his preparations; and they were struck with consternation when they now heard of his approach. They broke up their camp with precipitation: and, harassed by a body of Mahrattas, in the service of Nazir Jung, returned to Pondicherry.[2]

book iv.Chap. 2. 1749.

Dupleix was admirably calculated for the tricks of Indian policy. Though he exerted himself with the utmost vigour to animate the spirits, and augment the force of his allies; lending them 50,000*l*., declaring that he would lend them still more, and increasing the French forces to the number of 2000 Europeans; yet contemplating now with some terror the chance of a defeat, he sought to be prepared for all events, and endeavoured secretly to open a negotiation with Nazir Jung. He addressed to him a memorial, in which he set forth the enmity which was borne by An'war ad dien to the French nation; and the necessity under which they were placed to avail themselves of any allies to secure themselves from its effects; that the death of that Nabob, however, had now freed them from such obligation, and they were ready to detach themselves from the enemies of Nazir Jung; that they had already manifested their friendly dispositions towards him, in sparing Tanjore, and suspending the siege of Trichinopoly, which the victorious army of them and their allies, there was no doubt, might have easily taken.[3] It was only, says Dupleix, the arrival of an English force in the camp of Nazir Jung, that prevented the Subahdar from embracing the proposal.[4]

From the beginning of 1747, the English had been intriguing, both with Nizam al Mulk and with Nazir Jung, against the French. Besides a letter from the English Governor to the same effect, Commodore Griffin, in a letter to Nizam al Mulk, dated March 6, 1747, said, "I shall not enter into a particular detail of all the robberies, cruelties, and depredations, committed on shore upon the King my Master's subjects, by that insolent, perfidious nation the French; connived at, and abetted by those under your Excellency (the Nabob of Arcot), whose duty it was to have preserved the peace of your country, instead of selling the interest of a nation, with whom you have had the strictest friendship time out of mind; a nation that has been the means not only of enriching this part of the country, but the whole dominions of the grand Mogul; and that to a people who are as remarkable all over the world for encroaching upon, and giving disturbances and disquiet to all near them; a people who are strangers in your country, in comparison of those who have been robbed by them of that most important fortress and factory, Madras; and now they are possessed of it, have neither money nor credit, to carry on the trade.———And now, excellent Sir, we have laid this before you, for your information and consideration; and must entreat you, in the name of the King of Great Britain, my Royal Master, to call the Nabob to an account for his past transactions, and interpose your power to restore, as near as possible in its original state, what has been so unjustly taken from us." Application was at the same time made to Nazir Jung for his interest with his father, which that prince assures the English by letter he had effectually employed. A favourable answer was received

book iv.Chap. 2. 1749.

from Nizam al Mulk, and a mandate was sent to An'war ad dien Khan, called at that time by the English Anaverdy Khan, in which were the following words: "The English nation, from ancient times, are very obedient and serviceable to us; besides which they always proved to be a set of true people, and it is very hard that they met with these troubles, misfortunes, and destruction. I do therefore write you, to protect, aid, and assist them in all respects, and use your best endeavours in such a manner, that the French may be severely chastised and rooted off, that his Majesty's sea-port town may be recovered, and that the English nation may be restored to their right, establish themselves in their former place, as before, and carry on their trade and commerce for the flourishment of the place." An agent of the English, a native, named Hodgee Hodee, who dates his letter from Arcot, the 10th of March, 1747, presents them with the real state of the fact in regard to An'war ad dien, the Nabob: "I take the liberty to acquaint your worship, that as the Nabob is but a *Renter*, he does not much regard the distress of the people of this province, but in all shapes has respect to his own interest and benefit; therefore there is no trusting to his promises. The French are very generous in making presents of other people's goods, both to the old and young." He advises the English to be equally liberal with their gifts, and says, "Don't regard the money, as Governor Morse did, but part with it for the safety of your settlement." Another of their agents, Boundla Mootal, informed them that if they expected any cordial assistance from An'war ad dien, they must send him money for it. The second son of An'war ad dien, Mahomed Ali Khan, showed himself during this period of French ascendancy, rather favourable to the English: probably, from that spirit of discord which prevails in the ruling families of the East, because his eldest brother displayed a partiality to the French.[1]



book iv.Chap. 2. 1749.

When, after the deaths of Nizam al Mulk and An'war ad dien Khan, and the captivity of the eldest son of An'war ad dien Khan, Nazir Jung marched into Carnatic against Chunda Saheb and Mirzapha Jung, he summoned Mahomed Ali to join him from Trichinopoly, and sent to Fort St. David to solicit assistance from the English. The arrival of Mirzapha Jung, the defeat of An'war ad dien, which happened when they were engaged in the attack of Tanjore, and the apprehended schemes of Dupleix, had struck the English with alarm. "They saw," says Mr. Orme, "the dangers to which they were exposed, but were incapable of taking the vigorous resolutions which the necessity of their affairs demanded." They allowed Mr. Boscawen, with the fleet and troops, to set sail for England, at the end of October, and sent only 120 Europeans to support Mahomed Ali at Trichinopoly.[2] The presence, however, of Nazir Jung, at the head of a great army, encouraged them to command the detachment at Trichinopoly to accompany Mahomed Ali; and a few days after their arrival in the camp, Major Laurence, with 600 Europeans from Fort St. David, joined the army of the Subahdar.

The two armies were now sufficiently near to skirmish; when thirteen French officers, displeased that they had not shared in the spoils of Tanjore, resigned their commissions, and infused terror and alarm into the men they were destined to command. D'Auteuil, considering it no longer safe to venture into action with men thus affected, decamped the night before the expected battle, and retreated in the direction of Pondicherry; leaving Mirzapha Jung and Chunda Saheb,

in a state of despair. Mirzapha Jung thought it best to yield himself up to his uncle, by whom he was immediately put in fetters; Chunda Saheb, with his own troops, made his way to Pondicherry.[1]

book iv.Chap. 2. 1749.

The dangers were formidable and imminent which now stared Dupleix in the face; but he had confidence in the resources of his own genius, and the slippery footing of an oriental prince. He sent an embassy to the camp of the victorious Subahdar, offering terms of peace; and at the same time entered into correspondence with some disaffected chiefs in his army. These were leaders of the Patan troops, which Nizam al Mulk, as the principal instrument of his ambition, had maintained in his service; and of which he had made the principal captains Nabobs of different districts in his Subah. It was the standing policy of all the Mahomedan princes in India to compose a great part of their armies of men drawn from the more hardy people of the north, the Tartars and Afghauns. Of these people the men who arrived in India were mere soldiers of fortune, accustomed to seek for wealth and distinction through crimes. If the master whom they served were able to chastise their perfidy, and feed their hopes of plunder and aggrandizement by the prospect of his conquests, they were useful and important instruments. The moment they appeared to have more to gain by destroying than by serving him, they were the most alarming source of his danger.

Nazir Jung had the usual character of a man educated a prince. He devoted his time to pleasure, and withdrew it from business; decided without consideration, hence unwisely; and was at once too indolent and too proud to correct his mistakes. Under such a master, the Patan lords expected, by selling their services to a competitor, to add both to their treasures, and to the territories of which the government was lodged in their hands.

book iv.Chap. 2. 1750.

The deputies of Dupleix had returned from the camp of Nazir Jung, when D'Auteuil, who continued to watch the motions of the army, observing the negligence with which the camp was guarded during the night, detached an officer with 300 men, who entered it unobserved; penetrated into it a mile; spread terror and alarm; killed upwards of a thousand of the enemy; and returned with the loss of only two or three men: another proof of the extraordinary weakness of an Indian army, when opposed to the force of the European mind.

The Subahdar, alarmed at the presence of so enterprising an enemy, hastened to Arcot; while the English, quarrelling with him about the performance of his promises, and the abandonment of their cause by withdrawing his army, left the camp in disgust, and removed the only important obstacle to the machinations of the conspirators and Dupleix.

While the Subahdar spent his time at Arcot in the pleasures of the harem and the chase, of both of which he was immoderately fond, the French exhibited new specimens of their activity and enterprise. A small body of troops sailed to Masulipatam, at the mouth of the river Kistna, once the principal mart of that region of India; attacked it by surprise in the night; and gained possession with a trifling loss:

And another detachment seized the Pagoda of Trivadi, about fifteen miles west from Fort St. David. Mahomed Ali obtained permission to detach himself from the army of the Subahdar, for the purpose of dislodging them from Trivadi; in this he obtained assistance from the English, who were deeply interested in preventing the French from gaining a position so near. Some attacks which Mahomed Ali and the English made upon the pagoda were unsuccessful; and these allies began to quarrel. Mahomed Ali would neither advance pay to the English, nor move his troops between the pagoda and Pondicherry; upon which they left him. The French, who expected this event, waited for its arrival; attacked Mahomed Ali; gained an easy victory, and made him fly to Arcot, with two or three attendants. The French still aiming at further acquisitions, advanced against the celebrated Fort of Gingee, situated on a vast insulated rock, and deemed the strongest fortress in Carnatic. They stormed the fortifications to the very summit of the mountain; and contemplating afterwards the natural strength of the place, felt astonished at their own success.

book iv.Chap. 2. 1750.

This last exploit disturbed the tranquillity and the amusements of the Subahdar; and he offered to enter upon negotiation. The demands of the French were lofty; Nazir Jung, therefore, began his march to Gingee. But it was now October, 1750, and the rains began. The Subahdar kept the field; but felt exceedingly weary of the contest; and at last appeared inclined to concede whatever was demanded by the French. Dupleix nith the Subahdar, when his commander at Gingee receives from the traitors the concerted call: He marches with his whole force; attacks the camp of the Subahdar, and is joined by the traitors; by one of whom Nazir Jung is shot through the heart. In his Memoir Dupleix affirms, that he wrote immediately to inform the Commander at Gingee of the conclusion of the treaty, and to prevent further hostilities, but that his letter arrived not till after the revolution was performed.

book iv.Chap. 2. 1751.

Mirzapha Jung was now freed from his imprisonment, and vested with the authority of Subahdar. Immediately, however, the enormous demands of the Patan nobles, to whose perfidy he owed his power, began to oppress him; and he only parried their importunities by asserting the necessity of forming his arrangements in concert with Dupleix. Lofty were the hopes, in which that ambitious leader seemed now entitled to indulge himself. Mirzapha Jung advanced to Pondicherry, and lavished upon him every testimony of gratitude and friendship. Dupleix exerted himself to satisfy the Patan lords; who, seeing his determination to support their master, permitted him to retrench their demands, and treasured up their resentments for a future day. An adept in Indian policy, when he had men of their dangerous character within the walls of Pondicherry, would have taken care how they made their escape.

Dupleix was appointed Governor of the Mogul dominions on the coast of Coromandel from the river Kistna to Cape Comorin; and Chunda Saheb his Deputy at Arcot. Mahomed Ali, who had fled to Trichinopoly, upon the assassination of Nazir Jung, now offered to resign his pretensions to the nabobship of Carnatic, provided Dupleix, who listened to the overture, would obtain from the new Subahdar a command for him, in any other part of his dominions.

Mirzapha Jung left Pondicherry in the month of January, 1751, accompanied by a body of French troops, with M. Bussy, who had signalized himself in the late transactions, at their head. The army had marched about sixty leagues; when a disturbance, in appearance accidental, arose among a part of the troops; presently it was discovered, that the Patan chiefs were in revolt; and that they had seized a pass in front through which it behoved the army to proceed. They were attacked with great spirit; the French artillery carried every thing before it; and a victory was gained, when the impetuosity of the Subahdar carried him too far in the pursuit, and he was shot dead with an arrow. M. Bussy was not a man who lost his presence of mind, upon an unexpected disaster. He represented to the principal commanders the necessity of agreeing immediately upon the choice of a master; and as the son of Mirzapha Jung was an infant, and the present state of affairs required the authority of a man of years, he recommended Salabut Jung, the eldest surviving son of Nizam al Mulk, who was present in the camp, and who without delay was raised to the vacant command. Salabut Jung promised the same concessions to the French which had been made by his predecessor, and the army continued its march towards Golconda.[1]

book iv.Chap. 2. 1751.

The Europeans in India, who hitherto had crouched at the feet of the meanest of the petty governors of a district, were astonished at the progress of the French, who now seemed to preside over the whole region of Deccan. A letter to Dupleix, from a friend in the camp of Salabut Jung, affirmed that in a little time the Mogul on his throne would tremble at the name of Dupleix;[1] and however presumptuous this prophecy might appear, little was wanting to secure its fulfilment.

book iv.Chap. 2. 1751.

The English, sunk in apathy or despair, were so far as yet from taking any vigorous measures to oppose a torrent by which they were likely to be overwhelmed, that Major Laurence, the commander of the troops, on whose military talents and authority their whole dependence was placed, took the extraordinary resolution, not opposed, it should seem, by the Council, of returning at this critical juncture to England. They used their influence indeed, to prevent Mahomed Ali from carrying into execution the proposal he had made to the French of surrendering Trichinopoly; but Mahomed Ali, and the English, in concert, made offer to acknowledge Chunda Saheb Nabob of all Carnatic, with the exception of Trichinopoly and its dependencies. This the French treated as a departure from the original proposal of Mahomed Ali, and replied with haughtiness and contempt. The English now engaged to support him, and he resolved to hold out. The Governor of Madura, however, a small adjacent province, formerly a Hindu rajahship, declared for Chunda Saheb, and an attempt, made by a party of the English, to reduce it, was repelled.

Toward the beginning of April, Chunda Saheb began his march from Arcot; and about the same time Captain Gingens, with the English, was dispatched from Fort St. David. Chunda Saheb was encamped near the fort of Volconda, on the great road between Trichinopoly and Arcot, when the English approached. A battle was brought on; but the English officers spent so much time in deliberation as to discourage the men; and the European soldiers fled

shamefully from the field, even while the Caffres and the native troops maintained the contest. The army retreated; and though it posted itself, and encamped at two different places, Utatoor and Pitchonda; it quitted both upon the arrival of the enemy, and at last took shelter under the walls of Trichinopoly. Chunda Saheb and the French lost no time in following, and sat down on the opposite side of the town.



The city of Trichinopoly, at the distance of about ninety miles from the sea, is situated on the south side of the great river Cavery, about half a mile from its bank; and, for an Indian city, was fortified with extraordinary strength. About five miles higher up than Trichinopoly, the Cavery divides itself into two branches, which, after separating to the distance of about two miles, again approach, and being only prevented from uniting, about fifteen miles below Trichinopoly, by a narrow mound, they form a peninsula, which goes by the name of the island of Seringham; celebrated as containing one of the most remarkable edifices, and one of the most venerated pagodas, in India; and henceforward remarkable for the struggle, constituting an era in the history of India, of which it was now to be the scene.

The presidency of Fort St. David, somewhat roused by seeing the army of Mahomed Ali driven out of Carnatic, and obliged to take shelter beyond the Cavery, made several efforts to reinforce the troops they had sent him; whom, after all, they were able to augment to the number of only 600 men. There was another misfortune; for notwithstanding the urgency with which, in the depressed and alarming state of their affairs, the English were called upon for the utmost exertions of their virtue, “a fatal spirit of division,” says Major Laurence, “had unhappily crept in among our officers, so that many opportunities and advantages were lost, which gave the country alliance but an in-different opinion of our conduct.”[1] The French, however, made but feeble efforts for the reduction of the place; and the English were too much impressed with an opinion of their own weakness to hazard any enterprise to dislodge them.[2]



While the war thus lingered at Trichinopoly, Clive, who had been made a captain to supply some of the removals occasioned by the recent discontents, persuaded the Presidency to create a diversion, by sending him to attack Arcot, the capital of Chunda Saheb, left with a very slender defence. This young man was the son of a gentleman of small fortune in Shropshire. From the untractableness of his own disposition, or the unsteadiness of his father’s, he was moved when a boy, from one to another, through a great variety of schools; at which he was daring, impetuous, averse to application, and impatient of control. At the age of nineteen he was appointed a writer in the service of the East India Company, and sent to Madras. There his turbulence, though he was not ill-natured, engaged him in quarrels with his equals; his dislike of application and control prevented his acquiring the benevolence of his superiors.[1] When the capitulation with Madras was violated, Clive made his escape in a Mahomedan dress, to Fort St. David, and when the siege of Pondicherry was undertaken, he was allowed to enter into the military service, with the rank of an ensign. At the siege of Pondicherry, and the enterprise against Devi-Cotah, he rendered himself conspicuous by courting posts of

danger, and exhibiting in them a daring intrepidity. Discerning men, however, perceived, along with his rashness, a coolness and presence of mind, with a readiness of resource in the midst of danger, which made Laurence, at an early period, point him out as a man of promise. Upon the conclusion of the affair at Devi-Cotah, Clive returned to his civil occupation; but no sooner did his countrymen resume the sword, than his own disposition, and the scarcity of officers, again involved him in operations, far better suited to his restless, daring, and contentious mind. He had accompanied the troops sent for the defence of Trichinopoly, till after the affair at Volcondah, and had been employed by the Presidency in conducting the several reinforcements which they had attempted to forward. He was now furnished with 200 Europeans, and 300 Sepoys: and to spare even these, Fort St. David and Madras were left, for their defence, the one with 100, the other with fifty men. To command them he had eight officers, of whom six had never been in action, and four were young men in the mercantile service of the Company, whom his own example had inflamed. For artillery they had three field-pieces; and two eighteen pounders were sent after him. The enemy, who remained in garrison at Arcot, which was an open town, defended by a fort, abandoned the place, and gave him possession without resistance. Expecting a siege, he exerted his utmost diligence to supply the fort; and that he might prevent the fugitive garrison, who hovered around, from resuming their courage, he made frequent sallies; beat up their camp in the middle of the night; defended himself with vigour when assailed; and harassed them by incessant and daring attacks. In the mean time Chunda Saheb detached 4,000 men from his army at Trichinopoly, which were joined by his son with 150 Europeans from Pondicherry; and, together with the troops already collected in the neighbourhood, to the number of 3,000, entered the city. Clive immediately resolved upon a violent attempt to dislodge them. Going out with almost the whole of the garrison, he with his artillerty forced the enemy to leave the street in which they had posted themselves; but filling the houses they fired upon his men, and obliged him to withdraw to the fort. In warring against the people of Hindustan, a few men so often gain unaccountable victories over a host, that on a disproportion of numbers solely no enterprise can be safely condemned as rash; in this, however, Clive run the greatest risk, with but a feeble prospect of success. He lost fifteen of his Europeans, and among them a lieutenant; and his only artillery officer, with sixteen other men, was disabled.

book iv.Chap. 2. 1752.

Next day the enemy were reinforced with 2,000 men from Velore. The fort was more than a mile in circumference; the walls in many places ruinous; the towers inconvenient and decayed; and every thing unfavourable to defence: Yet Clive found the means of making an effectual resistance. When the enemy attempted to storm at two breaches, one of fifty and one of ninety feet, he repulsed them with but eighty Europeans and 120 Sepoys fit for duty; so effectually did he avail himself of his feeble resources, and to such a pitch of fortitude had he exalted the spirits of those under his command. During the following night the enemy abandoned the town with precipitation, after they had maintained the siege for fifty days. A reinforcement from Madras joined him on the following day; and, leaving a small garrison in Arcot, he set out to pursue the enemy.

book iv.Chap. 2. 1752.

With the assistance of a small body of Mahrattas, who joined him in hopes of plunder, he gave the enemy, now greatly reduced by the dropping away of the auxiliaries, a defeat at Arni, and recovered Conjeveram, into which the French had thrown a garrison, and where they had behaved with barbarity to some English prisoners; among the rest, two wounded officers whom they seized returning from Arcot to Madras, and threatened to expose on the rampart, if the English attacked them. After these important transactions, Clive returned to Fort St. David about the end of December. The enemy no sooner found that he was out of the field than they re-assembled, and marched to ravage the Company's territory. Reinforced by some troops which had arrived from Bengal, he went out to meet them in the end of February. They abandoned their camp upon his approach; but with intent to surprise Arcot, from which the principal part of the garrison had marched to the reinforcement of Clive. They expected the gates to be opened by two officers of the English Sepoys, whom they had corrupted; but the plot being discovered, and their signals not answered, they did not venture to make an attack, and suddenly withdrew. Though informed of their retreat, Clive was still hastening his march to Arcot, when at sun-set his van was unexpectedly fired upon by the enemy's artillery; and a hot engagement ensued. The superior force of the enemy afforded them great advantages and seemed likely to decide the contest, unless by some expedient their cannon could be seized. At ten at night Clive detached a party, who, favoured by the darkness, came upon it unexpectedly in the rear; defeated the troops who were placed for its defence; and succeeded completely in that important enterprise. After this disaster, the enemy dispersed; and before Clive could undertake any new exploit, he was ordered to the presidency; where it was determined to send him with all the troops under his command, to Trichinopoly. It was fortunate that the enemy, dispirited by the last, in addition to so many former disappointments and defeats, disbanded themselves at the same moment; the country troops departing to their homes, and the French being recalled to Pondicherry.



While these active operations were performing in the province of Arcot, Mahomed Ali, though he appeared to have little to dread from the attacks of the French upon Trichinopoly, began to have every thing to dread from the deficiency of his funds. The English, whom he engaged to maintain out of his own treasury, were now obliged to be maintained at the cost of the Presidency. His own troops were without pay, and there was no prospect of keeping them long from mutiny or dispersion. He had applied for assistance to the government of Mysore, a considerable Hindu kingdom, which had risen out of the wreck of the empire of Beejanuggur, and viewed with dread the elevation of Chunda Saheb, who had formerly aimed at its subjugation. Mahomed Ali renewed his importunities; and, by promising to the Mysoreans whatever they chose to ask, prevailed upon them to march to his assistance. They arrived at Trichinopoly about the middle of February, 20,000 strong, including 6000 Mahrattas, who had entered into their pay, and of whom a part were the same with those who had assisted Clive after the siege of Arcot. Their arrival determined the King of Tanjore, who till then had remained neutral, to send 5000 men. A few days after Clive was recalled to Fort St. David, he was again prepared to take the field; but on the 26th of March Major Laurence

returned from England, and put himself at the head of the reinforcement, which consisted of 400 Europeans and 1100 Sepoys, with eight field pieces, and a large quantity of military stores. Both parties had their eyes fixed upon the reinforcement, and Dupleix sent repeated orders that it might be intercepted at all events. The efforts, however, of the enemy, proved unavailing; and Laurence in safety joined the camp.[1]

It was now determined to attack the enemy in their camp. This attack the French had not the resolution, or the means, to withstand, and formed the determination of passing over to the island of Seringham. Chunda Saheb, it is said, remonstrated, but without avail. In the hurry of their retreat, the enemy were able to carry over only a part of their baggage, and burned what they were unable to remove of the provisions which they had collected in their magazines.[1]



As delay was dangerous to the English, from the circumstances of their allies, it was their policy to reduce the enemy to extremities within the shortest possible time. With this view Clive advised them to detach a part of the army to the other side of the Coleroon, for the purpose of intercepting the enemy's supplies. Though there was hazard in this plan; for an enterprising enemy, by attacking one of the divisions, might gain a decisive advantage before the other could arrive, Laurence accepted the advice; and Clive was detached for the performance of the service. It was executed with his usual activity, spirit, and success. Dupleix made the strongest exertions to reinforce and supply his army; but was baffled in every attempt. D'Auteuil, at the head of a large convoy, was first compelled to suspend his march; was afterwards attacked in the fort to which he had retired; and at last taken prisoner. The enemy were soon in distress for provisions; their camp was cannonaded by the English; the troops of Chunda Saheb left his service; and he himself, looking round for the means of personal safety, chose at last to trust to the generosity of the King of Tanjore, and delivered himself, under promise of protection, into the hands of the Tanjorine commander. The French soon after capitulated, and surrendered themselves prisoners of war.



The fate of Chunda Saheb was lamentable. He was immediately put in fetters by the faithless Tanjorine. A dispute, under the power of which of them he should remain, arose between the Mysorean and Mahratta chiefs, the Tanjorine Generals, and Mahomed Ali. To compromise the dispute, Major Laurence proposed that he should be confined in one of the English forts. The parties separated without coming to an agreement; and the Tanjorine immediately ordered him to be assassinated. Dupleix affirms that he was murdered by the express command of Major Laurence, which it is difficult to suppose that Dupleix must not have known to be untrue. But it is true, that Laurence showed an indifference about his fate which is not very easy to be reconciled with either humanity or wisdom. He well knew that his murder was, in the hands of any of them, the probable; in those of some of them, the certain consequence, of their obtaining the charge of his person. He well knew, that if he demanded him with firmness, they would have all consented to his confinement in an English fort. And, if he did not know, it is not the less true, that in the hands of the English he might have become a powerful instrument with which to

counterwork the machinations of Dupleix. At any rate Dupleix, of all men, on this ground, had the least title to raise an accusation against the English; since he had resolved to imprison for life his unfortunate ally, and to reign sole Nabob of Carnatic himself.1

The failure of the enemy at Trichinopoly, the possession of which both parties appear to have valued too high, produced in the breasts of the English hopes of undisputed superiority, and of that tide of riches, which unbounded sway in the affairs of Carnatic promised to their deluded imaginations. Major Laurence was in haste to march through the province, investing his triumphant Nabob; and saw no place, except Gingee, which he imagined would retard his progress.2

He was not a little surprised when the delays of the Nabob indicated much less impatience. The Nabob was, in fact, engaged in a troublesome dispute. Among the inducements which he had employed to gain the assistance of the Mysoreans, he had not scrupled to promise the possession of Trichinopoly and its dependencies. The Mysorean chief now insisted upon performance; and the Mahratta captain, who eagerly desired an opportunity of obtaining Trichinopoly for himself, encouraged his pretensions.



Intelligence of this dispute was a thunderstroke to Laurence. His country had paid dear for Trichinopoly; yet now it appeared that it could not be retained, by him for whom it was gained, without a flagrant violation of honour and faith. The violation of honour and faith the Nabob, in the Indian manner, treated as a matter of entire insignificance. The Mysorean could not but know, he said, that such a promise was never made to be fulfilled; and doubtless no Indian can believe of any man, that he will keep more of a promise, than it is his interest, or than he is compelled, to keep.1

After some time lost in altercation, the Nabob promised to fulfil his engagement, and deliver up the fort in two months; and with this the Mysorean, finding more could not be obtained, allowed himself for the present to appear satisfied. The English, leaving a garrison in the fort, set forward to establish their Nabob; but the auxiliary troops of Tanjore, and of Tondeman, had marched to their homes; and the Mysoreans and Mahrattas refused to depart from Trichinopoly.

Dupleix was not reduced to despondency, by the stroke which the English imagined had realized their fondest hopes. As it was the character of this man to form schemes, which from their magnitude appeared romantic, so was it his practice to adhere to them with constancy, even when the disasters which he encountered in their execution seemed to counsel nothing but despair. Nor did the resources of his mind fail to second its firmness. He still found means to oppose a nearly equal, in a little time a more than equal, force to his opponents.



It was resolved, and very unwisely, that the first operation of the English should be the reduction of Gingee; garrisoned by the French; and the only place in the province expected to yield a serious resistance. Major Laurence condemned this plan of

operations; and recommended the previous recovery of the province, and the collection of the rents; but by the influence of Mr. Saunders, the President, his opinion was over-ruled.1 Dupleix dispatched a force for the purpose of seizing the passes of the mountains by which Gingee is surrounded, and of intercepting the English convoys. The detachment of the English army, which had arrived at Gingee, marched to dislodge them; but, instead of succeeding in their object, sustained a defeat.

The French, elevated by this advantage, reinforced their victorious party with as many troops as they found it possible to send into the field. This army, by way of triumph, marched close to the very bounds of Fort St. David. A company of Swiss, in the English service, were sent on this emergency from Madras to Fort St. David, in boats, contrary to the advice of Laurence, who entreated they might be sent in a ship of force; and Dupleix, unrestrained by the vain forms of a treaty of peace, subsisting between England and France, while both parties were violating the substance of it every day, took them prisoners of war by a ship from Pondicherry road. Laurence hastened toward the enemy. His force consisted of 400 Europeans, 1700 Sepoys, 4000 troops belonging to the Nabob, and nine pieces of cannon. The French army consisted of 400 Europeans, 1500 Sepoys, and 500 horse; who declined a battle, till Laurence, by a feigned retreat, inspired them with confidence. The action, which took place near Bahoor, two miles from Fort St. David, was decidedly in favour of the English; but would have been far more destructive to the French, had the Nabob's cavalry done their duty, who, instead of charging the routed foe, betook themselves to the more agreeable operation of plundering their camp. After this seasonable victory, Captain Clive was employed, with a small detachment, to reduce the two forts, called Covelong and Chingliput, which he executed with his usual vigour and address; and then returned to Europe for his health. About the same time the monsoon compelled the army to withdraw from the field.



During these transactions, Nunjeraj, the Mysorean General, was not idle before Trichinopoly. He made several attempts to get into the fort by surprise, as well as to corrupt the troops; and his efforts held Captain Dalton, commanding the English garrison, perpetually on the watch. The views of that chief were now, also, directed toward the French; and so much progress had been made in the adjustment of terms, that a body of 3000 Mahrattas were actually on their march to join the enemy, when the victory at Bahoor produced a revolution in their minds; and they joined the English, as if they had marched from Trichinopoly with that express design. During the interval of winter quarters, the negotiations with the French were completed, and the Mahrattas, at an early period, marched to Pondicherry; while the Mysoreans, to give themselves all possible chances, remained before Trichonopoly, as still allies of the English; but they declared themselves, before the armies resumed their operations; and attacked an advanced post of Captain Dalton's, defended by sixty Europeans and some Sepoys, whom they destroyed to a man.



Before these designs of the Mysorean and Mahratta chiefs were brought to maturity, Major Laurence had given his advice to seize them, in one of their conferences with Captain Dalton.1 If there was any confidence, during negotiation, reposed in the

English by the Indians, beyond what they reposed in one another, a confidence of which the loss would have been risked by such a blow, we are not informed; the danger, which might have been averted by securing the persons of those enemies, was of considerable amount.

Dupleix, though so eminently successful in adding to the number of combatants on his side, was reduced to the greatest extremity for pecuniary supplies. The French East India Company were much poorer than even the English; the resources which they furnished from Europe were proportionally feeble; and, though perfectly willing to share with Dupleix in the hopes of conquest, when enjoyment was speedily promised, their impatience for gain made them soon tired of the war; and they were now importunately urging Dupleix to find the means of concluding a peace. Under these difficulties Dupleix had employed his own fortune, and his own credit, in answering the demands of the war; and, as a last resource, he now turned his thoughts to Mortiz Ali, the Governor of Velore. He held up to him the prospect of even the Nabobship itself, in hopes of
drawing from him the riches which he was reputed to possess. Mortiz Ali repaired to Pondicherry; and even advanced a considerable sum; but finding that much more was expected, he broke off the negotiation, and retired to his fort.

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The contending parties looked forward with altered prospects to the next campaign. By the co-operation of the Mysoreans, and the junction of the Mahrattas, the latter of whom, from the abilities of their leader, and their long experience of European warfare, were no contemptible allies, the French had greatly the advantage in numerical force. In the capacity, however, of their officers, and in the quality of their European troops, they soon felt a remarkable inferiority. Laurence, without being a man of talents, was an active and clearheaded soldier; and the troops, whom he commanded, both officers and men, appeared, by a happy contingency, to combine in their little body all the virtues of a British army. The European troops of the enemy, on the other hand, were the very refuse of the French population; and Laurence himself candidly confesses that their officers were frequently seen in the hour of action, making the greatest efforts, and without effect, to retain them in their ranks. Among their commanders, not a man showed any talents; and Dupleix with great bitterness complains, that, with the exception of Bussy, he never had an officer on whose ability he could place the smallest reliance.[1]

Early in January the two armies again took the field: The French, consisting of 500 European infantry and sixty horse, 2,000 Sepoys; and 4,000 Mahrattas, commanded by Morari Row. The English consisted of 700 European infantry, 2,000 Sepoys, and 1,500 horse belonging to the Nabob. The French, to avail themselves of their superiority in cavalry, avoided an action, and employed themselves in making war upon the English convoys. This they did, with so much effect, that Major Laurence was frequently obliged to escort his stores and provisions with his whole army from Fort St. David. In this manner the time was consumed till the 20th of April, when an express arrived from Captain Dalton, that he had only three weeks' provisions remaining in the fort.

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When the English, after the capitulation of the French at Seringham, marched from Trichinopoly,
and left Captain Dalton Commandant of the English garrison, a brother of the Nabob was at the same time appointed Governor of the town. By an unhappy oversight the magazines were left under direction of the Mohamedan Governor; and Captain Dalton satisfied himself with asking from time to time in what condition they remained. When the Mysoreans, however, had shut him up in his fort, and, scouring the adjacent country with their cavalry, had prevented for some time the arrival of supplies, it occurred to him, rather too late, that he had better see with his own eyes on what he had to depend. His ally, he found, had been selling the provisions at an enormous price to the people of the town; and he was left in that alarming condition, of which he hastened to make report to Major Laurence.

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Only one resolution was left to the English commander, that of marching directly to the support of Trichinopoly. His army suffered greatly on the march, both by desertion and sickness; and, upon his arrival at the place, he found that all the force he could muster for offensive operations, after leaving the proportion necessary for the duties of the garrison, consisted of 500 Europeans, and 2,000 Sepoys. The Nabob had 3,000 horse; but they were badly paid; and executed their duty with proportional neglect and disobedience. The French followed with 200 Europeans and 500 Sepoys, to the support of the Mysoreans; and Trichinopoly became once more the seat of a tedious and harassing warfare.

It deserves remark, that Major Laurence, who had recommended the seizure of the Mysorean and Mahratta chiefs, uniformly disapproved of the attempt to retain Trichinopoly after the promise to give
it up.1 It is equally worthy of remark, that the delicacy of the Presidency witheld their hands from the persons of the hostile chiefs; but easily endured the violation of the engagement respecting Trichinopoly. Delicacy would have been less violated in the one instance by following the advice of Laurence, and prudence would have been more consulted by following it in both. The cession of Trichinopoly to the Mysoreans would have enabled the English to establish their nabob, with little opposition, in the sovereignty of Carnatic, and would have saved them from two years of expensive warfare.

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It was on the 6th of May, 1753, that Major Laurence again arrived at Trichinopoly; and from that day to the 11th of October, 1754, the most active operations were carried on. Neither the French, with their allies, were sufficiently powerful to reduce Trichinopoly; nor had the English sufficient force to compel them to raise the siege. The two parties, therefore, bent their endeavours; the English, to supply the garrison with a sufficient quantity of food, to enable them to prosecute their objects in another quarter; the French, by cutting off the supplies, to compel the garrison to surrender. On both sides the greatest exertions were made; severe conflicts were frequently sustained, in some of which decisive advantages, at one time on one side, at another on the other, were on the point of being gained: and never did English troops display more gallantry and good conduct, than in defence of the unimportant city of

Trichinopoly. More than a year had been spent; and neither of the contending parties seemed nearer their object, when a new scene was introduced.[1]

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The objects, which fired the ambition of the European Governors in India, were too distant to warm the imaginations of the Directors and Proprietors of the French and English Companies in Europe; and to them the burden of the war had become exceedingly hateful. Aware of the passion for peace which now animated his employers, and of the opinion disseminated in Europe of his ambitious and warlike views, Dupleix had opened a negociation with Saunders, the Governor of Madras, in January, 1754, The real point in dispute was whether or not Mahomed Ali should be acknowledged Nabob of Carnatic; the English contending that he should be recognized by the French, the French contending that he should be given up by the English. The parties were far from being disposed, on either side, to concede the point; and the state of circumstances was little calculated to facilitate a compromise: the negotiation turned, therefore, on matters of form; and never, surely, did negotiation find more ridiculous matters of form on which to employ itself. In a country in which all questions of dominion are determined by the sword; in a question which, without any consideration of right, they themselves had, during four years, been labouring to decide by the sword, they affected to sit down gravely to a comparison of pretended titles and grants. The authority to which both parties appealed was that of the Mogul, though the Mogul himself, in the district in question, was an usurper, and that of a very recent date; though the power too of the Mogul was such, that he had no more authority in Deccan than he had at Rome. The authority on which the government of Carnatic immediately depended was that of the Subahdar of Deccan; and the Subahdar of Deccan was Salabut Jung, the friend of the French: So far, in point of title, they had the undoubted advantage. The patents, however, which Dupleix had received from Salabut Jung, and which placed the nabobship of the Carnatic entirely at his disposal, he asserted to have been confirmed by the Mogul. The English, on their side, affirmed that they had a patent constituting Mahomed Ali Nabob of Carnatic; and they called upon the French to produce their documents. The French did exhibit some papers, which the English, and probably with truth, asserted to be forged. The English were called upon to produce their pretended patent, and had none to produce: Upon this with mutual crimination the proceedings broke off.[1]

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The parties upon whom the decision depended in Europe came together with minds more disposed to accommodation. The English Company had, from an early period of the war, importuned the ministry with complaints, that during the existence of a treaty of peace between England and France, they were oppressed by the burden of a dangerous war, produced by the ambition of a French governor in India. The same subject had formed the matter of remonstrance between the English and French governments; and it was at last agreed that the dispute should be terminated by a distinct negotiation. M. Duvelaer arrived in London, vested with the powers of the French East India Company; Lord Holdernesse negotiated on the part of the English; while the Duke of Newcastle, as minister of England, and the Duc de

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Mirepoix, as embassador of France, shared, when necessary, in the conferences and decisions.

Dupleix, in stating afterwards the reasons of his conduct, asserted that, in the situation into which Deccan was thrown, upon the death of Nizam al Mulk, an interference in the affairs of the country was not a matter of choice. The chiefs who contended for power, supreme and subordinate, were all ready to tempt, and by the most important concessions, the European nations to grant them support. If one nation, from an extraordinary effort of self-denial, should decline such advantages, what was to be expected but that another would embrace them? and that, rising in power above its rivals, it should first oppress, and finally expel them from the country? Dupleix was the first to perceive these consequences; and, from the promptitude and decision of his character, the first to act upon his discovery. This priority, which naturally promised to be advantageous to him, was the reverse. It stamped his whole career with the character of aggression; though the English themselves drew the same conclusions, as soon as they were suggested to them by the proceedings of Dupleix; and guided their proceedings by the belief, that it was not safe for them to see their rival aggrandized by favour of the native powers. That to play a high game in India, was a wish dear to the heart of Dupleix, sufficiently appears; but that there were strong reasons for the part which he acted, no one acquainted with the affairs of India will attempt to dispute.



The French East India Company, however, and the French Ministers, were but little acquainted with the affairs of India; those who envied, and those who hated Dupleix, accused him of wasting the resources of the Company in ambitious wars; the English Company and the English Ministry accused him of embroiling the two nations in India; and there was a general prejudice against him and his proceedings, both in France and in England, at the time when the conferences in London were held. The English Ministry prudently dispatched a considerable fleet to India while the negotiation was still proceeding. The French Ministry had no fleet to spare; and dreaded the superiority which such a force might bestow. The French Company were at the same time extremely eager to taste the gains of commerce, which they promised themselves in peace; and, from all these causes, were disposed to make ample concessions. It ultimately appeared, that no definitive arrangement could be made except upon the spot. The English, however, exclaimed against any negotiation which was to be conducted by Dupleix, the object of which, they affirmed, his ambition and artifice would be sure to defeat. The French Ministry were not far from harbouring the same opinion; and easily enough assented to the proposition of sending commissioners from Europe to settle the differences of the two nations in India.

A point was thus gained in favour of the English, on which their fortune in India very probably hinged; for when, after the short interval of two years, war was renewed between the English and French; when the English were expelled from Bengal; and the influence of Bussy was paramount at the court of the Subahdar; had Dupleix remained at the head of French affairs in India, the scheme of that enterprising governor, to render himself master of Carnatic, and the Subahdar master of Bengal, would have stood a fair chance of complete accomplishment.

On the second of August, 1754, M. Godheu, appointed commissary to negotiate a peace with the English, and vested with authority to supersede Dupleix in the government of all the French possessions in India, arrived at Pondicherry. Dupleix affirms, that in the negotiations at London, for the sake of removing all local prejudices and views, it had been established that the governors in India on both sides should be removed; and commissioners, free from all bias, should be sent from England to terminate the costly disputes.1 If this was a condition really made, the French, it would appear, consented to a departure from it, as they raised no complaint against Mr. Saunders, who continued the President of Madras. The English in this manner obtained the important advantage of having the negotiation conducted on their side by a person conversant with the affairs and interests of the two nations in India, while it was conducted, on the part of their antagonists, by a man to whom they were in a great measure unknown.

Godheu lost no time in taking upon himself the exercise of his authority, and in commencing his negotiations with Saunders. The strong desire of his employers for peace appears to have been the predominating consideration in his mind; and he manifested, from the beginning, a disposition to concede, of which the English made ample advantage. On the 11th of October, a suspension of arms was established for three months; and on the 26th of December, a provisional treaty, to be confirmed or altered in Europe, was signed at Pondicherry. By this treaty, every thing for which they had been contending was gained by the English; every advantage of which they had come into possession was given up by the French. By the stipulation to withdraw effectually from interference in the affairs of the native princes, Mahomed Ali was left, by the fact, Nabob of Carnatic or Arcot. And by the stipulation to arrange the territorial possessions of the two nations on the principle of equality, the important acquisition of the four Circars was resigned.1 Till the decision of the two Companies in Europe should be given, the contracting parties were to abstain from hostilities, direct or indirect; and their possessions to remain as they were.



That the severe strictures which Dupleix made upon this treaty were in some degree overcharged, is not to be denied. There is no reason to believe him, when he asserts that Trichinopoly was on the point of surrendering for want of supplies; for, at the time of the suspension of arms, the relative advantages of the contending parties appear to have been nearly the same as they had been twelve months before. It is equally impossible to believe, what the English writers affirm, that the advantages of the English were now so great as to make it politic on the part of the French to conclude the treaty, unfavourable as it was. Admiral Watson had indeed arrived with a fleet, consisting of three ships and a sloop; having on board a king's regiment of 700 men, with forty artillery men, and 200 recruits. But 1500 European troops had arrived with Godheu on the part of the French;1 and Dupleix boasts, with some reason, that he could have added to these the Mahrattas, the Mysoreans, and, on certain conditions, the King of Tanjore.2 Bussy too had improved with so much ability his situation with Salabut Jung, that he ruled in a great measure the counsels of the Subahdar of Deccan.

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After displaying, in the most brilliant manner, the extraordinary superiority of European soldiers, in the subjugation of the Patan rebels, he compelled Salabut Jung to raise the son of Mirzapha Jung, the late Subahdar, and friend of the French, to the government, originally enjoyed by that unfortunate prince, of the strong hold of Adoni and its territory, augmented by the possessions of two of the Patan nobles, by whose treachery the father was slain. "An example of generosity," says Mr. Orme, "which, if true, could not fail to raise admiration in a country, where the merits of the father are so seldom of advantage to the distresses of the son."[1]

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The settlement of the dominions of Salabut Jung was formidably opposed by the Mahrattas, who, in the weakness which ensued upon the death of Nizam al Mulk, were actively employed in adding to their conquests as much as possible of the Subah of Deccan. A Mahratta general, named Balagee Row, had opposed himself, at the head of 25,000 horse, to the march of the Subahdar, between the Kistnah and Golconda, but, by negotiation and a suitable present, was induced to withdraw. Within a few months he appeared again, with a force which would have enabled him to gain important advantages, had not the talents of Bussy, and the execution of European firearms, which astonished the Indians, decided in a variety of engagements the fortune of the day. Danger came not from one quarter alone. Ghazee ad dien Khan, the eldest son of Nizam al Mulk, destined by his father to maintain the interests of his family at the court of the Mogul, had apparently acquiesced in the accession of his second brother to the government of Deccan, to which, as to a destined event, he had been accustomed to look. Upon the death however of Nazir Jung, as he had become very uneasy in his situation at court, he solicited, as the eldest son and successor of Nizam al Mulk, the appointment of Subahdar of Deccan. The assent of the Emperor, which was now a mere form without power, was easily obtained; and Ghazee ad dien arrived at Aurungabad in the beginning of October, 1752, at the head, it is said, of 150,000 men, of whom a large body were Mahrattas, commanded by Holkar Malhar. At the same time Balagee Row, and another Mahratta general, named Ragogee Bonsla, in concert, it is said, with Ghazee ad dien Khan, entered the province of Golconda with 100,000 horse. To meet these formidable armies, Salabut Jung and Bussy took the field with very unequal numbers; when Ghazee ad dien Khan suddenly died. He was an old man, worn out by the pleasures of the harem; and his sudden death was by no means a surprising event; but, as it was singularly opportune for Salabut Jung, it was ascribed to poison, said to be administered, at his instigation, by the mother of the deceased; and, as the event was favourable to the French, the story of its odious cause has been adopted, with patriotic credulity, by the English historians.[1] The Mahratta generals still continued the war; but were in every encounter repulsed with so much slaughter by the French, that they soon became desirous of peace, and Salabut Jung was happy to purchase their retreat by the cession of some districts, to Balagee Row in the neighbourhood of Boorhanpore, and to Ragogee Bonsla, in the neighbourhood of Berar; where that Mahratta chief had acquired for himself an extensive dominion. By the services which, in all these dangers, Bussy had rendered to the cause of Salabut Jung,[2] whom he alone preserved upon the throne, his

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influence with that prince had risen to the greatest height: And though the envy and jealousy of the Ministers, and the weak character of the Subahdar, exposed his power to perpetual jeopardy; and on one occasion, when he was absent for the recovery of his health, had almost destroyed it; the prudence and dexterity of that able leader enabled him to triumph over all opposition. In the latter end of 1753 he obtained for his country the four important provinces of Mustaphanagar, Ellore, Rajamundry, and Chicacole, called the Northern Circars; "which made the French," says Mr. Orme, "masters of the sea-coast of Coromandel and Orixa, in an uninterrupted line of 600 miles from Medapilly to the Pagoda of Jagernaut;"[1] and "which," says Colonel Wilks, "not only afforded the requisite pecuniary resources, but furnished the convenient means of receiving reinforcements of men and military stores from Pondicherry and Mauritius; and thus enabled Bussy to extend his political views to the indirect or absolute empire of Deccan and the south."[2] All these brilliant advantages were now cordially resigned by M. Godheu; and it will certainly be allowed that few nations have ever made, to the love of peace, sacrifices relatively more important.

Dupleix, says Mr. Orme, whose concluding strictures upon his enemy are equally honourable to the writer and the subject, "departed on his voyage to Europe, on the 14th of October, having first delivered his accounts with the French Company to Mr. Godheu, by which it appeared that he had disbursed on their account near three millions of rupees more than he had received during the course of the war. A great part of this sum was furnished out of his own estate, and the rest from moneys which he borrowed



at interest, from the French inhabitants at Pondicherry, upon bonds given in his own name. Mr. Godheu referred the discussion of these accounts to the Directors of the Company in France, who pretending that Mr. Dupleix had made these expenses without sufficient authority, refused to pay any part of the large balance he asserted to be due to him; upon which he commenced a law-suit against the Company; but the ministry interfered and put a stop to the proceedings by the King's authority, without entering into any discussion of Mr. Dupleix's claims, or taking any measures to satisfy them. However, they gave him letters of protection to secure him from being prosecuted by any of his creditors. So that his fortune was left much less than that which he was possessed of before he entered upon the government of Pondicherry, in 1742. His conduct certainly merited a very different requital from his nation, which never had a subject so desirous and capable of extending its reputation and power in the East Indies; had he been supplied with the forces he desired immediately after the death of Anwar-o-dean Khan, or had he afterwards been supported from France in the manner necessary to carry on the extensive projects he had formed, there is no doubt but that he would have placed Chunda Saheb in the nabobship of the Carnatic, given law to the Subah of the Deccan, and perhaps to the throne of Delhi itself, and have established a sovereignty over many of the most valuable provinces of the empire; armed with which power he would easily have reduced all the other European settlements to such restrictions as he might think proper to impose. When we consider that he formed this plan of conquest and dominion at a time when all other Europeans entertained the

highest opinion of the strength of the Mogul government, suffering tamely the insolence of its meanest officers, rather than venture to make resistance against a power which they chimerically imagined to be capable of overwhelming them in an instant, we cannot refrain from acknowledging and admiring the sagacity of his genius, which first discovered and despised this illusion."[1]

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In a short time after the conclusion of this treaty, both Saunders and Godheu took their departure for Europe; pleasing themselves with the consideration that, by means of their exertions, the blessings of peace between the two nations in India were now permanently bestowed. Never was expectation more completely deceived. Their treaty procured not so much as a moment's repose. The English proceeded to reduce to the obedience of their Nabob the districts of Madura and Tinivelly. The French exclaimed against these transactions, as an infringement of the treaty with Godheu; but finding their remonstrances without avail, they followed the English example, and sent a body of troops to reduce to their obedience the petty sovereignty of Terriore.

Madura was a small kingdom, bordering on Trichinopoly towards the south; and Tinivelly was a kingdom of similar extent, reaching from the southern extremity of Madura to Cape Comorin. These countries had acknowledged the supremacy of the Mogul government of Deccan, and had paid tribute through the Nabob of Arcot. When Chunda Saheb was master of Trichinopoly, he had set up his own brother as Governor of Madura; but during the disturbances which followed, a soldier of fortune, named Aulum Khan, obtained possession of the city and government. When Aulum Khan marched to the assistance of Chunda Saheb at Trichinopoly, where he lost his life, he left four Patan chiefs to conduct his government, who acted as independent princes, notwithstanding the pretensions of Mahomed Ali, as Nabob of Arcot. To compromise the dispute about Trichinopoly, Mahomed Ali had offered to resign Madura to the Mysoreans. And upon his liberation from the terror of the French arms, by the treaty of Godheu, he prevailed upon the English to afford him a body of troops to collect, as he hoped, and as the English believed, a large arrear of tribute from the southern dependencies of his nabobship.

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The troops proceeded to the city of Madura, which they took. The Polygars, as they are called; the lords, or petty sovereigns of the several districts; overawed by the terror of European arms, offered their submissions, and promised to discharge the demanded arrears; but for the present had little or nothing which they were able to pay. Instead of the quantity of treasure which the Nabob and English expected to receive, the money collected sufficed not to defray the expense of the expedition. The disappointment and ill humour were consequently great. The conduct of the English officer who commanded became the subject of blame. He formed a connexion, which promised to be of considerable importance, with Marawar; a district, governed by two Polygars, which extended along the coast on the eastern side of Madura, from the kingdom of Tanjore till it joined Tinivelly; but this connexion gave umbrage to the Polygar Tondeman, and the Rajah of Tanjore, in satisfaction to whom it was renounced. With Maphuz Khan, the brother of the Nabob, who attended

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the expedition, as future Governor of the country, the officer formed an agreement, at a rent which was afterwards condemned, as not one half of the requisite amount: And the English detachment, upon its return, was imprudently exposed in a narrow pass, where it suffered severely by the people of the country. From all these causes, the existing displeasure found an object and a victim, in the unlucky officer, who was tried, and dismissed from the Company's service.1

About the same time with these transactions in Madura, Salabut Jung, accompanied by Bussy and the French troops, marched against the kingdom of Mysore, to extort arrears of tribute, said to be due from it, as a dependency of the Subah of Deccan. Upon this emergency, the Mysorean army before Trichinopoly (the Mysoreans had refused to abandon their pretensions upon Trichinopoly, when the treaty was concluded between the English and French), was recalled. As the Mysoreans were threatened at the same time by an army of Mahrattas under Balagee Row, they were happy to acquire the protection of Salabut Jung, by acknowledging his authority, and paying as large a sum as it was possible for them to raise.

By the departure of the Mysoreans from Trichinopoly, Mahomed Ali was left without an ostensible opponent in Carnatic: and he was vested, as pompously as circumstances would permit, with the ensigns of his office and dignity, at Arcot. It still remained to compel the Zemindars or Polygars, and other Governors of forts and districts, to yield him a revenue. The English, after stipulating to receive one half of all the moneys collected, sent with him a large detachment to enforce a tribute from the

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northern chiefs, who recognized the authority of the Nabob, and produced a portion of the demanded sums. The reputed riches of Mortiz Ali, the Governor of Velore, rendered his subjugation the main object of desire. The English detachment was strongly reinforced; and encamped with the Nabob within cannon-shot of the fort. Mortiz Ali applied to the French. M. Deleyrit, who was Governor of Pondicherry, informed the English presidency, that he regarded their proceedings at Velore as a violation of the treaty; and that he should commence hostilities, if their troops were not immediately withdrawn. The English rulers, soon aware that Velore could not be easily taken; and unwilling to put to proof the threat of Deleyrit, who had made 700 Europeans, and 2,000 Sepoys take the field; recalled the army to Madras. An attempt was made to obtain a contribution for the Company from Mortiz Ali; but the negotiation terminated without any effect.1

Meanwhile the Polygars of Madura and Tinivelly who had made an ostensible submission during the presence of the English troops, were affording dangerous employment to the Governor Maphuz Khan. A confederacy was formed, which it soon appeared that the Governor was altogether unable to withstand. The English sent a large body of Sepoys. But in spite of this support, the refractory chiefs continued unsubdued; the country was thrown into confusion by a petty warfare which extended itself into every corner of the provinces; and no tribute could be raised. Highly dissatisfied with the unproductive state of a country, which they had fondly believed to be the richest dependency of the Carnatic Nabob, the English determined to manage it themselves; and

Maphuz Khan was ordered to return to Trichinopoly. But that chief entered immediately into confederacy with the Polygars; set himself in opposition to the English; obtained possession of the town and fort of Madura by a stratagem: And, with much uneasiness to the English, the disturbances in Madura and Tinivelly were prolonged for several years.[1]

During these transactions of the English, not very consistent with their agreement not to interfere in the disputes of the native princes or add to their territory in India, the French were restrained from that active opposition which, otherwise, it is probable, they would have raised, by the dangerous situation of their affairs under the government of the Subahdar.

The enemies of Bussy, in the service and in the confidence of Salabut Jung, were both numerous and powerful; and exerted themselves in concert, and with eagerness, to change the confidence and attachment of their feeble-minded master into distrust and hatred. It was now about two years and a half since the grant of the northern Circars; when certain favourable circumstances enabled them to make so deep an impression on the mind of this prince, that the French troops were ordered to quit his territories without delay. Bussy, in expectation, probably, that the necessities of the Subahdar would speedily make him eager to retract his command, showed no hesitation in commencing his march. It was continued for eight days without interruption: but his enemies had a very different intention from that of allowing him to depart in safety. When he approached the city of Hyderabad, he found his progress impeded by large bodies of troops; and the road obstructed by all the chiefs of the neighbouring countries; who had orders to intercept his march. Upon this he resolved to occupy a post of considerable strength, adjoining the city of Hyderabad; to defend himself; and try the effect of his arms, and of his intrigues among the chiefs, whom he well knew, till the reinforcements which he expected from Pondicherry should arrive. Though surrounded by the whole of the army of the Subahdar, and so feeble in pecuniary means, that his Sepoys deserted for want of pay, and he durst not venture them in sallies, for fear of their joining the enemy, he found the means of supplying himself fully with provisions, and of resisting every attack, till his succours arrived; when the Subahdar sent to demand a reconciliation, and he was restored to a still higher degree of influence and authority than he had previously enjoyed.

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Among the means which had been employed to reconcile the mind of Salabut Jung to the dismissal of the French, was the prospect held up to him of replacing them by the English. No sooner therefore were the measures against Bussy devised, than an application was made for a body of troops to the Presidency of Madras. To the Presidency of Madras, few things could have presented a more dazzling prospect of advantage; and in any ordinary situation of their affairs, the requisition of the Subahdar would have met with an eager acceptance. But events had before this time taken place in Bengal which demanded the utmost exertions of the English from every quarter; made them unable to comply with the proposal of the Subahdar; and thenceforward rendered Bengal the principal scene of the English adventures in India.[1]

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# CHAP. III.

Suraja Dowla, Subahdar of Bengal—takes Calcutta—attacked by an army from Madras——dethroned—Meer Jaffier set up in his stead.

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During the latter part of the reign of Aurungzebe, the Subahs of Bengal and Orissa, together with those of Allahabad and Bahar, were governed by his grandson Azeem Ooshaun, the second son of Shah Aulum, who succeeded to the throne. Azeem Ooshaun appointed as his deputy, in the provinces of Bengal and Orissa, Jaffier Khan, who had been for some time the duan, or superintendant of the finances, in Bengal; a man of Tartar descent, but a native of Boorhanpore in Deccan, who had raised himself to eminence in the wars of Aurungzebe. Upon the death of Shah Aulum, and the confusions which ensued, Jaffier Khan remained in possession of his important government, till he was too powerful to be removed. While yet a resident in his native city, he had married his daughter and only child to a man of eminence in the same place, and of similar origin with himself, by name Sujah Khan. This relative had repaired with him to Bengal; and when Jaffier Khan was elevated to the Subahdarry of Bengal and Orissa, Orissa was placed under the government of Sujah Khan, as deputy or nawab of the Subahdar.[1]

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Among the adventurers who had been in the service of Azeem Shah, the second son of Aurungzebe,
was a Tartar, named Mirza Mahommed. Upon the death of that prince, and the ruin of his party, Mirza Mahommed remained without employment; and was overtaken, after some years, with great poverty. His wife not only belonged to the same place from which the family of Sujah Khan was derived; but was actually of kin to that new ruler. By this wife he had two sons: the eldest named Hodgee Ahmed; the youngest, Mirza Mahommed Ali. Upon the news of the elevation of their kinsman, it was determined, in this destitute family, that Mirza Mahommed, with his wife, should repair to his capital in hopes of receiving his protection and bounty. The disposition of Sujah Khan was benevolent and generous. He received them with favour. The success of his father and mother induced Mirza Mahommed Ali, the youngest of the two sons, to hope for similar advantages. With great difficulty his poverty allowed him to find the means of performing the journey. He obtained employment, and distinction. His prospects being now favourable, he sent for his brother Hodgee Ahmed; and removed the whole of his family to Orissa. The talents of the two brothers were eminent. Hodgee Ahmed was insinuating, pliant, discerning; and in business equally skilful and assiduous. Mirza Mahomed Ali to all the address and intelligence of his brother added the highest talents for war. They soon acquired a complete ascendancy in the counsels of Sujah Khan; and by their abilities added greatly to the strength and splendour of his administration.

Jaffier Khan died in 1725; but destined Sereffraz Khan, his grandson, instead of Sujah Khan, the father of that prince, with whom he lived not on friendly terms, to the succession. By the address

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and activity of the two brothers, the schemes of Jaffier were entirely defeated; patents were procured from Delhi; and Sujah Khan, with an army, was in possession of the capital and the government, before any time was given to think of opposition. The province of Bahar was added to the government of Sujah Khan in 1729; and the younger of the two brothers, on whom was bestowed the title of Aliverdi Khan, was entrusted with its administration. He exerted himself, with assiduity and skill, to give prosperity to the province, and to acquire strength in expectation of future events.1 In 1739, the same year in which Nadir Shah ravaged Delhi, Sujah Khan died, and was succeeded by Sereffraz Khan, his son. Sereffraz Khan had been educated a prince; and had the incapacity, and the servile subjection to pleasure, which that education usually implies. He hated the brothers; and began with disgusting and affronting, when he should have either exterminated, or reconciled. The resolution of Aliverdi was soon taken. He employed his influence, which was great, at Delhi, to obtain his nomination to the government of Bengal and the united provinces; and marched with an army to dethrone Sereffraz, who lost his life in the battle. With the exception of the Governor of Orissa, whom he soon reduced, the whole country submitted without opposition. He governed it with unusual humanity and justice; and defended it with splendid ability and unwearied perseverance.

The Mahrattas, who had spread themselves at this time over a great part of the continent of India, seemed resolved upon the conquest of Bengal, the richest portion of the Mogul empire.1 The dependence of the greatest events upon the slightest causes is often exemplified in Asiatic story. Had Sereffraz Khan remained Subahdar of Bengal, the Mahrattas might have added it, and all the adjoining provinces, to their extensive dominion: The English and other European factories might have been expelled: Nothing afterwards remained to check the Mahratta progress: The Mahomedans might have been exterminated: And the government of Brahmens and Cshatriyas might have extended once more from Caubul to Cape Comorin.

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Aliverdi was on his return from the expedition against the Governor of Orissa, and had disbanded a great portion of his army, in contemplation of tranquillity and enjoyment, when he learned that a large army of Mahrattas had entered through the valleys in the mountains, at eight days' journey west of his capital Moorshedabad. The Mahrattas, besides possessing themselves of Candeish and Malwa, had, before this period, overrun and subdued the whole province of Berar, where a general, named Ragogee Bonsla, of the family of Sevagee, had established himself in a widely-extended sovereignty which acknowledged but a nominal subjection to the primitive throne. The dominions of Ragogee Bonsla were separated from Bahar, Bengal, and Orissa, by only a chain of mountains, which it was easy for Mahrattas to penetrate in many parts. And now it was that the said chief, either urged by the hope of adding the richest part of Hindustan to his empire, or at the instigation, as was alleged, of Nizam al Mulk, sent an army under a Brahmen general to invade Bengal.

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Aliverdi marched against them instantly with the small number of troops which he had about his person, and was hardy enough to venture a battle; but the Afghaun troops in his service were

discontented with some recent treatment, and were inclined to make their advantage of his necessities. They acted coldly and feebly during the engagement. Aliverdi found it difficult to avoid a total defeat, and remained surrounded on all sides by a numerous and active enemy. He resolved to fight his way back; and though he suffered prodigiously from the sword, from fatigue, and from famine, he effected a glorious retreat; but reached not his capital till a detachment of the enemy had taken and plundered the suburbs.1

The Mahrattas, instead of returning to their own country, determined to remain during the period of the rains; and collected the revenue of almost the whole of the territory south of the Ganges. Aliverdi made the greatest exertions to collect an army; and marching out at the termination of the rains, surprised the Mahrattas in their camp, and put them to flight; pursued them from post to post; and at last compelled them to evacuate his dominions.2

If Aliverdi flattered himself that he was now delivered from a dangerous foe, he knew not the people with whom he had to contend. The Mahrattas appeared the very next year with Ragogee Bonsla himself
at their head. Another army of Mahrattas, belonging to the government of Satarah, entered the province; but whether with hostile or friendly intentions, is variously asserted. It is not doubtful that, at this time, Aliverdi delivered himself from his enemies, by a sum of money; upon receipt of which they retired.1

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After a little time the general of Ragogee again entered by the province of Orissa, whence he advanced toward Bengal. By a train of artful and base negotiation, he was brought to trust himself at a conference in the tent of Aliverdi. He was there assassinated; and his death was the signal of dispersion to his troops.

The next invasion of the Mahrattas was encouraged by the rebellion of one of Aliverdi's principal officers. The good fortune of that chief still seconded his vigour. The formidable rebel was killed in battle, and the Mahrattas were compelled to retire.

The Mahratta pressure, incessantly returning, though frequently repelled, seldom failed, in the long run, to make the opposing body recede. The subjects of Aliverdi were grievously harassed, and the produce of his dominions was greatly impaired, by these numerous invasions, and by the military exertions which were necessary to oppose them.
In a new incursion, headed by Janogee the son of Ragogee, the Mahrattas possessed themselves almost completely, of Orissa. The attention of the Subahdar was engaged in another quarter: Discontent again prevailed among his Afghaun and Tartar officers, which it required some address to allay: His youngest nephew, who was the most distinguished for ability of all his relations, and whom he had appointed Nabob or Deputy Governor of Bahar, had taken into his pay two Afghaun officers, who had retired in discontent from the service of Aliverdi: These leaders murdered their young master, the nephew of the Subahdar; and with a body of Mahrattas, who had entered the province on purpose to join them, and a considerable army of their own countrymen, whom the

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host of Ahmed Shah Abdallee, then covering the upper provinces of Hindustan, enabled them to collect, erected against Aliverdi the standard of revolt. Never was that governor, or rather king, for it was but a nominal obedience which he now paid to the throne of Delhi, in greater danger. He was obliged to meet the enemy, with a very inferior force: Yet he gained a complete victory; and the Afghaun lords were killed in the battle. The Mahrattas, however, only retired on the road towards Orissa, without crossing the mountains; and halted at Midnapore. He followed; pursued them into Orissa, with great slaughter; and even recovered the capital Cuttack; but was obliged to leave the province in so defenceless a condition, that the Mahrattas were not long deprived of their former acquisitions.

During the fifteen years of Aliverdi's government or reign, scarcely a year passed free from the ruinous invasions of the Mahrattas; though during the infirmities of his latter years he had, by a tributary payment, endeavoured to procure some repose. He died at the age of eighty on the 9th of April, 1756.[1] Aliverdi never had a son. He had three daughters, and his brother had three sons.[2] He married his three daughters to his three nephews; all of whom were men of considerable merit. The youngest was slain by the Afghaun lords, as already related; and the two elder both died a little before the decease of Aliverdi. The eldest son of his youngest nephew had from his birth been taken under the immediate care of Aliverdi himself; and was the object of extreme and even doting fondness. This youth, on whom had been bestowed the title of Suraja Dowla, was, upon the death of his uncles, regarded as the destined successor of Aliverdi;[3] and took the reins of government without opposition upon his decease.



Suraja Dowla was educated a prince, and with more than even the usual share of princely consideration and indulgence. He had, accordingly, more than the usual share of the princely vices. He was ignorant; he was voluptuous; on his own pains and pleasures he set a value immense, on the pains and pleasures of other men no value at all; he was impatient, irascible, headstrong.

The first act of Suraja Dowla's government was to plunder his aunt, the widow of his senior uncle, eldest daughter of Aliverdi, reputed immensely rich. To this uncle had belonged the government of the province of Dacca; and orders were dispatched to that place, to seize the receivers and treasurers of the family. His second uncle, who was Nabob of Poorania or Purneah, a province on the northern side of the Ganges, died during the last illness of Aliverdi, and left the government in the hands of his son, whose conduct was imprudent, and his mind vicious. Jealousy, or the desire of showing power by mischief, excited the young subahdar to resolve upon the destruction of his cousin, the nabob of Purneah. He had advanced as far as Raje Mahl, when he received intelligence that one of the principal officers of finance in the service of his late uncle at Dacca, had given the slip to his guards; and found an asylum at Calcutta.



Suraja Dowla had manifested aversion to the English, even during the life of his grandfather; the appearance of protection, therefore, shown to a man, who had disappointed his avarice, and was probably imagined to have escaped with a large treasure, kindled his rage; the army was that moment commanded to halt, and to

march back towards the capital. A messenger was dispatched to Calcutta to remonstrate with the Governor; but as the messenger entered the town in a sort of disguise, the Governor thought proper to treat him as an impostor, and dismissed him from the Company's territory. With a view to the war between France and England, the Presidency had begun to improve their fortifications. This too was matter of displeasure to the Subahdar; and the explanation offered by the English, which intimated that those strangers were



audacious enough to bring their hostilities into his dominions, still more inflamed his resentment. The factory at Cossimbuzar, near Moorshedabad, was seized; and its chief, Mr. Watts, retained a prisoner. The Presidency were now very eager to appease the Subahdar; they offered to submit to any conditions which he pleased to impose; and, trusting to the success of their humility and prayers, neglected too long the means of defence. The Subahdar had a wish for a triumph, which he thought might be easily obtained; and he was greedy of riches, with which, in the imagination of the natives, Calcutta was filled.

The outposts of Calcutta were attacked on the 18th of June, 1756. There was but little of military skill in the place, and it was badly defended. After a short experiment of resistance, a general consultation decided upon the policy of retreat. It was agreed that the women and effects should be put on board the ships in the course of the next day; and that the persons employed in the work of defence should escape in the same manner the following night. There was hardly a chance of mishap, for the natives always close their operations with the close of the day; but by some strange inadvertence no orders were published respecting the mode in which the plan was to be carried into effect. It was generally known that retreat was intended: When the embarkation next morning began, every person imagined he was to shift for himself, and hurried on board by the readiest conveyance: During this confusion an apprehension arose in the ships respecting the security of their situation; and they began to move down the river: The danger of being left without the means of retreat now flashed on the minds of the



spectators on shore; and the boats were filled and gone in an instant. "Among those who left the factory in this unaccountable manner were, the Governor Mr. Drake, Mr. Macket, Captain Commandant Minchin, and Captain Grant."[1] Great was the indignation among the people in the fort, upon hearing that they were in this manner abandoned. Mr. Holwell, though not the senior servant, was by the general voice called to assume the command; and exerted himself with great vigour to preserve order, and maintain the defence. "Signals were now thrown out," says Mr. Cooke, "from every part of the fort, for the ships to come up again to their stations, in hopes they would have reflected (after the first impulse of their panic was over) how cruel as well as shameful it was, to leave their countrymen to the mercy of a barbarous enemy; and for that reason we made no doubt they would have attempted to cover the retreat of those left behind, now they had secured their own; but we deceived ourselves; and there never was a single effort made, in the two days the fort held out after this desertion, to send a boat or vessel to bring off any part of the garrison."[2] "Never perhaps," says Mr. Orme, "was such an opportunity of performing an heroic action so ignominiously neglected: for a single sloop with fifteen brave men on board, might, in spite of all the

efforts of the enemy, have come up, and anchoring under the fort, have carried away all who suffered in the dungeon."[3] During these trying days Mr. Holwell made several efforts, by throwing letters over the wall, to signify his wish to capitulate; and it was during a temporary pause in the fire of the garrison, while expecting an answer, that the enemy approached the walls in numbers too great to be resisted, and the place was carried by storm. The Subahdar, though humanity was no part of his character, appears not on the present occasion to have intended cruelty; for when Mr. Holwell was carried into his presence with his hands tied, he ordered them to be set loose, and assured him, upon the faith of a soldier, that of the heads of him and his companions not a hair should be touched. When evening however came, it was a question with the guards to whom they were entrusted, how they might be secured for the night. Some search was made for a convenient apartment; but none was found; upon which information was obtained of a place which the English themselves had employed as a prison. Into this, without further inquiry, they were impelled. It was unhappily a small, ill-aired, and unwholesome dungeon, called, the Black Hole; and the English had their own practice to thank for suggesting it to the officers of the Subahdar as a fit place of confinement.[1] Out of 146 unfortunate individuals thrust in, only twenty-three were taken out alive in the morning. The horror of the situation may be conceived, but it cannot be described. "Some of our company," says Mr. Cooke, "expired very soon after being put in; others grew mad, and having lost their senses, died in a high delirium." Applications were made to the guard, with the offer of great rewards; but it was out of their power to afford relief. The only chance consisted in conveying intelligence, by means of a bribe, to some officer of high authority; but to no one does it appear that this expedient occurred.[1]





The news of the capture of Cossimbuzar arrived at Madras on the 15th of July, of that of Calcutta on the 5th of August. It was fortunate that Admiral Watson and Colonel Clive were now both upon the coast. Admiral Watson was commander of the squadron which the English ministry had prudently sent to India during the progress of the negotiation in 1754. Soon after his arrival on the coast of Coromandel, the monsoon obliged him to sail to Bombay, from which he returned in the January following, by a very able navigation against a contrary monsoon; and was now joined by Mr. Pocock, who had arrived from England with two ships of superior force. He remained on the coast of Coromandel till the 10th of October, when he again sailed to Bombay, to escape the monsoon. At this place matters of great importance were already in agitation.



Captain Clive had arrived from England, where he had obtained the rank of Lieutenant Colonel in his Majesty's service, and the appointment of Deputy Governor of Fort St. David. He had landed at Bombay, with three companies of the King's artillery, and between three and four hundred of the King's troops, with a view to a project, concerted in England, of attacking Salabut Jung, in conjunction with the Mahrattas, and driving the French out of Deccan. The report which the directors in England had received of the brilliant exploits of Captain Clive in India had made them

desirous of entrusting to *him* a service, highly delicate, of the greatest importance, and requiring the fullest acquaintance with the manners and circumstances of the country. "But from that dependance on the ministry," says Mr. Orme, "to which their affairs will always be subject, whilst engaged in military operations, the Court of Directors, in compliance with very powerful recommendations, appointed Lieutenant Colonel Scott to command the expedition."[1] This officer had sailed to India, in the capacity of Engineer-General, the preceding year. Clive was still directed to land at Bombay, in hopes that some accident might take the business out of the hands of Scott; which in reality happened, for that officer died before the other arrived. But in the mean time, the truce had been concluded between the English and French; and the Presidency of Bombay refused to engage in a measure by which it would be violated. There was another enterprise, however, in which they had already embarked, and in which, with the great force, military and naval, now happily assembled at Bombay, they had sanguine hopes of success.



The Mahrattas as early as the time of Sevagee, had raised something of a fleet, to protect them against the enterprise of the Siddees. In this service a common man distinguished himself; and rose from one post to another, till he became Admiral of the fleet. He was appointed Governor of a strong fort, called Severndroog, situated on a rocky island, within cannon shot of the continent, about eight miles north from Dabul. This adventurer quarrelled with the Mahratta government; and revolted with the greater part of the fleet. He not only set the Mahratta state at defiance; but was able to render himself master of the coast to an extent of sixty leagues, from Tanna to Rajapore; and the Mahrattas compounded their dispute with him, by receiving a small annual tribute as a mark of subjection. The name of the successful rebel was Conagee Angria; and he made piracy his trade. The nature of the coast is well adapted to that species of depredation; because it is intersected by a great number of rivers, and the breezes compel ships to keep close to the land. The European nations had been harassed by this predatory community for nearly half a century; they had made several efforts to subdue them; but the power of Angria had always increased; and his fleets now struck terror into all commercial navigators on the western coast of India.



Several approaches towards the formation of a union for the extirpation of these corsairs had been made by the English and Mahrattas; but without effect, till 1755, when an English squadron, under Commodore James, and a land army of Mahrattas, attacked Severndroog, and took it, as well as the fort of Bancoote. It was toward the conclusion of the same year that Admiral Watson with his fleet, and Colonel Clive with his forces, arrived at Bombay: The final reduction of the piratical state was therefore decreed. On the 11th of February, 1756, the fleet, consisting of eight ships, besides a grab, and five bomb ketches, having on board 800 Europeans and 1,000 Sepoys, commanded by Colonel Clive, arrived at Gheriah; while a Mahratta army approached on the other side. Gheriah, the capital of Angria, stood on a rocky promontory, nearly surrounded by the sea, and had a fort of extraordinary strength. But the number of the assailants, and the violence of the cannonade, terrified both Angria and his people; and they made a feeble use of their advantages. Angria, with a

view to effect an accommodation, placed himself in the hands of the Mahrattas; the fort surrendered; and the object of the expedition was completely attained. Watson arrived at Madras on the 16th of May, and Clive repaired to his government at Fort St. David, from which, in the month of August, he was summoned to Madras, to assist in the deliberations for recovering Calcutta.[1]

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It was resolved, after some debate, that the reestablishment of the Company's affairs in Bengal should be pursued at the expense of every other enterprise. A dispute, however, of two months ensued, to determine in what manner prizes should be divided; who should command; and what should be the degree of power entrusted with the commander. The parties, of whom the pretensions were severally to be weighed, were Mr. Pigot, who had been Governor of Madras since the departure of Saunders, but was void of military experience; Colonel Aldercron, who claimed as senior officer of the King, but was unacquainted with the irregular warfare of the natives; Colonel Laurence, whose experience and merit were unquestionable, but to whose asthmatical complaints the close and sultry climate of Bengal were injurious; and Clive, to whom none of these exceptions applied. It was at last determined, that Clive should be sent. It was also determined, that he should be sent with powers independent of the Presidency of Calcutta. Among his instructions, one of the most peremptory was, that he should return, and be again at Madras with the whole of the troops, in the month of April; about which time it was expected that in consequence of the war between France and England, a French fleet would arrive upon the coast. It was principally, indeed, with a view to this return, that independence of the Calcutta rulers, who might be tempted to retain him, was bestowed upon Clive.

The force, which sailed from the road of Madras, on the 16th of October, consisted of five King's ships with Admiral Watson as Commander, and five Company's ships, serving as transports; having on board 900 European troops, and 1,500 Sepoys. All the ships, with the exception of two, arrived in the Ganges on the 20th of December, and found the fugitives from Calcutta at Fulta, a town at some distance down the river, to which the ships had descended, and where they had found it practicable to remain.

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After forwarding letters, full of threats, to Suraja Dowla, which the Governor of Calcutta sent word that he dared not deliver, it was resolved to commence operations, by the capture of a fort, which stood, on the river, between Fulta and Calcutta. On the 27th of December, at the time when the fort was to be attacked by the ships, Clive marched out, with the greater part of the troops, to lay an ambush for intercepting the garrison, who were not expected to make a tedious defence. The troops, fatigued in gaining their position, were allowed to quit their arms to take a little repose; "and from a security," says Mr. Orme, "which no superiority or appearances in war could justify, the common precaution of stationing centinels was neglected." In a few minutes they were all asleep; and in this situation, surprised by a large body of the enemy. The presence of mind and steady courage, which never deserted Clive in sudden emergencies, enabled him, even in those unfavourable circumstances, to disperse a band of irregular troops, led by a cowardly commander. "But had the enemy's cavalry," says Orme, "advanced and charged at the same time that the

infantry began to fire, it is not improbable that the war would have been concluded on the very first trial of hostilities."[1]



The ships came up and cannonaded the fort; but the garrison frustrated the project of Clive; and, totally unperceived, made their escape in the night. The other forts on the river were deserted, as the English approached; and on the 2d of January, 1757, the armament arrived at Calcutta. The garrison withstood not the cannon of the ships for two hours; and evacuated the place. The merchandise belonging to the Company was found mostly untouched, because it had been reserved for the Subahdar; but the houses of individuals were totally plundered.

Intelligence was received from the natives, who began to enter the town, that Hoogley, a considerable city, about twenty-three miles up the river from Calcutta, was thrown into great consternation by these recent events. In this situation an attack upon it was expected to produce a very favourable result. One of the ships sent on this service struck on a sandbank, and five days retarded the progress of the detachment. On the 10th of January they reached the spot; made a breach in the wall before night; and the troops no sooner mounted the rampart, than the garrison fled and escaped.

During the expedition to Hoogley news arrived of the commencement of hostilities between England and France.[1] The French in Bengal had a force of 300 Europeans, and a train of field artillery; which, if added to the army of the Subahdar, would render him an irresistible enemy. The English were now very desirous to make their peace with that formidable ruler; but the capture of Hoogly, undertaken solely with a view to plunder, had so augmented his rage, that he was not in a frame of mind to receive from them any proposition; and his army received its orders to march. Happily for the English, the same spirit by which Dupleix was reproached for not having negotiated a neutrality between the French and English Companies in India, though the nations were at war in Europe, prevailed in the Councils at Chandernagor. The rulers at that settlement refused to assist Suraja Dowla; and proposed that they and the English should engage by treaty, notwithstanding the war between their respective countries, to abstain from hostilities against one another in Bengal. Still the power of the Subahdar presented an appalling aspect to Clive; and no sooner had he received intimation of an abatement in the irritation of that enemy, than he renewed his application for peace. The Subahdar received his letter, and even proposed a conference; but continued his march, and on the 3d of February surrounded Calcutta with his camp. Clive resolved to surprise it before dawn of the following morning. The design was no less politic than bold; both as the audacity of it was likely to alarm a timorous enemy; and as the difficulty of procuring provisions, surrounded by a large body of cavalry, must soon have been great. The execution, however, was badly planned; and a thick mist augmented the causes of misfortune. The troops suffered considerably; and were several times exposed to the greatest dangers. Yet they marched through the camp; and produced on the minds of the Subahdar and his army the intended effect. Eager to be removed from an enemy capable of those daring attempts, Suraja Dowla was now in earnest to effect an accommodation.

Overtures were received and returned; and on the 9th of February a treaty was concluded by which the Nabob, as he was styled by the English, agreed to restore to the Company their factories, and all the privileges they had formerly enjoyed; to permit them to fortify Calcutta; and to make compensation to them for such of the plundered effects as had been brought to account in the books of his government. So greatly was he pleased with this treaty, that two days after its conclusion, he proposed to conclude with the English an alliance offensive and defensive; a contract which the English eagerly formed, and which both parties ratified on that very day.



In return to the French for that neutrality of theirs which had saved the English, Clive, at the very moment of making peace with the Nabob, sounded him to know if he would permit the English to attack the settlement at Chandernagor, for which there still would be time before the setting in of the southern monsoon. The proposition was hateful to the Subahdar; but for the present he returned an evasive answer. As this was not a prohibition, Clive resolved to construe it as a permission; and he sent his army across the river. The Subahdar now interfered with efficacy; sent an express prohibition; and took measures for opposing the attempt.

The Council at Calcutta, no longer expecting the consent of the Subahdar, and alarmed at the thought of attempting the enterprise in defiance of his authority, entered into negotiation with the French. They had mutually agreed upon terms; and obtained the assent of the Subahdar to guarantee between them a treaty of neutrality and pacification. But the factory at Chandernagor was dependant on the government of Pondicherry, and could only ratify the treaty provisionally; the government of Calcutta signed with definitive powers. This difference started a scruple in the brain of Admiral Watson; and he refused to sign. In the opinion of Clive, there was but one alternative: that of embracing the neutrality, or instantly attacking Chandernagor. But Watson refused to attack without the Nabob's consent; and Clive urged the necessity of accepting the neutrality. In a letter to the Select Committee he said, "If the neutrality be refused, do but reflect, Gentlemen, what will be the opinion of the world of these our late proceedings. Did we not, in consequence of a letter received from the Governor and Council of Chandernagor, making offers of a neutrality within the Ganges, in a manner accede to it, by desiring they would send deputies, and that we would gladly come into such neutrality with them? And have we not, since their arrival, drawn out articles that were satisfactory to both parties; and agreed that such articles should be reciprocally signed, sealed, and sworn to? What will the Nabob think, after the promises made him on our side, and after his consenting to guarantee this neutrality? He, and all the world, will certainly think, that we are men without principles, or that we are men of a trifling insignificant disposition."[1] While the altercations on this subject continued, news reached the Subahdar, that Ahmed Shah, the Abdallee, had taken Delhi; and meant to extend his conquests to the eastern provinces of the Mogul empire. This intelligence, which filled him with consternation, suggested the vast importance of securing the co-operation of the English; and he immediately sent a letter to Colonel Clive, the object of which was to pave the way for attaining it, on almost any terms. The very same day on which the letter of

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the Nabob reached Calcutta, the arrival was announced of three ships with troops from Bombay, and of one of the ships, also bearing troops, which sailed with Clive from Madras, but was compelled to return. “With such additions,” says Mr. Orme, “the English force was deemed capable of taking Chandernagor, although protected by the Nabob’s army: Colonel Clive therefore immediately dismissed the French deputies, who were then with him waiting to sign the treaty, which was even written out fair, and which they supposed had been entirely concluded.”[1]

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The English force advanced; while the scruples of Admiral Watson, under the great accession of force, were vanquished by some supposed contradictions in the letters of the Subahdar; and the opposition of the Subahdar was suspended by his apprehension of the Afghauns. On the 14th of March, the detachment from Bombay having joined the English army, hostilities commenced. The French defended themselves with great gallantry: the Nabob, roused at last, and eager to prevent their fall, sent peremptory orders to the English to desist; and even put a part of his army in motion: But the fire from the ships was irresistible, and the reduction of the fort anticipated the effects of his intended resistance. The resentment of the Nabob was checked by his remaining dread of the Abdallees; and he still courted the friendship of the invaders: He, however, eluded their request to give up all the other French factories and subjects in his dominions; and afforded protection to the troops who had escaped from the fort of Chandernagor.

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The time was now arrived when, according to his instructions, Clive ought no longer to have deferred his return to Madras. He himself, in his letter to the select committee, dated the 4th of March, had said respecting Watson’s objection to the treaty of neutrality; “This leads me to consider seriously the situation of the Company’s affairs on the *coast*, and the positive orders I have received from the President and the Committee at Madras, to return at all events with as great a part of the forces under my command as could possibly be spared.”[1] “The situation of the Company’s affairs on the coast,” that is, in Carnatic, was indeed in no small degree alarming, if they remained without the protection of their military force, sent for the restoration of the settlements in Bengal. The Presidency of Madras had not left themselves troops sufficient to make head against the French even then in the country; and it was known at Madras, before the departure of Clive, that, in consequence of the expected hostilities, a powerful armament was destined by the French government for India; and without doubt would make its first landing in Carnatic. On the other side Clive beheld an opening for exploits, both splendid and profitable, in Bengal; overlooked all other considerations; violated his instructions; and remained.

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The French, who had collected themselves at Cossimbuzar, became the first subject of dispute. Instead of yielding them up, on the repeated solicitations of the English, the Nabob furnished M. Law, who was the head of the factory at Cossimbuzar, with money, arms, and ammunition, and sent them into Bahar; Clive, to the great displeasure of his new ally, threatening, and even preparing, to detach a part of his army to intercept them. By the author of the Seer Mutakhareen, we are told, that M.

Law, before his departure, revealed to Suraja Dowla the disaffection of his principal officers; the connection which they would be sure to form with the English for his destruction; and the necessity of retaining the French about his person if he wished to preserve himself from that deplorable fate. The persons, however, who meditated his ruin, and who saw the importance of removing the French, pressed upon his mind the impolicy of quarrelling with the victorious English on account of the vanquished and fugitive French. He therefore dismissed M. Law, telling him, "that if there should happen any thing new, he would send for him again."—"Send for me again?" answered Law, "Be assured, my lord nawab, that this is the last time we shall see each other; remember my words,—we shall never meet again; it is nearly impossible."[1]

Lord Clive, in his statement to the House of Commons, said, "that after Chandernagor was resolved to be attacked, he repeatedly said to the committee, as well as to others, that they could not stop there, but must go further; that, having established themselves by force, and not by consent of the Nabob, he would endeavour to drive them out again; that they had numberless proofs of his intentions, many upon record; and that he did suggest to Admiral Watson and Sir George Pococke, as well as to the Committee, the necessity of a revolution; that Mr. Watson and the gentlemen of the Committee agreed upon the necessity of it;[1] and that the management of that revolution was, with consent of the committee, left to Mr. Watts, who was resident at the Nabob's capital, and himself; that great dissatisfaction arising among Suraja Dowla's troops, Meer Jaffier was pitched upon to be the person to place in the room of Suraja Dowla, in consequence of which a treaty was formed."[2]



A complicated scene took place, which it would be little instructive to unfold,[3] of plotting and intrigue. The first proposals were made by an officer named Yar Khan Latty; and they were greedily embraced; till intimation was received that Meer Jaffier Khan was inclined to enter into a confederacy for deposing the Subahdar. This was a personage of much greater power and distinction. He had been married at an early period to the sister of Aliverdi, and held a high rank in his army. Between him and Aliverdi had not been always the best understanding; and Meer Jaffier had at one time entered into a project of treason. But the interest of the two parties taught them to master their dissatisfaction; and at the death of Aliverdi, Meer Jaffier was paymaster general of the forces, one of the highest offices in an Indian government. Suraja Dowla hated Meer Jaffier, and was too ignorant and headstrong to use management with his dislikes. Shortly after his accession, Meer Jaffier was removed from his office, and remained exposed to all that might result from the violent disposition of the Subahdar. According to the constitution however of an Indian army, in which every General maintains his own troops, a considerable portion of the army belonged to Meer Jaffier; and this he exerted himself to increase, by enlisting as many as possible of the adventurers, with whom the nature of Indian warfare made the country abound.



In manufacturing the terms of the confederacy, the grand concern of the English appeared to be money. "The Committee really believed," says Mr. Orme, "the wealth of Suraja Dowla much greater than it possibly could be, even if the whole life of the

late Nabob Aliverdi had not been spent in defending his own dominions against the invasion of ruinous enemies; and even if Suraja Dowla himself had reigned many, instead of only one year."[1] They resolved accordingly not to be sparing in their demands; and the situation of Jaffier Khan, and the manners and customs of the country, made him ready to promise whatever they desired. In name of compensation for losses by the capture of Calcutta, 10,000,000 rupees were promised to the English Company, 5,000,000 rupees to English inhabitants, 2,000,000 to the Indians, and 700,000 to the Armenians. These sums were specified in the formal treaty. Over and beside this, it was resolved by the Committee of the Council, that is, the small number of individuals by whom the business was performed, that a donation of 2,500,000 rupees should be asked for the squadron; and another of equal amount for the army. "When this was settled," says Lord Clive,[1] "Mr. Becher (a member) suggested to the Committee, that he thought that Committee, who managed the great machine of government, was entitled to some consideration, as well as the army and navy." Such a proposition, in such an assembly, could not fail to appear eminently reasonable. It met with a suitable approbation. Mr. Becher informs us, that the sums received were 280,000 rupees by Mr. Drake the Governor; 280,000 by Colonel Clive; and 240,000 each, by himself, Mr. Watts, and Major Kilpatrick, the inferior members of the Committee.[2] The terms obtained in favour of the Company were, that all the French factories and effects should be given up; that the French should be for ever excluded from Bengal; that the territory surrounding Calcutta to the distance of 600 yards beyond the Mahratta ditch, and all the land lying south of Calcutta as far as Culpee should be granted them on Zemindary tenure, the Company paying the rents in the same manner as other Zemindars.



For effecting the destruction of Suraja Dowla it was concerted, that the English should take the field; and that Meer Jaffier should join them at Cutwa, with his own troops, and those of as many of the other commanders as it should be in his power to debauch. When the English arrived at Cutwa, no allies, however, appeared: Letters were received from Moorshedabad by some of the natives in the camp, stating that the conspiracy was discovered, and that Meer Jaffier had obtained his pardon, on condition of aiding the Nabob with all his resources against the English. Instead of Meer Jaffier and his troops, a letter from Meer Jaffier arrived. In this it was stated, that the suspicions of the Nabob had been raised; that he had constrained Meer Jaffier to swear fidelity on the Koran; that it had thus become impossible for Meer Jaffier to join the English before the day of battle; but that it would be easy for him, in the action, to desert the Nabob, and decide the fortune of the day. The mind of the English commander was disturbed. The treachery of Meer Jaffier could not be regarded as improbable; and "he thought it extremely hazardous" (to use his own words) "to pass a river which is only fordable in one place, march 150 miles up the country, and risk a battle, when, if a defeat ensued, not one man would have returned to tell it."[1]



In these difficulties he called a council of war. "It is very rare," says Mr. Orme, "that a council of war decides for battle."[2] Clive himself says, "that this was the only

council of war that ever he held, and if he had abided by that council, it would have been the ruin of the East India Company."[3] The singularity is, that in the council Clive himself was of the same opinion with the majority, and by delivering his opinion first, which was far from the usual practice, had no doubt considerable influence in determining others: yet that afterwards he disregarded that decision; and took upon himself to act in direct opposition to it. The army was ordered to cross the river the next morning; and at a little past midnight arrived at Plassy.[1]

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At this place, a part of the army of the Subahdar had been intrenched for a considerable time; and the Subahdar himself had reached it with the remainder of his forces the evening before the arrival of the English. The army with which he was now to contend for his power and his life consisted of 50,000 foot, 18,000 horse, and fifty pieces of cannon. Of the English force, 900, including 100 artillery-men and fifty sailors, were Europeans; 100 were Topasses; and 2,100 Sepoys. The battle was nothing but a distant cannonade. This was maintained during the greatest part of the day, and sufficed to terrify the Subahdar, who, by the advice of those who desired his ruin, issued orders of preparation for retreat. Upon this, Jaffier Khan was observed moving off with his troops: Clive was then convinced of his intention to join him: He now, therefore, ordered the English to advance, and attack that part of the line which still maintained its position. The knowledge of these two events determined the mind of the Subahdar, who mounted a fleet camel and fled with 2,000 attendants. No further resistance was offered; and the English entered the camp at five o'clock, having, by the assistance of a weak and vicious sovereign, determined the fate of a great kingdom, and of 30,000,000 of people, with the loss of twenty Europeans killed and wounded, of sixteen Sepoys killed, and only thirty-six wounded.[1]

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The army advanced, about nine miles, to Daudpore, the same evening, with little occasion to pursue the enemy, who had almost entirely dispersed. At this place, Meer Jaffier sent a message to the English commander; that he, with many more of the great officers, and a considerable part of the army, waited his commands. The next morning Clive sent to conduct him to his quarters; and he arrived, under some apprehensions, which the Colonel, thinking it no time for reproaches, hastened to dispel. It was arranged that Meer Jaffier should march to the capital immediately, to prevent the escape of Suraja Dowla, and the removal of his wealth.

That wretched prince had arrived at his palace the night after the battle, where, now apprized that he had not a friend on whom he could rely, and utterly uncertain what course to pursue, he remained till the evening of the following day, when Meer Jaffier entered the city. Then his fears dictated a resolution. He disguised himself in a mean dress, and about ten o'clock at night went secretly out of a window of the palace, with his favourite concubine and a single eunuch, intending to join M. Law, and escape into Bahar, where he counted upon the protection of the Governor. The rowers, however, of his boat, worn out before the morning with fatigue, stopped at Raje Mahl, where he endeavoured to conceal himself in a

garden. He was there, at break of day, discovered by a man, whom he had formerly treated with cruelty; and who now revealed him to the Governor. Covered with indignity, he was hurried back to Moorshedabad; and presented to Meer Jaffier, who placed him under the custody of his son. The son, a brutal, ferocious youth, the same night gave orders for his assassination. M. Law, who received a summons to join the Nabob as soon as war with the English appeared inevitable, immediately began his march; but had not passed Tacriagully when he received reports of the battle of Plassy; and halted for further information. "Had he immediately proceeded twenty miles further," says Mr. Orme, "he would the next day have met and saved Suraja Dowla, and an order of events, very different from those which we have to relate, would, in all probability, have ensued."[1]

The battle was fought on the 23d of June, and on the 25th Colonel Clive with his troops arrived at Moorshedabad. On the next day, a meeting was held to confer about the stipulated moneys; when the chief officer of finance declared that the whole of Suraja Dowla's treasures was inadequate to the demand. "The restitution," says Mr. Orme, " with the donations to the squadron, the army, and the committee, amounted to 22,000,000 of sicca rupees, equal to 2,750,000*l*. But other donations were promised, which have since been the foundation of several fortunes."[2] The scantiness of the Bengal treasury was most unexpected, as well as most painful news, to the English; who had been accustomed to a fond and literal belief of Oriental exaggeration
on the subject of Indian riches. With great difficulty were they brought to admit so hateful a truth. Finding at last that more could not be obtained, they consented to receive one half of the moneys immediately, and to accept of the rest by three equal payments, in three years. Even of the portion which was now to be received, it was necessary to take one third not in specie, which was all exhausted, but in jewels, plate, and other effects, at a valuation. Before the 9th of August, after a multitude of difficulties, the stipulated half, all but 584,905 rupees, was delivered and discharged.[1]



Upon the news of the seizure and death of Suraja Dowla, M. Law, with the French party, hastened back, to join the Governor of Bahar, at Patna, the capital of the province. Upon the assassination of the father of Suraja Dowla, Aliverdi had nominated Suraja Dowla himself to the nabobship of that important province; but appointed Ramnarain, a Hindu, in whom he reposed great confidence, to be Deputy Governor in the absence of the Prince. Ramnarain had administered the affairs of the province during the life of Aliverdi, and had continued in the government since the accession of Suraja Dowla. From him Meer Jaffier expected no co-operation, and displayed anxiety that the French party should be pursued. He suspected, however, the fidelity of any part of his own army; and a large detachment of the English were sent under Major Coote. They were detained too long in preparation; they were poorly provided with the means of expedition; and the European part of the detachment, exasperated at the fatigue they had to endure, behaved mutinously on the way. Before they reached Patna, the French had arrived; and, to obviate disputes, had been sent forward by

Ramnarain into the territory of the Subahdar of Oude, with whom he had begun to negotiate an alliance. Major Coote was at first instructed to endeavour by intrigue and by force to wrest the government from Ramnarain: but while he was meditating the execution of these orders, he received further instructions which led to an accommodation; and he returned to Moorshedabad on the 13th of September. The detachment which he had conducted was stationed at Cossimbuzar, near Moorshedabad;



the rest of the army was sent into quarters at Chandernagor as a more healthy situation than the seat of the Presidency; and on the day after the arrival of Major Coote, Colonel Clive left Moorshedabad and returned to Calcutta.1

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# CHAP. IV.

Renewal of the war with the French in Carnatic—Arrival of Lally.—French power superior to the English.—English power superior to the French.—Pondicherry taken—and the French driven out of Carnatic.

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When the English detachment for the recovery of Calcutta, and the French detachment for the relief of Bussy, left Carnatic, the contending parties were so far diminished in force, as to meditate quietness and forbearance: the English, till the troops which they had sent to Bengal should return; the French, till the armament should arrive, which they expected from Europe. In the mean time it was felt by the English as a grievous misfortune, that though their Nabob Mahomed Ali was now without a rival in Carnatic, its pecuniary produce was remarkably small. The governors of forts and districts, the zemindars, polygars, and renters, employed, as usual, all their means of artifice and force, to withhold their payments; and the rabble employed by Mahomed Ali, as soldiers, ill paid and weakly governed, were found altogether inadequate to the establishment of an efficient authority in the province. The notion which was early entertained of the great pecuniary supplies capable of being drawn from Madura and Tinivelly, appears still to have maintained a determining influence in the councils of Madras; and notwithstanding the general resolution to remain inactive, Captain Calliaud, the commanding officer at Trichinopoly, before the end of the year 1756, received instructions to renew his attempts for the reduction of those dependencies. In the hope of prevailing upon the King

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of Tanjore to afford some assistance; a hope which, as usual, he took care to disappoint; Captain Calliaud directed his march through Tanjore, and crossing Marawar, arrived in Tinivelly. The troops who accompanied him, joined to the body of Sepoys who had remained in the country, and the troops of the Polygars who had espoused the English interest, composed a formidable army. But it was unable to proceed to action for want of money; and the utmost exertions of Calliaud produced but an insignificant supply. Intelligence that the rebellious polygars were treating with the Mysoreans, who had a station at the fort of Dindigul, presented in strong colours the necessity of expedition; yet he was unable to leave Tinivelly before the 10th of April; when he marched to attack Madura with 180 Europeans, 2,500 Sepoys, six fieldpieces, and 500 horse. Upon arriving at the town, he found it a place of much greater strength then he had been led to suppose; and, without battering cannon, not easy, if possible, to be reduced. He planned an effort to take it by surprise. The first ladders were planted; and Calliaud himself, with twenty men, had got into the fausse-bray, when the guard within received the alarm, and they were obliged to retreat. Two companies of Sepoys were soon after dispatched to bring two pieces of battering artillery from Trichinopoly; and Calliaud had commenced an intrigue with some of the jematdars or captains of the enemy’s troops, when he received intelligence that the French had arrived at Trichinopoly.

During these efforts to obtain possession of the revenues of Madura and Tinivelly, similar efforts had been undertaken in other parts of the province. A brother of the Nabob, by name Nezeeb Oolla,



who was Governor of Nelore and its district, situated in the northern quarter of Carnatic, evaded or refused payment of the sums demanded of him; and the Nabob, who possessed not the means of coercion, was urgent with the English to perform it in his stead. The rupture between the two brothers took place towards the end of February, and it was the 1st of April before the English troops were ready to march. By the end of the month they had erected batteries against the fort; on the 2d of May a breach was effected, which they deemed practicable; and a storm was attempted the next morning. But the English were repulsed from the breach, nor was it deemed expedient to renew the attack till more battering-cannon should be received from Madras. In the mean time the detachment received orders to return to the Presidency with all expedition.

The Government of Pondicherry, notwithstanding the pacific policy inculcated by the recall of Dupleix, and the commands which they had received to abstain from all operations of hazard, till the arrival of the forces which they expected from Europe, determined, when they saw the English so largely at work, and their small force separated to such a distance as Tinivelly and Nelore, to avail themselves of an opportunity which good fortune seemed to present. They took the field on the 6th of April; but, to cover their designs, with only a small number of troops, and for an object of minor importance. By forced marches they appeared before Ellavanasore on the 10th, a fort possessed by a chief, who had hitherto refused to acknowledge either the English or the French Nabob. In a sally, in which he threw the French army into great jeopardy, he received a mortal wound, of which he died in a few days, and the garrison, during the night, evacuated the fort. The French, after this acquisition, marched in the



direction leading to the territory of some polygars with whom they had disputes; and Captain Calliaud received a letter from the Madras Presidency, on the very day on which he attempted to surprise Madura, that from the late intelligence received of the motions of the French, no design on their part was apprehended against Trichinopoly.[1] The season for the arrival of the English troops from Bengal was elapsed; and it was impossible now that any should return before September. The French, therefore, suddenly, barring their garrisons; leaving in Pondicherry itself none but invalids; and enrolling the European inhabitants to man the walls, dispatched every soldier to the field; and the army took post before Trichinopoly on the 14th of May. The garrison, deprived of the troops which had marched to Madura, were insufficient to guard the walls; and they had 500 French prisoners in the fort. Calliaud received intelligence before Madura of the imminent danger of Trichinopoly, at three o'clock in the afternoon of the 21st; at six he was on his march; on the 25th at day-break he halted nineteen miles from Trichinopoly. An army five times as great as his watched his approach, and guarded every avenue by which it was supposed he could enter the fort. On one side of the town was a large plain, about seven miles in extent, consisting of rice fields, covered with water, which the French deemed impassable. Calliaud continued his march, as if he intended to enter by one of the ordinary inlets, till night; when he suddenly took

another direction; and arrived at the margin of the rice fields about ten o'clock. The fatigue of marching through the rice fields up to the knees in mud, after forced marches of several days, was excessive. At day-break, however, the main body of the detachment reached the fort, and were received with that ardent welcome by its inmates which the greatness of the danger, and the exertions which the detachment had made to save it, naturally inspired. The French commander, astonished at the news of their entrance, and now despairing of success, marched away for Pondicherry the following day.[1]



Intelligence of the march of the French against Trichinopoly, and of the repulses sustained by their own troops, in the two assaults upon Madura and Nelore, reached the Presidency of Madras at nearly the same time. They recalled immediately the detachment from Nelore; sent as many troops as possible into the field; and were uncertain whether, to relieve Trichinopoly, they should recall the French to the defence of their own settlements, or march to attack them before the place; when the welcome news arrived of the fact and consequences of Calliaud's return. To possess and garrison the forts which were scattered over the country, and which, by commanding the adjacent districts, afforded the only chance of revenue, was a principal object of desire to both contending parties. Several transactions took place about this time, relating to places of minor importance; but Wandewash was a fortress to the reduction of which peculiar value was attached. The Governor of Wandewash had paid no revenue since 1752; he had perpetually favoured the French; who from that station had been enabled to make incursions into every part of the province; it not only afforded a large revenue, it was also a barrier to the surrounding districts. In hopes that it might be taken before the French army could arrive from Trichinopoly to its relief, the English commander, sent to the attack, was ordered to push his operations with the greatest vigour. He got possession of the town, which was contiguous to the fort, after a slight resistance. The French, however, were now hastening to its relief; and Colonel Aldereron, whose march had not displayed any wonderful dispatch, thought it prudent to renounce the enterprise before they arrived. At his departure he set fire to the defenceless town though no peculiar circumstance is alleged to justify an act so cruel to the innocent inhabitants.



The English Presidency, to whom the nabobship of Arcot continued as yet but little productive, were straitened in their treasury. Anxious therefore to diminish expense, they gave directions, upon hearing that the army had retired from Wandewash, for its proceeding immediately to the Presidency. Unhappily the enemy were in the field, of which they were thus left entirely the masters; and they performed a successful incursion as far as Conjeveram, where they burned the town, to revenge the outrage committed upon Wandewash. The Presidency, now aware of their blunder, ordered back the army into the field. The two armies were nearly equal. The English offered battle; but the French kept within their entrenchments. The English, after remaining in their presence for some weeks, retired again at the end of July; and marched to the several stations from which they had been drawn. The French were no sooner masters of the field, than they renewed their incursions, collected the revenues, and levied contributions in several districts.

A pressure was now sustained of another description. The Mahratta general Balagee Row had paid a visit of exaction to the kingdom of Mysore the preceding season; and, upon marching back to his own country, before the period of the rains, left an officer with a large detachment, who, after taking several intervening forts, made himself master of one of the passes into Carnatic, about sixty miles north-west from the city of Arcot, and sent a peremptory demand of the chout for the whole nabobship. The city of Arcot was thrown into the utmost alarm: the Nabob dreaded the incursion of Mahratta parties into the very town; and accepted the invitation of the English to send his family to Madras. The Mahrattas pretended that the chout had been settled by Nizam al Mulk, at 600,000 rupees a year; two thirds for Carnatic, and one for Trichinopoly and the southern dependencies. Of this they asserted that six years were due; and presented their demand, in the whole, at 4,000,000 of rupees. The Nabob, who knew the weakness of his physical, if not of his intellectual resources, was glad to negotiate. After much discussion, the Mahratta agent consented to accept of 200,000 rupees, in ready money, and the Nabob's draughts upon the governors of forts and the polygars, for 250,000 more. To these terms the Nabob agreed; but he required that the money should be found by the English, and should be furnished out of the revenues which he had assigned to them for the expenses of the war. At this time the English might have obtained important assistance against the Mahrattas. Morari Row, and the Patan Nabobs of Savanore, Canoul, Candanore, and Cudapa, who, since the assassination of Nazir Jung, had maintained a sort of independence, offered their alliance. But the English could spare no troops; and were as much afraid to admit such allies into the province as the Mahrattas themselves. After as much delay and evasion as possible, they were induced, not withstanding the danger of the precedent, in fear of greater evils, to comply with the demand.



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During all this period the attention of the Presidency of Madras may be considered as chiefly divided between two objects; the French in Carnatic, and the Polygars of Madura and Tinivelly. When Calliaud was obliged to march from Madura for the defence of Trichinopoly, he left about sixty Europeans, and upwards of 1,000 Sepoys, who were not inactive; and, as soon as he was convinced that no further danger was to be apprehended from the French, he dispatched a reinforcement from Trichinopoly. In compliance with the recommendation of the Presidency, Calliaud himself, with as great a portion of the troops from Trichinopoly as it was safe to withdraw, marched on the 25th of June, and arrived at Madura on the 3d of July. Having effected a breach on the 10th, he resolved to storm. He was repulsed with great loss. For some days the operations of the besiegers were retarded by the sickness of their leader. The admission of supplies into the town was now, however, cut off; and the negotiations for its surrender were renewed. After some time was spent in bargaining about the price, Calliaud, on the 8th of August, on payment of 170,000 rupees, was received into the town.

On the 8th of September a French fleet of twelve ships anchored in Pondicherry road; but, after landing about a thousand men, it again set sail for Mauritius. This was not the grand armament which the government at Pondicherry expected; and, till the arrival of which, all operations of magnitude were to be deferred. The army, however,

which had been scouring the country, was still in its camp at Wandewash. It was now strongly reinforced by the troops newly arrived; and marched against the fort of Chittapet. The Nabob, Mahomed Ali, had a personal dislike to the Governor of Chittapet, and had infused into the English suspicions of his fidelity, which imprudently diminished the efforts necessary for his support. He fell, defending his fort to the last extremity; and thus another place of considerable importance was gained by the French. From Chittapet they marched to Trinomalee, which was abandoned by the Governor and garrison, upon their approach. After this they divided themselves into several detachments; and before the 6th of November, when they were recalled, they had reduced eight forts in the neighbourhood of Chittapet, Trinomalee, and Gingee; and established collectors in the dependent districts.



On the news of the arrival of the French fleet, Captain Calliaud returned to Trichinopoly, with all the Europeans, and was soon after followed by the Sepoys, who, however, went back, as soon as it appeared that Trichinopoly was not in danger. The Mysoreans, who had been long expected to the assistance of the confederate Polygars, arrived in the month of November, took the fort of Sholavenden, and plundered to the walls of Madura, under which they remained for several days. They allowed themselves, however, to be attacked in a narrow pass, by the commander of the British Sepoys, and suffered a severe defeat. In the mean time Captain Calliaud, under the safeguard of a passport from Pondicherry, repaired in person to the Presidency, to represent the state of the southern dependencies, for the reduction of which so many useless efforts had been made; and declared his opinion that the settlement of the country could not be achieved, or a revenue drawn from it, without a greater force, or the removal of Maphuz Khan. It was agreed with the Nabob that an annual income, adequate to his maintenance, should be offered to this his elder brother, provided he would quit the province and disband his troops. Maphuz Khan, however, would listen to no terms importing less than the government of the whole country; and the confederates continued in formidable force.



Though, after the recall of the French troops in November, no army was in the field; the garrisons left in the several forts continued to make incursions upon one another, and mutually ravaged the unhappy country. As these operations, “being always levelled at defenceless villages, carried,” says Mr. Orme, “the reproach of robbery, more than the reputation of war;” each side, too, losing by them more than it gained; the French officer at Wandewash proposed a conference, for the purpose of ending this wretched species of warfare; and an English officer was authorized to conclude an agreement. The governments of Madras and Pondicherry were both now disposed to suspend their efforts—the French, till the arrival of the forces which they boasted were to render them irresistible in Carnatic—the English, that they might husband their resources for the danger with which they were threatened. In this situation they continued till the 28th of April, when a French squadron of twelve sail arrived in the road of Fort St. David.

Upon the breaking out of the war between France and England in 1756, the French ministry resolved to strike an important blow in India. The Count de Lally, a member

of one of those Irish families, which had transported themselves into France along with James II., was appointed Commander-in-Chief of all the French forces in India. He had distinguished himself in the battle of Fontenoy, where he took several English officers with his own hand, and received the rank of Colonel from the King, upon the field of battle: It was he who proposed the daring plan of landing in England with 10,000 men, while the Prince, Charles Edward, was trying his fortune for a crown in another part of the island: And his hatred of the English, and his reputation for courage, now pointed him out as the fittest person to crush the pretensions of that nation on the coast of Coromandel. He was accompanied with his own regiment of Irish, 1080 strong; with fifty of the royal artillery, and a great number of officers of distinction. They left the port of Brest on the 4th of May, 1757, when a malignant fever raged in the town, of which they carried the infection along with them. No fewer than 300 persons died in the fleet before they reached Rio Janeiro, where they remained for two months, and, after all, departed with a residue of the sickness on board. At Mauritius they were joined by a part of the ships which had landed the troops at Pondicherry in the preceding year; and, after a tedious voyage, made the coast of Coromandel on the 25th of April.



The court of Versailles anticipated nothing but triumphs from this splendid armament; and the presumption of Lally well assorted with that of his government. It was even laid down in the instructions of the ministers, that he should commence his operations with the siege of Fort St. David. For this purpose, before communicating with the land, he made the fleet anchor at the place of attack. He proceeded with two of the vessels to Pondicherry, where he arrived at five in the afternoon;[1] and before the night closed he had 1,000 Europeans, and as many Sepoys, on their march to Fort St. David. In military operations, notwithstanding the importance of dispatch, something more than dispatch is necessary. The troops marched without provisions, and with unskilful guides, who led them astray, and brought them to Fort St. David at seven o'clock in the morning, worn out with hunger and fatigue.[1] This gave them a motive and an apology for commencing a system of plunder and insubordination, from which they could not easily be recalled.



These troops had scarcely arrived at Fort St. David, when the ships in the road descried the English fleet making way from the south. Mr. Pococke, with the ships of war from Bengal, had arrived at Madras on the 24th of February; on the 24th of the following month a squadron of five ships from Bombay had arrived under Admiral Stevens; and on the 17th of April, the whole sailed to the southward, looking out for the French. Having in ten days worked as high to windward as the head of Ceylon, they stood in again for the coast, which they made, off Negapatnam, on the 28th, and, proceeding along shore, discovered the French fleet at nine the next morning, riding near Cuddalore. The French immediately weighed, and bore down towards Pondicherry throwing out signals to recall the two ships which had sailed with Lally; and the English Admiral gave the signal for chase. The summons for the two ships not being answered, the French fleet stood out to sea, and formed the line of battle. The French consisted of nine sail, the English only of seven. The battle was indecisive; the

loss of a few men, with some damage to the ships, being the only result.1 Both fleets fell considerably to leeward during the engagement; and the French were six days in working up to the road of Pondicherry, where the troops were landed. Lally himself had some days before proceeded to Fort St. David with the whole force of Pondicherry, and the troops from the fleet were sent after him, as fast as they came on shore.

The English were thrown into the greatest alarm. So much was the power of the enemy now superior to their own, that they scarcely anticipated any other result, than their expulsion from the country; and had Dupleix been still the guide and conductor of the enemy's affairs, it is more than probable, that their most gloomy apprehensions would have been realised.6 Not only had an overwhelming addition been made to a force, against which they had previously found it difficult to maintain themselves; but in the mean time, Bussy, in the northern parts of Deccan, had obtained the most important advantages, and brought upon the English the heaviest disasters. After the brilliant exploit of 1756, when he defended himself at Hyderabad against the whole power of the Subahdar, and imposed his own terms upon his enemies, he had proceeded to the Northern Circars, where his presence was necessary, to collect the revenues, and, by an adjustment of the government, to provide for the future regularity of their payment.



He began his march on the 16th of November of that year, with 500 Europeans and 4,000 Sepoys; leaving only a small detachment to attend the person of the Subahdar.1 In accomplishing his progress through the country, he encountered no considerable resistance. The Polygar of Bobilee defended his fort to the last extremity; and exhibited the customary spectacle of Hindu desperation, the fortress in flames, and the people in garrison butchered by their own hands: But he was excited to this desperation by the command to exchange the government of his present for that of another district, on account of the annoyance he gave to a neighbouring Chief, from whom Bussy had received a train of important services. When Bussy had nearly completed the arrangement which he intended to make, he received about the 1st of April letters from Suraja Dowla, inviting him, by the largest offers, to assist him in expelling the English from Bengal. Bussy waited on his northern frontier, ready to march through Orissa into Bengal, as soon as he should receive satisfactory intelligence; but, learning the capture of Chandernagor, and the imbecility of the Subahdar, he changed his purpose, and proceeded to the attack of the English establishments within the Circars. There were three factories, on three different branches of the Godavery, in a district remarkable for the excellence and cheapness of its cloths. They were places of no strength, and surrendered on the first requisition. Vizigapatam, however, was one of the places of greatest importance belonging to the English in India. It was a fort, garrisoned by 150 Europeans, and 300 Sepoys; but so injudiciously constructed, that the attempt to defend it was unanimously determined to be vain. The van of Bussy's army appeared before it on the 24th of June; and a capitulation was concluded; that all the Europeans, both military and civil, should be regarded as prisoners, and all the effects of the Company as prize of war. The Sepoys, and other natives, Bussy allowed to go where they pleased; he also promised to respect the property of individuals. "And he kept his word," says Mr. Orme, "with the utmost

liberality, resigning, without discussion, whatsoever property any one claimed as his own."

During these transactions, however, a great revolution was preparing in the army of Salabut Jung. He had two younger brothers, whom Bussy, acquainted with the temper of Oriental governments, had advised the Subahdar to provide with establishments, and every indulgence suitable to their rank, but from whom he had exhorted him carefully to withhold those governments and places of power, which, in the hands of the near relations of the Prince, were the cause of so many revolutions in India. This prudent course was pursued till the period of the alienation from Bussy of the mind of the Subahdar; when that Prince was easily persuaded, by his designing courtiers, to reverse the policy which the sagacity of Bussy had established. The eldest of the two brothers, Bassalut Jung, was appointed Governor of the strong fort and country of Adoni; and Nizam Ali, the youngest and most dangerous, was made Governor of Berar, the most extensive province of Deccan, of which the Mahrattas now possessed the principal part.



Towards the end of the year 1757, while a body of Mahrattas insulted Aurengabad, which was then the residence of the Subahdar, a mutiny, under the usual shape of clamour for pay, was excited in his army. The utmost alarm was affected by the Duan, or minister, who took shelter in a strong fort: The Subahdar, without resources, was driven to dismay: Nizam Ali, who had acquired some reputation, and intrigued successfully with the troops, offered to interpose and allay the tumults, provided the requisite powers, and among other things the great seal of the Subah, were committed to his hands: the requisition was obeyed: and Nizam Ali, leaving only the name of Subahdar to his brother, grasped the wholepowers of the state. With an affectation of indifference he committed the seal to his brother Bassalut Jung, but under sufficient security that it would be used agreeably to his directions.

Bussy received intelligence of these events in the beginning of January; immediately began his march with the whole of his army; and by a road never travelled before by European troops, arrived in twenty-one days at Aurungabad, a distance by the perambulator of nearly 400 miles.[1] Four separate armies were encamped about the city; that of Nizam Ali from Berar; that of the Subah, of which Nizam Ali had now the command; that of Bassalut Jung from Adoni; and that of the Mahrattas commanded by Balagce Row. The presence of Bussy, with his handful of Europeans, imposed respect upon them all; and every eye was fixed upon his movements. His first care was to restore the authority of the Subahdar, whom the presence alone of the French detachment, which had vigilantly guarded his person, had probably saved from the assassination which generally forms the main ingredient of Indian revolutions.



The two brothers at first assumed a high tone; and when obliged to part with the seal, exhibited unusual marks of rage and indignation. Bussy clearly saw that the safety of the Subahdar, and the existence of the present government, demanded the resumption of the power which had been entrusted to Nizam Ali; but when the proposition of a

large pension was made to him in lieu of his government, he had the art to interest his troops in his behalf, and Bussy found it necessary to temporize. To remove still further the umbrage which he found was gaining ground at the uncontrolable authority with which a stranger disposed of the powers of Deccan, and of the sons of the great Nizam al Mulk, he re-committed the seal of state to Bassalut Jung, but under securities which precluded any improper use.

To provide a permanent security for his predominating influence in the government of the Subah, there was wanting, besides the distant provinces which yielded him the necessary revenue, a place of strength near the seat of government, to render him independent of the sudden machinations of his enemies. The celebrated fortress of Dowlatabad, both from locality and strength, was admirably adapted to his views. It was at present in possession of the prime minister, the mortal foe of Bussy, the chief actor in the late commotions, and the assured instrument of others in every hostile design. By a sum of money, Bussy gained the Deputy Governor to admit him secretly with his troops into the fort; and this invaluable instrument of power was gained without the loss of a man. As the utmost efforts, however, of the resentment of the minister were now assured,

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Bussy secured the means of rendering him a prisoner in the midst of the camp of the Subahdar, at the very hour when he himself was received into the fort of Dowlatabad. These events alarmed Nizam Ali into submission; and an accommodation was effected, by which he agreed to divest himself of his government of Berar, and accept of Hyderabad in its stead. When holding his court, to receive the compliments of the principal persons, before his departure for his new government, he was waited upon, among others, by Hyder Jung, the Duan of Bussy. This personage was the son of a Governor of Masulipatam, who had been friendly to the French; and he had attached himself to Bussy, since his first arrival at Golconda. Bussy was soon aware of his talents, and soon discovered the great benefit he might derive from them. He became a grand and dexterous instrument for unravelling the plots and intrigues against which it was necessary for Bussy to be incessantly on his guard; and a no less consummate agent in laying the trains which led to the accomplishment of Bussy's designs. To give him the greater weight with his countrymen, and more complete access to the persons and the minds of the people of consequence, he obtained for him titles of nobility, dignities, and riches; and enabled him to hold his Durbar, like the greatest chiefs. He was known to have been actively employed in the late masterly transactions of Bussy; and an occasion was chosen on which a blow might be struck, both at his life, and that of Salabut Jung. A day was appointed by the Subahdar for paying his devotions at the tomb of his father, distant about twenty miles from Aurungabad; and on the second day of his absence, Nizam Ali held his court. Hyder Jung was received with marked respect; but, on some pretext, detained behind the rest of the assembly, and assassinated. The first care of Bussy, upon this new emergency, was, to strengthen the slender escort of Salabut Jung. The next was, to secure the person of the late minister; of whose share in the present perfidy he had no doubt, and whom he had hitherto allowed to remain under a slight restraint in the camp. That veteran intriguer, concluding that his life was in danger, excited his attendants to resist, and was slain in the scuffle. Struck with dismay, upon the news of this unexpected result, Nizam Ali abandoned the camp in the night, taking with him

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his select cavalry alone; and pursued his flight towards Boorhanpore, about 150 miles north from Aurungabad, with all the speed which the horses could endure. Thus was Bussy delivered from his two most formidable enemies, by the very stroke which they had aimed against him; and in this state of uncontrolable power in the wide-extended government of Deccan, was he placed, when the arrival of Lally produced an extraordinary change in his views; and insured a new train of events in the Subah.

The character of that new Governor was ill adapted to the circumstances in which he was appointed to act. Ardent and impetuous, by the original structure of his mind, his early success and distinction had rendered him vain and presumptuous.

With natural talents of considerable force, his knowledge was scanty and superficial. Having never experienced difficulties, he never anticipated any: For him it was enough to will the end; the means obtained an inferior portion of his regard. Acquainted thoroughly with the technical part of the military profession, but acquainted with nothing else, he was totally unable to apply its principles in a new situation of things. Unacquainted with the character and manners of the people among whom he was called upon to act; he was too ignorant of the theory of war, to know, that on the management of his intellectual and moral instruments, the success of the General mainly depends.



He began by what he conceived a very justifiable act of authority, but which was in reality a cruel violation of the customs, the religion, and, in truth, the legal rights of the natives. As there was not at Pondicherry, of the persons of the lower castes, who are employed in the servile occupations of the camp, a sufficient number to answer the impatience of M. Lally, in forwarding the troops to Fort St. David, he ordered the native inhabitants of the town to be pressed, and employed, without distinction of caste, in carrying burdens, and performing whatever labour might be required. The terror and consternation created by such an act was greater than if he had set fire to the town and butchered every man whom it contained. The consequence was, that the natives were afraid to trust themselves in his power; and he thus insured a deficiency of attendants.[1]

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The feeble bullocks of the country, and the smallness of the number which the Governor and Council of Pondicherry were able to supply, but ill accorded with Lally's ideas of a sufficiency of draught cattle. The very depressed state of the treasury precluded the possibility of affording other facilities, the want of which his impatience rendered a galling disappointment. He vented his uneasiness in reproaches and complaints. He had carried out in his mind one of those wide and sweeping conclusions, which men of little experience and discrimination are apt to form; that his countrymen in India were universally rogues: And to this sentiment, that ignorance and avidity, at home, which recalled Dupleix, were well calculated to conduct him. The Directors had told him in their instructions; "As the troubles in India have been the source of fortunes, rapid and vast, to a great number of individuals, the same system always reigns at Pondicherry, where those who have not yet made their fortune hope to make it by the same means; and those who have already dissipated it hope to make it a second time. The Sieur de

Lally will have an arduous task to eradicate that spirit of cupidity; but it would be one of the most important services which he could render to the Company."[1] Every want, therefore, which he experienced; every delay which occurred, he ascribed to the dishonesty and misconduct of the persons employed;[2] and had so little prudence as incessantly to declare those opinions in the most pointed and offensive terms which his language could supply. These proceedings rendered him in a short time odious to every class of men in the colony; precluded all cordial co-operation, and insured him every species of ill-office which it was safe to render. The animosity at last between him and his countrymen became rancour and rage; and the possibility of a tolerable management of the common concerns was utterly destroyed.



On the 1st of May, Lally himself arrived at Fort St. David; and when joined by the troops from the ships, and those whom he had drawn from the forts in Carnatic, he had, according to Mr. Orme, 2,500 Europeans, exclusive of officers, and about the same number of Sepoys, assembled for the attack. The garrison consisted of 1,600 natives, and 619 Europeans, of whom eighty-three were sick or infirm, and 250 were seamen.[1] The place held out till the 1st of June, when, having nearly expended its ammunition, it yielded on capitulation. It was expected to have made a better defence; and the English historians have not spared the conduct of the commanding officer. He had courage and spirit in sufficient abundance; but was not very rich in mental resources, or very accurate in ascertaining the conduciveness of his means. In consequence of instructions brought from France, Lally immediately issued orders for razing the fortifications to the ground: As soon as the fort capitulated, he sent a detachment against Devi-Cotah, which the garrison immediately abandoned; and on the 7th of June, he returned with the army, in triumph, and sung *Te Deum* at Pondicherry.



The English, in full expectation that the next operation of Lally would be the siege of Madras, had called in the troops from all the forts in the interior, except Trichinopoly; and had even debated whether they should not abandon that city itself. All the troops from Tinivelly and Madura were ordered to return to Trichinopoly, and, together with the garrison, to hold themselves in readiness for any emergency.

The great poverty, however, of the French exchequer; and the inability, created or greatly enhanced by the unpopular proceedings of Lally, of supplying its deficiencies by credit; cramped his operations, and sharpened the asperities of his temper. He had written from Fort St. David to the Governor of Pondicherry, in the following terms; "This letter shall be an eternal secret between you, Sir, and me, if you afford me the means of accomplishing my enterprise. I left you 100,000 livres of my own money to aid you in providing the funds which it requires. I found not, upon my arrival, in your purse, and in that of your whole council, the resource of 100 pence. You, as well as they, have refused me the support of your credit. Yet I imagine you are all of you more indebted to the Company than I am. If you continue to leave me in want of every thing, and exposed to contend with universal disaffection, not

only shall I inform the King and the Company of the warm zeal which their servants here display for their interest, but I shall take effectual measures for not depending, during the short stay I wish to make in this country, on the party spirit and the personal views, with which I perceive that every member appears occupied, to the total hazard of the Company."[1]

Despairing of funds from any other source, he resolved to devote to this object the next operations of the war.[2] He at the same time recalled Bussy, against whose character he fostered the strongest prejudices, and the importance of whose transactions under the Subahdar he treated as interested pretence and imposture.

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Two plans presented themselves for the supply of his wants. All the western and northern districts of the nabobship, evacuated by the English, lay open to his incursions, and in the rents which might be collected offered a certain resource. But the collection of rents was a tedious operation, and the expected produce a scanty supply. The King of Tanjore, when pressed in 1751 by Chunda Saheb and the French, had, among his other efforts to procrastinate and evade, given his bond, which still remained at Pondicherry, for 5,600,000 rupees. This sum, could it only be extorted from him, was a large and present resource; and in Fort St. David, as a prisoner, had been found the pretender to the throne of Tanjore, who might now be employed as an instrument to frighten the Rajah into compliance. The expedition against Tanjore was accordingly undertaken; and on the 18th of June Lally took the field.[1]

From the terror of the natives, the alienation of the Europeans, and the want of money, the equipment of the expedition, in attendants, draught cattle, and even provisions and ammunition, was in the highest degree defective. In seven days the army arrived at Carical, not without suffering, at this early stage, both from fatigue and from hunger.[2] At this place Lally was met by a messenger from the King, who was desirous to treat. Lally understood, that some of his predecessors had been duped into impolitic delay, by the artful negotiations of the King of Tanjore. He resolved to display superior wisdom, by a conduct directly the reverse. He proceeded to Nagore, a town accounted rich, about four miles to the north of Negapatnam; but the merchants had time to remove their most valuable effects, and the acquisition yielded only a trifle. On the 28th he arrived at Kiveloor, the seat of a celebrated Pagoda, which eastern exaggeration represented as containing enormous riches, the accumulated offerings of the piety of ages: Had it been plundered by a Mahomedan conqueror, and the transaction recorded by a Persian historian, he would have described his hero as bearing away, in his fortunate chariots, a mountain of gold. Under the vulgar persuasion, Lally ransacked, and even dug the houses; dragged the tanks, and took away the idols; but no treasures were found, and the idols, instead of gold, were only of brass. Six unhappy Brahmens lingered about the camp, in hopes, it is probable, of recovering some of their beloved divinities. The suspicions of Lally took them for spies; his violence and precipitation took his suspicions for realities; and he ordered the six Brahmens to be treated as the Europeans are accustomed to treat the natives convicted as spies; that is, to be shot away from the muzzles of the

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guns. The King's army took the field; but after a slight show of resistance retreated to the capital, near which Lally arrived on the 18th of July. Conferences ensued: The King offered a sum of money, but greatly inferior to what was required: Lally offered to abate in his pecuniary demand, provided he were furnished with 600 bullocks, and a supply of gunpowder. His agents were more prudent than himself, and suppressed the article of gunpowder, the deficiency of which, if known to the King, was not likely to improve his disposition to compliance: and the bullocks, the King observed, that his religion did not permit him to grant. The cannonade and bombardment began. After a few days the King renewed his efforts for an accommodation. The obliquities of Eastern negotiation wore out the temper of Lally; and he threatened to carry the King and all his family slaves to Mauritius. This outrage produced in the Hindu a final resolution to defend himself to the last extremity. He had early, among his applications for assistance, implored the co-operation of the English; and Captain Calliaud at Trichinopoly was commissioned to make all those efforts in his favour which his own security might appear to allow. That officer sent to him without delay a small detachment, which might feed his hopes of a more efficient support, and afford him no apology for making his peace with the French. But he was afraid to entrust with him any considerable portion of his troops, fully aware that the French might at any time make with him an accommodation, and receive his assistance to destroy the very men who had come to protect him. Upon this last occurrence Calliaud inferred that the time for accommodation was elapsed, and sent an additional detachment. Lally continued his operations, and on the 7th of August effected a breach.



At this time, however, only 150 charges of powder for the cannon, not twenty cartouches a man for the troops, and not provisions for two days, remained in the camp.[1] The next morning intelligence was received, that the English fleet, after a fresh engagement with the French, had anchored before Carical, from which alone the French army could derive its supplies. Lally summoned a council of war. Out of thirteen officers, two, the Count d'Estaign, and M. Saubinet, advised an immediate assault, considering the success as certain, and the landing of the English at Carical, while the French fleet kept the sea, as highly improbable. It was determined, in conformity with the opinion of the other eleven, to raise the siege.[1] Intelligence of this resolution of the enemy, and of the negligence and security in which they encamped, encouraged the Tanjorines to attempt a surprise; which brought Lally and his army into imminent danger. After a disastrous march, in which they suffered severely, from the enemy, from fatigue, and from famine,[2] they arrived on the 28th at Carical, and saw the English fleet at anchor off the mouth of the river.



After the first of the naval engagements, the English fleet, before they could anchor, were carried a league to the north of Sadras; the French, which had suffered less in the rigging, and sailed better, anchored fifteen miles to the windward. The English as soon as possible weighed again, and after a fruitless endeavour to reach Fort St. David, discovered the French fleet on the 28th of May in the road of Pondicherry. The next day, the French, at the remonstrance of Lally, who sent on board a considerable body of troops, got under sail; but

instead of bearing down on the English, unable to advance against the wind, proceeded to Fort St. David, where they arrived on the evening after the surrender. The English sailing badly, fell to leeward as far as Alamparva, where intelligence was received of the loss of the fort. The admiral therefore, not having water on board for the consumption of five days, made sail, and anchored the next day in the road of Madras. The fleet had numerous wants; Madras had very scanty means of supply; and nearly eight weeks elapsed before it was again ready for sea. On the 3d of July three of the Company's ships arrived from Bengal, with money, merchandize, and stores, but no troops. The monsoon had obliged them to make the outward passage towards Acheen, and they came in from the southward. The French Admiral, after touching at Fort St. David, had stood to the southward, to cruize off Ceylon; in opposition to the remonstrances of Lally, who desired the fleet to co-operate in the destined enterprise against Madras. Lally hastened from Fort St. David to Pondicherry, and summoned a council by whose authority he recalled the fleet. The injunction reached the Admiral at Carical on the 16th of June, and he anchored the next day in the road of Pondicherry. Had he continued his destined course to the southward, he could not have missed the three English East Indiamen from Bengal, and by their capture would have obtained that treasure, the want of which alone disconcerted the scheme of English destruction. On the 25th of July the English fleet were again under sail; and on the 27th appeared before Pondicherry, where the French lay at anchor. They put to sea without delay; but the difficulties of the navigation, and the aims of the commanders, made



it the 2d of August before the fleets encountered off Carical. The French line consisted of eight sail; the English, as before, of seven. The fight lasted scarcely an hour; when three of the French ships being driven out of the line, the whole bore away, under all the sail they could carry. The English Admiral gave chase; but in less than ten minutes the enemy were beyond the distance of certain shot. Toward night the English gave over the pursuit, and came to anchor off Carical. The French steered for Pondicherry, when the Admiral declared his intention of returning to Mauritius. Lally sent forward the Count D'Estaign to remonstrate with him on the disgrace of quitting the sea before an inferior enemy, and to urge him to renewed operations. D'Estaign offered to accompany him on board, with any proportion of the troops. Lally himself moved with the army from Carical on the 24th of August, and, having passed the Coleroon, hurried on with a small detachment to Pondicherry, where he arrived on the 28th. He immediately summoned a mixed Council of the administration and the army, who joined in a fresh expostulation to the Admiral on the necessity of repairing to Madras, where the success of an attack must altogether depend upon the union of the naval and military operations. That commander, representing his ships as in a state of the greatest disablement, and his crews extremely enfeebled and diminished by disease, would yield to no persuasion, and set sail with his whole fleet for Mauritius on the 2d of September.[1]



If we trust to the declaration of Lally, his intention of besieging Madras, still more his hopes of taking it, were abandoned from that hour. Before the fleet departed, an expedition against Arcot, with a view to relieve the cruel pressure of those pecuniary wants which the disastrous result of the expedition to Tanjore had only augmented, was projected and prepared.

Arcot, the capital of Carnatic, had been left under the government of one of the principal officers of Mahomed Ali, the English Nabob, with a small body of Sepoys and native cavalry. With this officer, Rajah Saheb, (the eldest son of the late Chunda Saheb,) now decorated by the French with the title of Nabob, had opened a correspondence; and a treaty was concluded, according to which the Governor was to deliver up the place, to receive as a reward 13,000 rupees, and to be taken, along with his troops, into the pay and service of Lally. As auxiliary measures, the previous possession of the secondary forts of Trivatore, Trinomalee, Carangoly, and Timery, was deemed expedient. Lally divided his army into four parts, to two of which the forts of Carangoly and Timery surrendered without resistance; Trivatore and Trinomalee were taken by assault. On the terms of a pretended capitulation, on the 4th of October, Lally, amid the thunder of cannon, made his entrance into Arcot.

The fort of Chingliput, the occupation of which, from want of funds, or ignorance of its importance, Lally had postponed to the acquisition of Arcot, covered the country whence chiefly, in a case of siege, Madras would find it necessary to draw its provisions. In the consternation under which the English had withdrawn their troops from the country forts,



upon the arrival of Lally, Chingliput among the rest had been left in a very defenceless condition; and when the French marched against Carangoly, they might have taken Chingliput by escalade in open day. The English, awakened to a sense of its importance, left Arcot to its fate, and made all their exertions to save Chingliput. A fleet had arrived from England in the middle of September, which brought 850 of the king's troops, and with them Colonel Drapier and Major Brereton: Captain Calliaud, with the whole of the European troops, was recalled from Trichinopoly: And before Lally entered Arcot, Chingliput was supplied with a strong garrison. The applications of Lally to the government of Pondicherry for 10,000 rupees, which were necessary, after the acquisition of Arcot, to put the troops in motion for Chingliput, were answered only by representations of the complete exhaustion of their resources; and that General, obliged for want of funds to place the troops in cantonments, returned to Pondicherry full of mortification and chagrin.[1]

He had been joined by Bussy about the time at which he entered Arcot. That officer, who had conducted himself with such rare ability in the dominions of the Subahdar, and with his handful of French had raised himself to an elevated station among the princes of India, had left the Subahdar on a tottering throne, which nothing but his strong support could much longer uphold. The Subahdar, when informed of the intended departure of the French, was too much amazed to believe the dreadful intelligence; and, when too well assured of its ominous reality, took his leave of Bussy, in an



agony of grief and despair. Bussy, it is possible, took his departure with the more alacrity, as he hoped, through the representations which in person he would be able to make, that he could prevail upon Lally to send him back, and with augmented force, to his important station. Having, on his march, been joined by Moracin, the Governor of Masulipatam, who with his troops was also recalled, he left the march to be conducted

by Moracin, and under a safeguard granted him from Madras hastened to the meeting with Lally.

The head of that General was filled with the importance of his own project, the expulsion of the English from India; and with contempt for the schemes of Bussy, as of all other men who had different views from his own. In his letter to Bussy, upon the taking of Fort St. David, he had said, "It is the whole of British India which it now remains for us to attack. I do not conceal from you that, having taken Madras, it is my resolution to repair immediately, by land or by sea, to the banks of the Ganges, where your talents and experience will be of the greatest importance to me." Bussy employed every effort to convince him of the importance of retaining the advantages which he had gained in the dominions of the Subahdar; and the most pressing and passionate letters arrived from the Subahdar himself.1 But Lally, who had already treated the representations of Bussy as the visions of a madman, and had told the Governor of Pondicherry that he thought himself too condescending in reading his letters, lent a deaf ear to remonstrances which inwardly he regarded as the fruit of delusion or imposture.1 Apprized of the money which Dupleix had raised on his personal credit, he was not without hopes that Bussy might be possessed of similar resources; and he states as a matter of great surprise, mixed with incredulity, the averment of Bussy, that in this way he was altogether incapable of aiding the general cause.



A high testimony from another quarter was yielded to the merits of Bussy. His rank as an officer was only that of Lieutenant-Colonel. Besides a Major-General, six Colonels had arrived with the army of Lally. The six Colonels, yielding to the nobler impulses of the human mind, signed a requisition that Bussy might supersede them. "Their names," says Mr. Orme, "highly worthy of record on this occasion, were mostly of ancient and noble descent; D'Estaign, de Landivisiau, de la Faire, Breteuil, Verdiere, and Crillon."

To whatever quarter Lally turned his eyes, he found himself beset with the greatest difficulties. The government at Pondicherry declared, as they had frequently declared before, that in their exhausted situation it was altogether impossible for them to find the means of subsisting the army at Pondicherry. When a council of war was called, the Count D'Estaign, and other officers, pronounced it better to die by a musket ball, under the ramparts of Madras, than by hunger, within those of Pondicherry. The idea of undertaking a siege, says Lally, the total want of funds excluded from the mind of every one. But it was deemed expedient to bombard the place, to shut up the English within the fort, to obtain the pillage of the black town, and to lay waste the surrounding country.1

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The Governor of Pondicherry declared that he was destitute of every species of resource, either for the pay or the maintenance of the soldiers. Lally advanced 60,000 rupees of his own money, and prevailed upon some members of the council, and other individuals in Pondicherry, to follow, in some degree, his example. From this species of contribution or loan, he obtained 34,000 rupees, which, added to his own, made a

sum of 94,000. This was the treasure with which at the head of 2,700 European troops, and 4,000 Indians, he marched against Madras.

The expedition was ready for its departure at the beginning of November, but the continuance of the rains retarded its arrival before Madras till the 12th of December, when Lally had not funds to ensure the subsistence of the army for a single week. The English had made active use of the intervening period for providing themselves with the means of defence. When Admiral Pococke quitted the coast in October to avoid the monsoon, he left behind him the marines of the squadron, and was expected back in January. A body of cavalry, under an adventurer of the country, was taken into pay; and so posted, along with the Sepoys from Trichinopoly, as to make war upon the line of the enemy's convoys. The veteran Laurence, who was still in Madras, was put at the head of the troops; and took post with the greater part of the army on elevated ground at some distance from the town. It was not, however, his intention to run the risk of an action; and as the enemy advanced, he gradually yielded ground, till on the 12th he entered the fort with all his army. The command in the fort belonged to the Governor, Pigot. But he
was an intelligent, and an active man; and the harmony of the defence experienced no interruption. The military within the walls now consisted of 1,758 Europeans, 2,220 Sepoys, and 200 horse of the Nabob, on whom by experience little dependance was placed. The other Europeans were 150 men, who were employed without distinction in serving out stores, and other auxiliary operations.



On the 13th the enemy remained on the plain, and reconnoitred the place. On the 14th, early in the morning, they took possession of the black town, where the soldiery, from want of skill, or authority, on the part of their commander, abandoned themselves to intemperance and disorder. In hopes of profiting by this opportunity, the English made a strong sally with 600 chosen men. They penetrated into the black town before the enemy were collected in sufficient numbers; but were at last opposed by a force which they could not withstand; and, had the division of the enemy, which was under the command of Bussy, advanced with sufficient promptitude to cut off their retreat, it is highly probable that few of them would have made their escape. Lally adduces the testimony of the officers, who commanded under Bussy, that they joined in urging him to intercept the English detachment; but that he, alleging the want of cannon, absolutely refused. Mr. Orme says that he justified himself by the delay of Lally's orders, without which it was contrary to his duty to advance. To gain however a great advantage at a critical moment, a zealous officer will adventure somewhat, under some deficiency both of cannon and of orders. The loss on the part of the English was not less than 200 soldiers, and six officers.
In mere numbers that of the enemy was nearly the same.



The capture of the black town had furnished to Lally for the demands of the service only 80,000 livres, lent to him by an Armenian merchant, whom he had saved from plunder; and to these were added 12,000 livres furnished by an Hindu partizan. With these funds he began to construct his batteries, in the intention, as he repeats, of only bombarding the place, when intelligence was brought, on the 24th of December, that a frigate from the islands had arrived at Pondicherry

with a million of livres. It was this circumstance, he says, which now determined him to convert the bombardment into a siege.

With only two engineers, and three artillery officers, excepting the few who belonged to the Company, all deficient both in knowledge and enterprise; with officers in general dissatisfied and ill-disposed, with only the common men on whom he could depend, and of whose alacrity he never had reason to complain, he carried on the siege with a vigour and activity which commanded the respect even of the besieged, though they were little acquainted with the difficulties under which he toiled. By means of the supplies which had plentifully arrived from Bengal, and the time which the Presidency had enjoyed to make preparation for the siege, the English were supplied with an abundance both of money and of stores. The resolution to defend themselves to the utmost extremity, which has seldom been shared more universally and cordially by any body of men, inspired them with incessant vigilance and activity. The industry of the enemy was perpetually counteracted by a similar industry on the part of their opponents. No sooner had those without erected a work, than the most active, and enterprising, and often
skilful exertions were made from within to destroy it. Whatever ingenuity the enemy employed in devising measures of attack was speedily discovered by the keen and watchful eyes of the defenders. A breach, in spite of all those exertions, was however effected; and the mind of Lally was intensely engaged with preparations for the assault; when he found the officers of his army altogether indisposed to second his ardour. Mr. Orme declares his opinion that their objections were founded on real and prudential considerations, and that an attempt to storm the place would have been attended with repulse and disaster. Lally, however, says that the most odious intrigues were carried on in the army, and groundless apprehensions were propagated, to shake the resolution of the soldiers, and prevent the execution of the plan: that the situation of the General was thus rendered critical in the highest degree, and the chance of success exceedingly diminished; yet he still adhered to his design, and only waited for the setting of the moon, which in India sheds a light not much feebler than that of a winter sun, on the very day on which an English fleet of six sail arrived at Madras.



The fleet under Admiral Pococke, which had left Madras on the 11th of October, had arrived at Bombay on the 10th of December, where they found six of the Company's ships, and two ships of the line, with 600 of the King's troops on board. On the 31st of December the Company's ships, with all the troops, sailed from Bombay, under the convoy of two frigates, and arrived on the 16th of February, at a critical moment, at Madras. "Words," says Lally, "are inadequate to express the effect which the appearance
of them produced. The officer who commanded in the trenches deemed it even inexpedient to wait for the landing of the enemy, and two hours before receiving orders retired from his post."



Lally was now constrained to abandon the siege. The officers and soldiers had been on no more than half pay during the first six weeks of the expedition, and entirely destitute of pay during the remaining three. The expenses of the siege, and the half pay, had consumed, during the first month, the million of livres which had arrived

from the islands. The officers were on the allowance of the soldiers. The subsistence of the army for the last fifteen days had depended almost entirely upon some rice and butter, captured in two small vessels from Bengal. A very small quantity of gunpowder remained in the camp; and not a larger at Pondicherry. The bombs were wholly consumed three weeks before. The Sepoys deserted for want of pay, and the European cavalry threatened every hour to go over to the enemy. The defence of Pondicherry rested upon 300 invalids; and, within twelve hours, the English, with their reinforcements, might land and take possession of the place. On the night of the 17th the French army decamped from Madras; and the English made no efforts to molest their retreat.[1]

We may judge of the feelings, towards one another, of Lally and his countrymen, when he tells us, that the retreat of the army from Madras produced at Pondicherry the strongest demonstrations of joy,
and was celebrated by his enemies as an occasion of triumph.



The Nabob, Mahomed Ali, who had retreated into Madras when the French regained the ascendancy in the province, had been removed during the siege to Trichinopoly; and of his two refractory brothers Abdul Wahab and Nejeeb Oolla, who had taken the side of the French, the former returned to the English connexion, before the siege of Madras, and was joined to the party of the English kept in the field to act upon the enemy's communications; the latter, induced by the event of the siege to anticipate success to the party which he had renounced, murdered all the French in his service, except a single officer, and professed himself a partizan of the English.

The English now elevated their hopes to the recovery of the province, but found their operations cramped by the narrowness of their funds. It was the 6th of March before the army, consisting of 1156 Europeans, rank and file, 1570 Sepoys, 1120 collieries (irregular troops of the southern Polygars,) and 1956 horse, was in a condition to move. The countries of Madura and Tinivelly at the same time recalled the attention of the Presidency. No sooner had the troops been withdrawn for the defence of Madras, than the refractory chiefs began their encroachments. Only the towns of Madura and Palam-Cotah, preserved by the steadiness of the Sepoys in garrison, remained in obedience to the English. And Mahomed Issoof, who had commanded with reputation the Company's native troops, in their former attempts in that country, was now sent back, in the quality of renter, with a body of Sepoys, for the recovery of the country.



The French army had marched from Madras in the direction of Conjeveram; and there the French and English armies remained in sight of one another, without any operation of importance, for two and twenty days. The English, at the end of this time, made a march upon Wandewash; took possession of the town, and began to open ground against the fort. This brought the French army to defend it; upon which the English decamped in the night; by a forced march of two days arrived at Conjeveram, and took it by assault. The two armies continued to watch one another till the 28th of May, when they both went into cantonments.

On the 28th of April, Admiral Pococke had arrived upon the coast from Bombay, but had continued to windward of Pondicherry, and principally at Negapatnam, with a view to intercept the French squadron, which was expected from the isles. And near the end of June, three of the usual ships arrived at Madras, with 100 recruits of the Company, and intelligence that Lieutenant Colonel Coote, with 1000 of the King's troops, might be shortly expected on the coast. The satisfaction, however, which this good fortune was calculated to excite, was grievously damped by an attendant piece of advice; that the Court of Directors, "dazzled," as Mr. Orme expresses it, "by representations of the great wealth acquired by the conquest of Bengal, and of its sufficiency to supply their other presidencies, had determined to send no more treasure to any of them till the year 1760." From the first moment of Indian conquests to a late period in their history, were the Company led into blunders, and were but too successful in misleading the councils of the nation, by their absurd estimates of the pecuniary value of Indian dominion. This intelligence was so disastrous, and full of discouragement, "that for every reason," says Mr. Orme, "it was kept within the Council."



Towards the end of July five of the expected ships, with the first division of the troops, arrived at Negapatnam, and having given out the provisions and stores which they had brought for the use of the squadron, sailed for Madras. On the 20th of August the squadron left Negapatnam, and sailed for Trincomalee in the island of Ceylon, where the French fleet was descried, on the 2d of September. D'Aché had been reinforced by the arrival of three ships from France; but as the resources of the islands were inadequate to refit and supply the fleet, not only much time had been lost, but he had been compelled to return to sea, in a state of very imperfect equipment. It was the 10th of September before the state of the winds and the weather permitted the encounter of the fleets. The English having the wind, came down a-breast, while the French, who were farthest out at sea, lay-to in line of battle a-head. The English squadron consisted of nine ships of the line, a frigate, the Queensborough, two of the Company's ships, and a fire ship. The French were eleven sail of the line, and three frigates; and their total battery exceeded that of the English by 174 guns, and consequently, by eighty-seven in action. The engagement lasted searcely two hours, when the greater part of the French ships having quitted the line, the whole fleet sailed away, and, in a few minutes were beyond the reach of the English shot. Such was the indecisive character of naval actions in general, at the period to which we now refer. The English, though they had clearly the victory, had also the principal share of the loss. In point of men the injury was supposed to be nearly equal on both sides; but all the French ships, one only excepted, carried topsails when they retired from the fight; none of the English ships, after the engagement, could set half their sails, and two were obliged to be taken in tow. The English fleet anchored the next day in the road of Negapatnam, and the French in four days arrived at Pondicherry.



As nothing could exceed the distress of the French in respect to supplies; so their hopes were ardent of relief by the arrival of the ships. The fort of Covrepawk had surrendered upon summons, to a detachment of the English army, in the beginning of July. In the beginning of August, Lally's own regiment mutinied for want of pay, and,

by their example, subverted the discipline of the whole army. The confidence of the English had mounted so high, that Major Brereton, who commanded the troops, and who burned for an opportunity of performing some exploit before the arrival of Coote, persuaded the Presidency to sanction an attempt for the reduction of Wandewash. After waiting till the roads were passable, the whole army marched from Conjeveram on the 26th of September. The principal part of the French forces were concentrated at Wandewash; and the enterprize was unsuccessful. The English made a spirited attack on the night of the 29th, but were resisted with great gallantry, and finally repulsed with a loss of more than 200 men. In this action, a detachment of grenadiers were very expeditiously quitting the vicinity of danger; when their officer, instead of calling after them, an imprudence which would, in all probability, have converted their retreat into a flight, ran till he got before them, and then, turning suddenly round, said, "Halt," as giving the ordinary word of command. The habit of discipline prevailed. The men stopped, formed according to orders, and marched back into the scene of action.

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But this success of the French, however brilliant, neither clothed the men, nor provided them with provisions. Neither the English nor the French had ever been able to draw from the districts which they held in the country sufficient funds to defray the expense of the troops, employed in conquering and defending them. A considerable portion of those districts, which the French had been able to seize upon the arrival of Lally, the English had again recovered. The Government of Pondicherry, left almost wholly destitute of supplies from Europe, was utterly exhausted, first, by the long and desperate struggle in which they had been engaged; and secondly, (for the truth must not be disguised, though the complaints of Lally have long been treated with ridicule) by the misapplication of the public funds: a calamity, of which the violent passion of individuals for private wealth was a copious and perennial fountain. Lally had, from his first arrival, been struggling on the borders of despair, with wants which it was altogether out of his power to supply. The English had received, or were about to receive, the most important accession to their power. And nothing but the fleet, which had now arrived, and the supplies which it might have brought, could enable him much longer to contend with the difficulties which environed him.

M. d'Aché had brought, for the use of the colony, 16,000*l.* in dollars, with a quantity of diamonds, valued at 17,000*l*., which had been taken in an English East Indiaman; and, having landed these effects, together with 180 men, he declared his resolution of sailing again immediately for the islands. Nothing could exceed the surprise and consternation of the colony upon this unexpected and alarming intelligence.

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Even those who were the most indifferent to the success of affairs, when the reputation of Lally, and the interest of their country alone were at stake, now began to tremble, when the very existence of the colony, and their interests along with it, were threatened with inevitable destruction. All the principal inhabitants, civil and military, assembled at the Governor's house, and formed themselves into a national council. A vehement protest was signed against the departure of the fleet. But the resolution of the Admiral was inflexible; and he could only be induced to leave 400 Caffres, who served in the fleet, and 500 Europeans, partly marines and partly sailors.

At the same time the departure of Bussy had been attended, in the dominions of the Subahdar, with a rapid succession of events, ruinous to the interests of the French. An expedition from Bengal, fitted out by the English against the Northern Circars, those important districts of which Bussy had obtained the dominion from Salabut Jung, had been attended with the most brilliant success; had not only driven the French entirely out of the country, but had compelled the Subahdar to solicit a connexion with the English. Nizam Ali, whose audacious and aspiring character rendered him extremely dangerous to the feeble resources and feeble mind of his brother, had returned from the flight, to which he had been urged by the spirit and address of Bussy, at the head of a considerable army; and compelled the Subahdar to replace him in that commanding situation, from which he had recently been driven. Bassalut Jung, the second of the three brothers, who anticipated the revolution which the victorious return of Nizam Ali portended, promised himself important advantages from the assistance of the French, in the changes which he expected to ensue; and dispatched a letter

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to Lally, in which he told him he was coming to throw himself into his arms.[1] Bussy urged in strong terms the policy of declaring Bassalut Jung Nahob of Carnatic. This was opposed by the step which had been recently taken by Lally, of making this declaration, with much ceremony and pomp, in favour of the son of Chunda Saheb. It was, however, agreed that a body of troops, under the command of Bussy, should be sent to join Bassalut Jung, who hovered upon the borders of Carnatic. He had left Hyderabad, under pretence of regulating the affairs of his government of Adoni; but he soon directed his march toward the south-east, supporting his army by levying contributions as he proceeded, and approached Nelore in the month of July.

M. Bussy arrived at Wandewash the very day after the repulse of the English; and, having placed himself at the head of the detachment, which was destined to accompany him to the camp of Bassalut Jung, proceeded on his march. But the French army, which had long been enduring extraordinary privations, now broke out into the most alarming disorders. More than a year's pay was due to them; they were destitute of clothing, and many times ill supplied with provisions. The opinion was disseminated, that a much larger sum than was pretended had been left by the fleet; and that the General was acquiring immense wealth by dilapidation. On the 16th of October the whole army was in mutiny, and the officers deprived of all authority. Intelligence of these disastrous events overtook Bussy at Arcot, and induced him to suspend his march. The troops were at last restored to obedience by the payment of six

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months of their arrears, and a complete amnesty. But the delays which had intervened had exhausted the resources which enabled Bassalut Jung to remain on the borders of Carnatic: He was at the same time solicited, by a promised enlargement of his territory, to join with Nizam Ali, who dreaded the reappearance of M. Bussy in the territories of the Subahdar: His ardour for the French alliance was cooled by the intelligence of the disorders among their troops: He was alarmed by the presence of an English corps of observation, which had been sent to act upon his rear, if he should advance into the province: And on the 19th of October he struck off across the hills into the district of Kurpa; where Bussy, who followed him by a different route, arrived on the 10th of November.

Bassalut Jung offered to accompany the French detachment to Arcot, provided he was recognized by the French as sovereign of Carnatic, and furnished with four lacks of rupees for the payment of his troops. The French were not without objections to the first of these conditions, and altogether incapable of fulfilling the last. The negotiation, therefore, proved fruitless; and Bussy returned; with an addition, however, of 400 good horse, whom he had found the means of attaching to his service.[1]

Urged by the necessity of making efforts for the supply, and even subsistence, of the army, Lally, shortly after the reconciliation of his troops, thought proper to divide his army into two parts; with the one of which he proposed to collect the rents of the southern; with the other, stationed at Wandewash and Arcot, to protect what belonged to the French
in the northern districts. De Leyrit and the Council of Pondicherry represented the danger, which could not be concealed from Lally himself, of dividing the army in the presence of a superior enemy; but they pointed out no means by which it was possible to preserve it together. On the 20th of November, the division which marched to the south took possession of the rich island of Seringham, which the garrison at Trichinopoly was too feeble to defend.



The English took the field. Colonel Coote, with the last division of his regiment, had arrived on the 27th of October; and on the 21st of November proceeded to Conjeveram, where the troops were cantoned for the rains. The first of his acts was to assemble a Council of the principal officers; that he might obtain from them a knowledge of facts, and profit by their observations. To divide the attention of the enemy, he began, with movements which indicated an attack upon Arcot; but his real intention was to gain possession of Wandewash; which was attacked and carried on the 29th. The inaction of the French army, at Chittapet, which, probably deeming itself too weak, made no effort for the protection of Wandewash, induced the English to march immediately to Carangoly, which made a feeble resistance, and surrendered on the 10th of December.

The loss of Arcot, and with it the command of all the northern districts of the province, now presented itself to the eyes of Lally as threatened to an alarming degree. The greater part of the troops was hastily recalled from Seringham; Bussy at the same time arrived from his expedition to the camp of Bassalut Jung; a Mahratta chief and his body of horse were taken into pay; and Lally
was eager to strike a blow for the recovery of Wandewash.



Bussy, on the other hand, was of opinion, as the French were superior in cavalry, which would render it dangerous for the English to hazard a battle, except in circumstances of advantage, that they should avail themselves of this superiority, by acting upon the communications of the English, which would soon compel them either to fight at a disadvantage, or retire for subsistence to Madras: whereas if they besieged Wandewash, the English would have two important advantages; one, that of fighting with only a part of the French army, while another

part was engaged in the siege; the other, that of choosing the advantage of the ground, from the obligation of the French to cover the besiegers.

At the same time the motives of Lally were far from groundless. The mental state of the soldiers required some brilliant exploit to raise them to the temper of animated action. He was deprived of all means of keeping the army for any considerable time in the field. By seizing the English magazines, he counted upon retarding for several days their march to the relief of Wandewash; and as the English had breached the fort and taken it in forty-eight hours, he counted, and not unreasonably, upon rendering himself master of the place before the English could arrive.

Amusing the English, by some artful movements, he surprized and took Conjeveram, which he concluded was the place of the English magazines. The fact however was, that the English had no magazines, but were dependant on the purchases of the day, and already straitened for supplies by the extensive excursions of his Mahratta horse. Lally repaired to Wandewash; but several days elapsed before his battery was ready to play; and in the mean
time the English approached. Lally throws the blame upon his engineer; whom he ordered to batter in breach with three cannon upon one of the towers of the fort, which was only protected by the fire of a single piece, and which, five weeks before, the English with inferior means had breached in forty-eight hours. But the engineers insisted upon erecting a battery in exact conformity with the rules of the schools; and the soldiers in derision asked if they were going to attack the fortifications of Luxemburgh.[1]



The project of Lally having in this manner failed, now was the time, at any rate, to have profited by the judicious advice of Bussy, and, abandoning the siege, to have made war upon the English means of supply. But Lally, who was aware that his character had fallen low with the army, could not brook the imputation of retreating before his enemy; he prepared, therefore, to meet the attack of the English army, and to continue his operations. It was the policy of the English commander to leave the enemy at work, till they were ready to assault the fort, when he was sure of attacking separately, at his choice, either the troops engaged in the siege, or those who covered them. His movements were judiciously made; and on the morning of the 22d, he was on the ground before the French camp, his army drawn up in two lines in a most advantageous position, where he had a free communication with the fort, and one of his flanks protected by its fire. The French occupied the ground in front of their line, where the field of
battle had previously been marked out. The English army consisted of 1900 Europeans, of whom eighty were cavalry, 2100 Sepoys, 1250 black horse, and twenty-six field-pieces. The French, including 300 marines and sailors from the squadron, consisted of 2,250 Europeans, and 1,300 Sepoys; for the Mahrattas kept aloof at the distance of some miles from the field of battle.[1] Lally, and apparently with reason, complains that his troops did their duty ill in the action. While the English army were advancing, Lally, who imagined he perceived some wavering on their left, occasioned by the fire of his artillery, though Mr. Orme says they had not yet come within cannon shot, put himself at the head of the cavalry, to profit by the favourable moment. The cavalry

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refused to march. The General suspended the Commanding Officer, and ordered the second Captain to take the command. He, also, disobeyed. Lally addressed himself to the men; and a Cornet crying out that it was a shame to desert their General in the day of battle, the officer who commanded on the left offered to put the troop in motion. They had not advanced many paces, when a single cannon-shot, says Lally, the rapid firing of two pieces, says Mr. Orme, put them to flight, and they galloped off, leaving him absolutely alone upon the plain.[1] Lally returned to the infantry, and brought up his line. The French fired rashly, and ineffectually, both with artillery and musketry; the English leader, who was cool, and perfectly obeyed, made his men reserve their fire, till sure of its execution. The regiment that occupied the enemy's right, when the distance between them and the English was now inconsiderable, threw themselves into column, and rushed forward at a rapid pace. Coote, directing the opposite regiment to be firm, and preserve their fire, gave the command when the enemy were at fifty yards distance. The fire fell heavy, both on their front and flanks. Yet it stopped not the course of the column; and in an instant the two regiments were mingled at the push of the bayonet. The weight of the column bore down what was opposed to it; but as it had been left unprotected by the flight of the cavalry, posted on its right, its flanks were completely exposed, and in a few moments the ground was covered with the slain, when it broke, and fled in disorder to the camp. Almost at the same time a tumbril blew up in the redoubt in front of the enemy's left; and during the confusion which this accident produced, the English took possession of the post. No part of the French line continued firm much longer. When ordered to advance, the sepoys absolutely refused. Bussy, who put himself at the head of one of the regiments, to lead them to the push of the bayonet, as the only chance of restoring the battle, had his horse wounded under him, was abandoned by the troops, and taken prisoner. Lally frankly acknowledges, that his cavalry, who had behaved so ill at the beginning of the action, protected his retreat with great gallantry: He was thus enabled to wait for the junction of the detachment at Wandewash, and to carry off his light baggage and the wounded. The black cavalry of the English were too timid, and the European too feeble in numbers, to impede the retreat.

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Lally retired to Chittapet, from which, without strengthening the garrison, he proceeded the following day towards Gingee. The enterprise next resolved on by Colonel Coote was the reduction of Arcot, toward which, the day after the battle, he sent forward a body of troops. Intelligence however of the defenceless state in which the enemy had left Chittapet, gave him hopes of making that a previous acquisition. In two days the English effected a breach, and the garrison surrendered. On the 1st of February, Coote arrived at Arcot. On the 5th three batteries opened on the town. On the night of the 6th the army began their approaches. Although operations were retarded for want of ammunition, on the morning of the 9th the sap was carried near the foot of the glacis; and by noon, two breaches, but far from practicable, were effected; when, to the great surprise of the English, a flag of truce appeared, and the place was surrendered. Not three men had been lost to the garrison, and they might have held out ten days longer, before the assault by storm could have been risked.

From Gingee Lally withdrew the French troops to Valdore, both to prevent the English from taking post between them and Pondicherry, and to protect the districts to the south, from which alone provisions could be obtained. The difficulties of Lally, which had so long been great, were now approaching to extremity. The army was absolutely without equipments, stores, and provisions, and he was destitute of resources to supply them. He repaired to Pondicherry to demand assistance, which he would not believe that the governor and council were unable to afford. He represented them as embezzlers and peculators; and there was no imputation of folly, of cowardice, or of dishonesty, which was spared against him in return.

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To proceed with the reduction of the secondary forts which the enemy held in different parts of the province; to straiten Pondicherry, and, if sufficient force should not arrive from France for its relief, to undertake the reduction of that important place, was the plan of operations which the English embraced.[1] The country between Alamparva and Pondicherry was plundered and burnt; Timery surrendered on the 1st of February; Devi-Cotah was evacuated about the same time: on the 29th of the same month Trinomalee surrendered; the fort of Permacoil was taken after some resistance in the beginning of March; and Alamparva on the 12th. Carical now remained the only station on the coast, except Pondicherry, in possession of the French; and of this it was important to deprive them, before the shortly expected return of the fleet. A large armament was sent from Madras, and the officer who commanded at Trichinopoly was ordered to march to Carical with all the force which could be spared from the garrison. Lally endeavoured to send a strong detachment to its relief; but the place made a miserable defence, and yielded on the 5th of April before assistance could arrive. On the 15th of that month Valdore surrendered after a feeble resistance; as did Chillambaram on the 20th. Cuddalore was taken about the same time, and several strong attempts by the enemy to regain it were successfully resisted.

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By the 1st of May the French army was confined to the bounds of Pondicherry, and the English encamped within four miles of the town; the English powerfully reinforced from England, and elated with remembrance of the past, as well as hope for the future; their antagonists abandoned, by neglect at home, to insuperable difficulties; and looking with eager eyes to the fleet, which never arrived. On the part of the English, Admiral Cornish had reached the coast with six ships of the line, before the end of February: On the 25th of April Admiral Stevens, who now commanded in room of Pococke, arrived with four ships of the line; and on the 23d of May came another ship of the line, with three companies of the royal artillery on board.

As the last remaining chance of prolonging the struggle for the preservation of the French colony, Lally turned his eyes towards the natives; and fixed upon the Mysoreans as the power most capable of rendering him the assistance which he required. The adventurer Hyder Ali was now at the head of a formidable army, and, though not as yet without powerful opponents, had nearly at his disposal the resources of Mysore. Negotiation was performed; and an agreement was concluded. On the one

hand the Mysorean chief undertook to supply a certain quantity of bullocks for the provision of Pondicherry, and to join the French with 3,000 select horse, and 5,000 Sepoys. On the other hand the French consented to give the Mysoreans immediate possession of the fort of Thiagar, a most important station, near two of the principal passes into Carnatic, at an easy distance from Baramhal, and about fifty miles E. S. E. from Pondicherry. Even Madura and Tinivelly were said to be promised, if by aid of such valuable allies the war in Carnatic were brought to a favourable conclusion. This resource proved of little importance to the French. The Mysoreans (who routed however a detachment of the English army sent to interrupt their march) were soon discouraged by what they beheld of the condition of the French; and soon recalled by an emergency which deeply affected Hyder at home. They remained in the vicinity of Pondicherry about four weeks, during which time Lally had found it impossible to draw from them any material service; and departing in the night without his knowledge they marched back to Mysore. A few days before their departure six of the English Company's ships arrived at Madras with king's troops to the amount of 600 men: On the 2d of September, one month later, several other ships of the Company arrived, and along with them three ships of war, and a portion of a Highland regiment of the King, increasing the fleet in India to the amount of seventeen sail of the line.

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Lally had now, and it is no ordinary praise, during almost eight months since the total discomfiture of his army at Wandewash, imposed upon the English so much respect, as deterred them from the siege of Pondicherry; and notwithstanding the desperate state of his resources, found means to supply the fort, which had been totally destitute of provisions, with a stock sufficient to maintain the garrison for several months. And he still resolved to strike a blow which might impress them with an opinion that he was capable of offensive operations of no inconsiderable magnitude. He formed a plan, which has been allowed to indicate both judgment and sagacity, for attacking the English camp by surprise in four places on the night of the 4th of September. But one of the four divisions, into which his army was formed for the execution of the enterprise, fell behind its time, and disconcerted the operations of the remainder.

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A circumstance now occurred in the English army, which affords another proof (we shall find abundance of them as we proceed) of the impossibility of governing any country well from the distance of half the circumference of the globe. No government, which had any regard to the maxims either of justice or of prudence, would deprive of his authority a commander, who, like Colonel Coote, had brought a great and arduous service to the verge of completion, at the very moment when, without a chance of failure, he was about to strike the decisive blow which would give to his preceding operations the principal part of their splendour and renown. Yet the East India Company, without intending so reprehensible a conduct, and from their unavoidable ignorance of what after many months was to be the state of affairs, had sent out a commission, with the fleet just arrived, for Major Monson the second in command, to supersede Coote who was destined for Bengal. Monson was indeed directed to make no use of his commission while Coote remained upon the coast; but the spirit of Coote would not permit him to make any advanvantage of this indulgence; and had he been

less a man of sense and temper, had he been more governed by that boyish sensibility to injury, which among vulgar people passes for honour, this imprudent step of the Company would have been attended with the most serious consequences. When Coote was to proceed to Bengal it was the destination of his regiment to proceed along with him. The Council of Madras were thrown into the greatest alarm. Monson declared that if the regiment were removed he would not undertake the siege of Pondicherry. Coote consented that his regiment should remain, to encircle the brows of another with laurels which belonged to his own.

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Around Pondicherry, like many other towns in India, ran a hedge of the strong prickly shrubs of the country, sufficiently strong to repel the sudden incursions of the irregular cavalry of the country. As the position of the French was contrived to give it whatsoever protection this rampart could yield, the first operation of Monson was intended to deprive them of that advantage. The attack was indeed successful; but through mismanagement on the part of some of the officers, the plan was badly executed; and considerable loss was incurred. Among the rest, Monson himself was wounded, and rendered incapable for a time of acting in the field. Colonel Coote had not yet sailed for Bengal; and Monson and the Council joined in requesting him to resume the command. He returned to the camp on the 20th of September, and actively proceeded with the reduction of the outposts. When the rains began, in the beginning of October, the camp was removed to an elevated ground at some distance from the town; and during the rains no efforts were made, except those on the part of the French, to introduce provisions, and those on the part of the English, to frustrate their attempts. About the beginning of December, the rains drawing to a close, preparations were made for improving the blockade into more expeditious methods of reduction. Several batteries were prepared, which played on the town from the 8th to the 30th of December. On that day a dreadful storm arose, which stranded three of the English ships in the road, and seriously damaged the greater part of the fleet; while it tore up the tents of the soldiers, and threw the camp into the utmost confusion. Fortunately the inundation produced by the storm rendered it impracticable for the enemy to move their artillery, nor could the troops carry their own ammunition dry. The greatest diligence was exerted in restoring the works. An attempt failed, which was made on the 5th of January, to obtain possession of a redoubt still retained by the enemy. But on the 12th of January the trenches were opened. The enemy were now reduced to the last stage of privation. Lally himself was sick; worn out with vexation and fatigue. The dissensions which raged within the fort had deprived him of almost all authority: A very feeble resistance was therefore made to the progress of the English works. The provisions, which such arduous efforts had been required to introduce into the fort, had been managed without economy; the importunities of Lally to force away the black inhabitants, who consumed the stores of the place with so much rapidity, were resisted, till matters were approaching to the last extremity. While provisions for some days yet remained, Lally urged the Council, since a capitulation must regard the civil as well as the military affairs of the colony, to concert general measures for obtaining the most favourable terms; and procured nothing but chicanery in return. The device of the Council was to preserve to themselves, if possible, the appearance of having

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had no share in the unpopular transaction of surrender, and the advantage, dear to their resentments,
of throwing with all its weight the blame upon Lally. When at last not two days' provisions remained in the magazines, Lally informed them that he was reduced to the necessity of delivering up the military possession of the place; for the civil affairs it rested with them to make what provision was in their power. Towards the close of day on the 14th, a commissioner from Lally, together with a deputation from the Council, approached the English camp. The enemy claimed the benefit of a cartel which had been concluded between the two crowns, and which they represented as precluding them from proposing any capitulation for the town of Pondicherry. As a dispute respecting that cartel remained still undecided, Coote refused to be guided by it, or to accept any other terms than those of an unconditional surrender. Their compliance, as he concluded with sufficient assurance, the necessity of their affairs rendered wholly indispensable.



On the fourth day after the surrender, there arose between the English civil and military authorities a dispute, which, had the military been as daring as the civil, might have been attended with the most serious consequences. Mr. Pigot, the Governor of Madras, made a formal demand, that Pondicherry should be given up to the Presidency, as the property of the East India Company. Coote assembled a council of war, consisting of the chief officers, both of the fleet and the army, who were of opinion that the place ought to be held for the disposal of the King. Pigot, with a hardihood which subdued them; though, in a man without arms in his hands, toward men on whose arms he totally depended, it might have been a hardihood attended with risk; declared that, unless Pondicherry were given up to
the Presidency, he would furnish no money for the subsistence of the King's troops or the French prisoners. Upon this intimation the military authorities submitted.



Two places in Carnatic, Thiagar, and the strong fort of Gingee, still remained in possession of the French. The garrisons, however, who saw no hope of relief, made but a feeble resistance; and on the 5th of April Gingee surrendered, after which the French had not a single military post in India: for even Mahé and its dependencies, on the Malabar coast, had been attacked and reduced by a body of troops which the fleet landed in the month of January. The council of Madras lost no time in levelling the town and fortifications of Pondicherry with the ground.

Dreadful was the fate which awaited the unfortunate Lally, and important are the lessons which it reads. By the feeble measures of a weak and defective government, a series of disasters, during some preceding years, had fallen upon France; and a strong sentiment of disapprobation prevailed in the nation against the hands by which the machine of government was conducted. When the total loss of the boasted acquisitions of the nation in India was reported, the public discontent was fanned into a flame: and the ministry were far from easy with regard to the shock which it might communicate to the structure of their power. Any thing was to be done which might have the effect to avert the danger. Fortunately for them, a multitude of persons arrived from India, boiling with resentment against Lally, and pouring out the most

bitter accusations. Fortunately for them, too, the public, swayed as usual by first appearances, and attaching the blame to the man who had the more immediate guidance of the affairs upon which ruin had come,

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appeared abundantly disposed to overlook the ministry in their condemnation of Lally. The popular indignation was carefully cultivated; and by one of those acts of imposture and villany of which the history of ministries in all the countries of Europe affords no lack of instances, it was resolved to raise a screen between the ministry and popular hatred, by the cruel and disgraceful destruction of Lally. Upon his arrival in France, he was thrown into the Bastille; from the Bastille, as a place too honourable for him, he was removed to a common prison. An accusation, consisting of vague or frivolous imputations, was preferred against him. Nothing whatsoever was proved, except that his conduct did not come up to the very perfection of prudence and wisdom, and that it did display the greatest ardour in the service, the greatest disinterestedness, fidelity, and perseverance, with no common share of military talent, and of mental resources. The grand tribunal of the nation, the parliament of Paris, found no difficulty in seconding the wishes of the ministry, and the artificial cry of the day, by condemning him to an ignominious death. Lally, confident in his innocence, had never once anticipated the possibility of any other sentence than that of an honourable acquittal. When it was read to him in his dungeon, he was thrown into an agony of surprise and indignation; and taking up a pair of compasses, with which he had been sketching a chart of the Coromandel coast, he endeavoured to strike them to his heart; but his arm was held by a person that was near him. With indecent precipitation he was executed that very day. He was dragged through the streets of Paris in a dirty dung cart; and lest he should address the people, a gag was stuffed into his mouth, so large as to project beyond

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his lips. Voltaire, who had already signalized his pen by some memorable interpositions in favour of justice and the oppressed, against French judges and their law, exerted himself to expose, in a clear light, the real circumstances of this horrid transaction; which Mr. Orme scruples not to call “a murder committed with the sword of justice.” It was the son of this very man, who under the name of Lally Tolendal, was a member of the Constituent Assembly, and by his eloquence and ardour in the cause of liberty, contributed to crumble into dust a monarchy, under which acts of this atrocious description were so liable to happen. Thus had the French East India Company, within a few years, destroyed three, the only eminent men who had ever been placed at the head of their affairs in India, Labourdonnais, Dupleix, and Lally. It did not long survive this last display of its imbecility and injustice.[1]

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# CHAP. V.

First Nabobship of Meer Jaffier—Expedition against the Northern Circars—Emperor's eldest Son, and Nabobs of Oude and Allahabad, invade Bengal—Clive resigns the Government, and is succeeded by Mr. Vansittart—Jaffier dethroned, and Meer Causim set up—Disorders by the private Trade of Company's Servants—War with Causim—He is dethroned, and Jaffier again set up—War with the Nabob of Oude—Death of Jaffier—His Son made nominal Nabob—Courts of Proprietors and Directors—Clive sent back to govern Bengal.

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A Defective treasury is the grand and perennial source of the difficulties which beset the sovereigns of India. This evil pressed with peculiar weight upon Meer Jaffier. Before the battle of Plassy, which rendered him Subahdar, his own resources were scanty and precarious. The liberality of Aliverdi, the expense of his war with the Mahrattas, and the ravages of that destructive enemy, left in the treasury of the province a scanty inheritance to Suraja Dowla: The thoughtless profligacy of that prince, even had his reign been of adequate duration, was not likely to add to the riches of the state: To purchase the conspiracy of the English, Meer Jaffier, with the prodigality of Eastern profession, had promised sums which he was altogether unable to pay: The chiefs whom he had debauched by the hopes of sharing in his fortunes, were impatient to reap the fruits of their rebellion: And the pay of the troops was deeply in arrear. In these circumstances it was almost impossible for any man to yield satisfaction. The character of Meer Jaffier was ill calculated for approaching to that point of perfection.

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In making promises, with a view to the attainment of any great and attractive object, an Indian sovereign seldom intends to perform any more, than just as much as he may find it unavoidable to perform; and counts, in general, too, with a well-grounded certainty, upon evading a considerable part at least of that for which he had engaged. To Meer Jaffier the steadiness with which the English adhered to the original stipulations appeared, for a time, the artifice merely of cunning men, who protract an accommodation for the purpose of rendering it more advantageous. Private bribes to defeat public ends, in Oriental politics, an engine seldom worked in vain, were applied with some perseverance. When he found the rigid fulfilment of the vast engagements to the English, still peremptorily and urgently claimed, he was not only surprised but exasperated; and began to hope, that some favourable event would deliver him from such obstinate and troublesome associates.[1]

The English were not the parties against whom his animosities were first displayed. Aliverdi Khan, aware of the rebellious and turbulent spirit, which almost always reigned among those adventurers from Iran and Turan, who commonly rose to the chief command in the armies of the Mahomedan princes in Hindustan, had adopted the sagacious policy of bringing forward the gentle, the less enterprising, and less dangerous Hindus. And he had raised various individuals

of that race to the principal places of power and emolument under his government. Of Ramnarain, whom he entrusted with the important government of Berar, the reader has already received information. Dooloob Ram, another Hindu, held the grand office of Duan, or Superintendant of the Finances. That celebrated family, the Seets of Moorshedabad, who by merchandize and banking had acquired the wealth of princes, and often aided him in his trials, were admitted largely to share in his counsels, and to influence the operations of his government. Aliverdi had recommended the same policy to Suraja Dowla; and that prince had met with no temptation to depart from it.1

Meer Jaffier was placed under the deepest obligations to Dooloob Ram. When he was convicted of malversation in his office, and stood in disgrace with his master, it was Dooloob Ram who had made his peace.2 In the late revolution, Dooloob Ram had espoused his interests, when the influence of that minister, and his command of treasure, might have conferred the prize upon another chief. Whether he dreaded the power of the Hindu connexion, or was stimulated with a desire of their wealth, Meer Jaffier resolved to crush them; and with Dooloob Ram, as the most powerful individual, it was prudent to begin. Before the departure of Clive, he had summoned Ramramsing, the Governor of Midnapore, and head of the Spy-office, to repair to the capital to answer for the arrears of his government; but the cautious Hindu, already alarmed, evaded the mandate by sending two of his relations. The Nabob, so by the English now was Jaffier styled, threw both into prison; and easily reconciled Clive, by informing him, that Ramramsing was an enemy to the English, and had been the agent through whom the correspondence between Suraja Dowla and Bussy had been carried on. A close connexion had long subsisted between Ramramsing and Dooloob Ram; and the latter, to whose sagacity the designs of Jaffier were not a secret, regarded the present step as a preliminary part of the plan which was laid for his own destruction.



Meantime opposition began to display itself in various parts of the provinces. The Rajah of Midnapore took arms upon the news of the detention of his relatives: An insurrection in favour of a son of Sereffraz Khan, whom Aliverdi deposed, was raised at Dacca: In the province of Poorania, the duan of the late governor had raised a creature of his own to the chief command: And Jaffier had resolved on the removal of Ramnarain from the province of Berar. Colonel Clive found the means of reconciling Ramramsing; and, with the assistance of the English, the insurrection at Dacca was easily quelled. But when the troops were drawn out to proceed to Poorania, they refused to march, without payment of their arrears. Clive was preparing to join the Nabob; but his troops, with the prize money distributed among them in consequence of the battle of Plassy, had indulged in such intemperance, that many of the Europeans had died, a still greater proportion were sick, and the army was unable to leave Chandernagor before the 17th of November.

The Nabob's troops were ordered to march on the 6th of October. Partial payments, and other means of overcoming their disobedience were employed till the 7th of November, when the Nabob repaired to the camp. No sooner had he left the city, than his son Meeran, who was to act as Governor, distributed

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intelligence, that a confederacy was formed, under the authority of the Emperor at Delhi, between Ramnarain, the Subahdar of Oude, and Dooloob Ram, to raise to the government of Bengal the son of a younger brother of Surajah Dowla.1 He then commissioned a band of ruffians to enter in the night the palace of the widow of Aliverdi, with whom the mother of Suraja Dowla, and grandmother of the prince, resided. They murdered the child, and sent the two princesses to Dacca. The Nabob, who denied all participation in the action, received from the English, says Mr. Orme, "no reproaches."

Clive arrived at Moorshedabad, on the 25th of November, where Dooloob Ram, who, under pretence of sickness, had refused to accompany Jaffier, remained with his troops. On the 3d of December he joined the Nabob at Raje Mahl. Cuddum Hussun, who had long been an associate in the pleasures of Jaffier, was destined for the government of Poorania;2 and some days had elapsed since he crossed the river into that province, with a body of troops. The terror inspired by the Nabob's army, the intrigues which Cuddum Hussun, by means of letters and spies, was able to raise in the enemy's camp, together with the rawness of the insurgent troops, made them take flight and disperse, upon the very approach of Cuddum Hussun; who took quiet possession of the government, and began immediately to gratify his avarice by the severest exactions.

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The mind of the Nabob, now tranquil on account of other quarters, turned itself to the more arduous proceedings which it meditated in Bahar. Clive perceived his opportunity; and refused to proceed with him, unless all the sums, due upon the agreements with the English, were previously discharged. No payments could be made without Dooloob Ram. A reconcilement, therefore, was necessary; and, Clive undertaking for his security, Dooloob Ram joined the camp with 10,000 troops. Twenty-three lacks of rupees were now due: Orders were signed upon the treasury for one half; and tuncaws, that is, orders to the local receivers to make payment out of the revenues as they come in, were granted on certain districts for the remainder.

Clive, however, now stated, as objections to the removal of Ramnarain; the strength of his army; the probability that he would receive assistance from the Subahdar of Oude; the probability that the English would be recalled to the defence of their own settlements by the arrival of the French; and the danger lest Ramnarain should bring an army of Mahrattas to his aid. Jaffier was not willing to oppose directly an opinion of Clive; and offered to accept of his mediation; reserving in his mind the use of every clandestine effort to accomplish his own designs. The army began its march to Patna; and was joined by Ramnarain, after receipt of a letter from Clive, assuring him, that both his person and government should be safe. The intended delays and machinations of the Nabob were cut short, by intelligence that the Subahdar of Oude, with the French party under M. Law, and a great body of Mahratta horse, was about to invade the province; and by the actual arrival of a Mahratta chief, who came in the name of the principal Mahratta commanders to demand the arrears of chout, amounting to twenty-four lacks of rupees, which were due from Bengal. These events produced a speedy accommodation with Ramnarain. The Nabob, indeed,

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used various efforts to remain behind the English, in order to defeat the securities which that Governor had obtained. But Clive penetrated, and disappointed his designs. He even extorted from him another grant, of no small importance to the English treasury. A leading article in the European traffic was the salt-petre produced in Bengal, the whole of which was made in the country on the other side of the Ganges above Patna. This manufacture had in general been farmed for the benefit of the Government; and Clive saw the advantage of obtaining the monopoly for the English. He offered the highest terms which the government had ever received, but the Nabob knew he could not demand from the English the regular presents which he would derive from a renter placed at his mercy; he was not, therefore, inclined to the arrangement; but, after a variety of objections, the necessity of his circumstances compelled him to comply.

Clive got back to Moorshedabad on the 15th of May; and, on the same day, received intelligence from the coast of Coromandel, of the arrival of the French fleet, and of the indecisive first engagement between it and the English. A friend to the use which governments commonly make of their intelligence of the events of war, "Clive spread," says Orme, "the news he received, as a complete naval victory; two of the French ships sunk in the fight, instead of one stranded afterwards by a mischance; the rest put to flight, with no likelihood of being able to land the troops which they had brought from Pondicherry."

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On the 24th, Clive departed from Moorshedabad without waiting for the Nabob. On the 20th of June, a ship arrived at Calcutta from England; and brought along with it a commission for new modelling the government. A council was nominated consisting of ten; and, instead of one Governor, as in preceding arrangements, four were appointed, not to preside collectively, but each during three months in rotation. The inconvenience of this scheme of government was easily perceived. "But there was another cause," says Mr. Orme, "which operated on opinions more strongly. Colonel Clive had felt and expressed resentment at the neglect of himself in the Company's orders, for no station was marked for him in the new establishment." Convinced that he alone had sufficient authority to overawe the Nabob into the performance of his obligations, the council, including the four gentlemen who were appointed the governors, came to a resolution, highly expressive of their own disinterestedness and patriotism, but full of disregard and contempt for the judgment and authority of their superiors.[1] This high legislative act of the Company they took upon them to set aside, and, with one accord, invited Clive to accept the undivided office of President. With this invitation he assures us, that "he hesitated not one moment to comply."[2]

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In the mean time considerable events were preparing at Moorshedabad. On the approach of Clive and Dooloob Ram, Meeran had thrown the city into violent agitation, by quitting it with demonstrations of fear, summoning all the troops and artillery of the government, and giving it out as his intention to march for the purpose of joining his father. Clive wrote with much sharpness to the Nabob; and Meeran apologised in the most submissive strain. Though inability to discharge the arrears

due to the troops, who could with much difficulty be preserved from tumults, compelled the Nabob to delay his proceedings, he was impatient for the destruction of Dooloob Ram; the severity of his despotism increased; and he declared to one of his favourites, who betrayed him, "that if a French force would come into the province he would assist them, unless the English released him from all their claims of money, territory, and exemptions."[1] Among the Hindus, who had risen to high employment under the encouraging policy of the late Subahdars, was Nuncomar, who acted as Governor of Hoogley at the time of Suraja Dowla's march against Calcutta. Nuncomar had followed the armies to Patna, and, as conversant with the details of the revenue, was employed by Dooloob Ram. When the difficulties of obtaining payment upon the tuncaws granted to the English began to be felt, he proffered his assistance; and, if supported by the government of the Nabob, assured the English, that he would realize the sums. He was vested with such authority as the service appeared to require; but as he expected not to elude the knowledge of Dooloob Ram, in the practices which he meditated, for raising out of his employment a fortune to himself, he resolved to second the designs of the Nabob for the removal of that vigilant Duan. He persuaded the Seets to withdraw their protection from this troublesome inspector, by awakening their fears of being called upon for money, if Dooloob Ram withheld the revenues, and supplied not the exigencies of the state. He assured the Nabob and Meeran, that the English would cease to interfere in their government, if the money was regularly paid. Dooloob Ram took the alarm, and requested leave to retire to Calcutta, with his family and effects. Permission was refused, till he should find a sum of money sufficient to satisfy the troops. Under profession of a design to visit Colonel Clive at Calcutta, the Nabob quitted the capital; but, under pretence of hunting, remained in its neighbourhood. On the second day after his departure, Meeran incited a body of the troops to repair to the residence of Dooloob Ram, and to clamour tumultuously for their pay. The English agent interfered; but, as the troops were directed by Meeran to make sure of Dooloob Ram, the agent found great difficulty in preserving his life. Clive at last desired that he should be allowed, with his family, to repair to Calcutta; and the consent of the Nabob was no longer withheld.



Within a few days after the return of the Nabob from Calcutta, a tumult was excited in his capital by the soldiers of one of the chiefs, and assumed the appearance of being aimed at the Nabob's life. A letter was produced, which bore the character of a letter from Dooloob Ram to the commander of the disorderly troops, inciting him to the enterprise, and assuring him that the concurrence of Clive, and other leading Englishmen, was obtained. Clive suspected that the letter was a forgery of Jaffier and Meeran, to ruin Dooloob Ram, in the opinion of the English, and procure his expulsion from Calcutta; when his person and wealth would remain in their power. All doubts might be resolved by the interrogation and confrontation of the commander, to whom the letter was said to be addressed. But he was ordered by the Nabob to quit his service, was way-laid on his departure, and assassinated.

In the mean time advices had arrived from the Presidency at Madras, that Fort St. David had yielded, that a second engagement had taken place between the fleets, that the French army was before Tanjore, that M. Bussy was on his march to join Lally: And the most earnest solicitations were subjoined, that as large a portion of the troops as possible might be sent to afford a chance of averting the ruin of the national affairs in Carnatic. "No one," says Orme, "doubted that Madras would be besieged, as soon as the monsoon had sent the squadrons off the coast, if reinforcements should not arrive before."[1] Clive chose to remain in Bengal, where he was master, rather than go to Madras, where he would be under command;
and determined not to lessen his power by sending troops to Madras, which the Presidency, copying his example, might forget to send back. An enterprise, at the same time, presented itself, which, though its success would have been vain, had the French in Carnatic prevailed, bore the appearance of a co-operation in the struggle, and afforded a colour for detaining the troops.



One of the leading Polygars in the Northern Circars, fixing his eye upon the advantages which he might expect to derive from giving a new master to the provinces, communicated to the English in Bengal his desire to co-operate with them in driving out the French, while Bussy was involved in a struggle with the brothers of the Subahdar. The brilliancy of the exploit had no feeble attractions for the imagination of Clive; and after the recall of Bussy to Pondicherry, he imparted his intentions to the Council. The project met with unanimous condemnation.[1] But Clive, disregarding all opposition, prepared his armament. It consisted of 500 Europeans, 2,000 Sepoys, and 100 Lascars, with six field-pieces, six battering cannon, one howitz, and one eight-inch mortar. This expedition, commanded by Colonel Forde, was destined to proceed by sea; but the altercations in the council, which the disapprobation of the measure produced, and the delays which occurred in the equipment of the ships, retarded its departure till the end of September.[2]

On the 20th of October Colonel Forde disembarked at Vizigapatam, and joined his troops with
those of the Rajah Anunderauz; at whose instigation the exploit was undertaken. It was expected, that this chief would afford money for the maintenance of the troops; and hence but a small supply of that necessary article was brought from Bengal. The Rajah was in the usual state of Rajahs, Nabobs, Subahdars, and Emperors in India; he was reputed by the English immensely rich, while in reality he was miserably poor: He was, therefore, not very able to provide the sums expected from him; and still less willing. The delays by which he contrived to elude the importunities of the English were highly provoking; and, by retarding their movements, threatened to deprive them of all the great advantages of rapidity and surprise. A sort of treaty was at last concluded, by which it was agreed that, excepting the seaports, and towns at the mouths of the rivers, the conquered country should all be given up to Anunderauz, upon the condition of his advancing a certain monthly sum for the maintenance of the troops.



M. Conflans, who had been sent to command the French troops upon the recall of Bussy, had concentrated his forces about Rajamundri; towards which the English and

the Rajah directed their march. The force, which remained under the command of Conflans, after the departure of the troops which were recalled with Bussy, was still considerably superior to that which had arrived with the English; but when the troops for other services were deducted, he took the field against the English with numbers nearly equal. A battle was brought on; and the French were completely defeated; they were not only stript of their camp, but fled from Rajamundri.

During the battle, the Rajah and his troops remained cowering in the hollow of a dry tank, which protected them from shot. After the battle all his operations were tardy; what was worse, no money could be extracted from him; all the cash which had been brought from Bengal was expended; and during fifty days, when advantage might have been taken of the want of preparation on the part of the enemy, and of the dejection arising from their defeat, the English were unable to move. At last, by a new arrangement, a small sum was obtained from the Rajah; the troops were put in motion, and on the 6th of February arrived at Ellore or Yalore, where they were joined by the Zeminder or chief of the district.



Conflans had no longer confidence to meet the English in the field, but withdrew to defend himself in Masulipatam, the principal fort, and principal station of the French, on that part of the coast; while he urged the Subahdar of Deccan to march to the defence of his own territories, the French being occupants under his authority, and subject to his law, while the English intended to wrest the country wholly from his hands. The views of the courtiers of the Subahdar happened at the moment to coincide with his own wishes to preserve for himself the protection of the French, and he put his army in motion towards Masulipatam.

This prevented not the English commander from hastening to attack the place. He arrived on the 6th of March. The French treated his pretensions with ridicule. Masulipatam, for an Indian town, and against Indian means of attack, was of no inconsiderable strength: The defenders within were more numerous than the besiegers: A considerable army of observation was left in the field: The Subahdar, with the grand army of Deccan, was on the march: And a reinforcement of Europeans was expected from Pondicherry. A sum of money for the English had arrived from Bengal; but the French army of observation rendered it dangerous, or rather impracticable, to send it to the camp. The English troops mutinied for want of pay; and it was with much difficulty, and by large promises, that they were induced to resume the discharge of their duty.



Three batteries continued a hot fire on three different parts of the town, without having effected any considerable damage, from the 25th of March to the 6th of April, when the situation of the English began to wear a very threatening aspect. Salabut Jung was approaching; the French army of observation had retaken Rajamundri, and might effect a junction with the Subahdar; it was impossible for the English now to retreat by the way which they had come, or even to embark at Masulipatam with their cannon and heavy stores; the monsoon had begun; the reinforcement from

Pondicherry was expected; and to crown all, the engineers reported that no more than two days' ammunition for the batteries remained unconsumed. In these circumstances, however apparently desperate, Colonel Forde resolved to try the chance of an assault. The batteries were directed to play with the utmost activity during the whole of the day; and the troops to be under arms at ten at night. The attack, in order to divide the attention of the enemy, and render uncertain the point of danger, was to be in three places at once; and the three divisions of the army were to be on their respective grounds exactly at midnight. The struggle was expected to be severe; from the superior numbers of the enemy, and the little damage which the works had sustained. A part of the army faultered considerably; nor did all the officers meet the danger with perfect composure.



They got, however, within the walls with comparative ease; where, being met by superior forces, they might have paid dear for their temerity, had not surprise aided their arms, and had not M. Conftans, confounded by uncertainty, and by various and exaggerated reports, after a short resistance, surrendered the place.

Within one week two ships appeared with a reinforcement of 300 troops from Pondicherry. The Subahdar, whose arrival had been anticipated but a very few days by the fall of Masulipatam, found himself in circumstances ill calculated to carry on by himself a war against the English. He was anxious on the other hand, being now deprived of the French, to cultivate a friendship with the English, and to obtain from them a body of troops, to protect him against the dangerous ambition of his brother Nizam Ali, who, since the departure of Bussy, had returned at the head of a considerable body of troops, and filled him with serious alarm. Colonel Forde repaired to his camp, where he was received with great distinction, and concluded a treaty, by which a considerable territory about Masulipatam was ceded to the English, and the Subahdar engaged to allow no French settlement for the future to exist in his dominions. The French army of observation, which, it was by the same treaty stipulated, should cross the Kistna in fifteen days, joined the army of Bassalut Jung, the elder brother of the Subahdar, who had accompanied him on the expedition to the Northern Circars, and now marched away to the south. The two ships which had brought the reinforcement from Pondicherry, upon discovering the loss of Masulipatam, sailed away to the north, and landed the troops at Ganjam. They made several efforts to render some useful service, but entirely fruitless; and after enduring a variety of privations, returned greatly reduced in numbers to Pondicherry.[1]



While the detachment from the army of Bengal was engaged in these operations, the solicitude of Clive was attracted by an enemy of high pretensions in a different quarter. Toward the close of the history of the Mogul Emperors, it appeared, that the eldest son of the Emperor Aulumgeer II., not daring to trust himself in the hands of the Vizir, the daring Umad al Mulk, by whom the emperor was held in a state of wretched servitude, had withdrawn into the district of Nujeeb ad Dowla, the Rohilla, who was an opponent of the Vizir, and a partizan of the Imperial family. At this time, the revolution effected by the English in Bengal, the unpopularity and disorders of Jaffier's administration, and the presumed weakness of his government, excited hopes in the neighbouring chiefs, that an invasion of his territories might be turned to

advantage. The imagination of Mahummud Koollee Khan, the Subahdar of Allahabad, was the most highly elevated by the prospect of sharing in the spoils of the English Nabob. He was instigated by two powerful Zemindars, the Rajahs, Sunder Sing, and Bulwant Sing. And the Nabob of Oude, his near kinsman, one of the most powerful chiefs in Hindustan, joined with apparent ardour in the design. The Nabob of Oude entertained a double purpose; that of obtaining, if any thing was to be seized, as great a share as possible of Bahar or Bengal; and that of watching his opportunity, while his ally and kinsman was intent upon his expected acquisitions, to seize by force or stratagem the fort of Allahabad. The influence of the imperial name appeared to them



of no small importance in the war with Jaffier; and as the prince, who had fled into Rohilcund, was soliciting them for protection, it was agreed to place him ostensibly at the head of the enterprise. Preparations were made; and the Prince, having obtained from the Emperor legal investiture, as Subahdar of Bengal, Bahar, and Orissa, crossed the Carumnassa, a river which bounds the province of Bahar, towards the conclusion of the year 1758. From the exhaustion of the treasury when Jaffier was raised to the government, the great sums which he had paid to the English, the difficulty of extracting money from the people, his own negligent and wasteful administration, and the cruel and brutal character of his son Meeran, Jaffier was ill-prepared to meet a formidable invasion. From his own rabble of ill-paid and mutinous soldiers, he was obliged to turn, and place all his hopes of safety in the bravery and skill of the English, whom, before the news of this impending danger, he had been plotting to expel. The English appear to have had no foresight of such an event. By the absence of the troops in the Northern Circars, their force was so inconsiderable, and both they and Jaffier needed so much time to prepare, that had the invaders proceeded with tolerable expedition and skill, they might have gained, without difficulty, the whole province of Bahar. A blow like this, at so critical a period, would have shaken to such a degree the tottering government of Jaffier, that the incipient power of the English might have despaired of restoring it; and a momentary splendour might again have surrounded the throne of the Moguls.

The march of the Prince and his confederates towards Patna placed Ramnarain the Governor between two dreadful fires. To Jaffier he neither felt, nor owed attachment. But, joining the prince, he risked every thing, if Jaffier; adhering to Jaffier, he risked as much, if the prince; should succeed. The situation was calculated to exercise Hindu duplicity and address. An application to Mr. Amyatt, the chief of the English factory, was the first of his steps; from whom as he could receive no protection, he expected such latitude of advice, as would afford a colour to any measures he might find it agreeable to pursue. It happened as he foresaw. Mr. Amyatt informing him that the English would remain at Patna, if assistance should arrive; if not, would retire from the danger; frankly and sincerely instructed him, to amuse the Prince as long as possible; but if all hopes of succour should fail, to provide for himself as events might direct. Ramnarain studied to conduct himself in such a manner as to be able to join with the greatest advantage the party for whom fortune should declare. He wrote to Bengal importuning for succour; and he at the same time privately sent a messenger to propitiate the Prince. He was even induced, when the English of the factory had

retired down the river, to pay him a visit in his camp; and the troops of the Prince might have entered Patna along with him. The opportunity however was lost; and the observations which the Hindu made upon the Prince's camp and upon the councils which guided him, induced him to shut the gates of the city when he returned, and to prepare for defence.

The hardihood of Clive was seldom overcome by scruples. Yet the Emperor Aulumgeer was legitimate sovereign of Bengal; and had undoubted right to appoint his eldest son to be his deputy in the government of that province: To oppose him, was undisguised rebellion.[1] The English forces, a slender band, marched to Moorshedabad, and, being joined by the best part of Jaffier's troops, commanded by Meeran, they advanced towards Patna; where Ramnarain had amused the prince by messages and overtures as long as possible, and afterwards opposed him. Though the attack was miserably conducted, a breach was made, and the courage and resources of Ramnarain would have been soon exhausted; when intelligence reached the camp, that the Subahdar of Oude, who was on his march with an army under pretence of joining the prince, had treacherously seized the fortress of Allahabad. Mahummud Koollee Khan, by whom the prince's affairs were conducted, and whose forces were his entire support, resolved to march immediately for the recovery or protection of his own dominions; and though he was joined at four miles' distance from the city by M. Law, who had hastened from Chutterpore with his handful of Frenchmen, and importuned him to return to Patna, of which he engaged to put him in possession in two days, the infatuated Nabob continued his march, and being persuaded by the Subahdar of Oude to throw himself upon his generosity, was first made a prisoner, and afterwards put to death.



When Clive and Meeran approached, the enemy had already departed from Patna; and the unhappy prince, the descendant of so many illustrious sovereigns, the legal Subahdar of Bengal, Bahar, and Orissa, and the undoubted heir of a throne, once among the loftiest on the globe, was so bereft of friends and resources, that he was induced to write a letter to Clive, requesting a sum of money for his subsistence, and offering in requital to withdraw from the province. Upon these easy terms was Clive, by his good fortune, enabled to extricate himself from a situation of considerable difficulty. Ramnarain obtained, or it was convenient to grant him, credit for fidelity; the Zemindars who had joined the Prince hastened to make their peace; and Clive returned to Calcutta in the month of June.[1]

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This was a fortunate expedition for Clive. So unbounded was the gratitude of Jaffier, that after obtaining for his defender the rank of an Omrah of the empire, he bestowed upon him, under the title of Jaghire, the whole of the revenue or rent, which the Company, in quality of Zemindar, were bound to pay, for the territory which they held round Calcutta. The grant amounted to the enormous sum of 30,000*l.* per annum. "Clive's Jaghire" is an expression of frequent recurrence, and of considerable weight, in the History of India.

The Shazada (such was the title by which the eldest son of the Mogul was then distinguished in Bengal) was thus fortunately repulsed, and Colonel Forde with his troops was no less fortunately returned from the south, when the English were alarmed by the news of a great armament, fitted out by the Dutch at Batavia, and destined for Bengal. The Dutch were not then at war with England, and being excited to cupidity by the lofty reports of the rich harvest lately reaped by the English in Bengal, possibly aimed at no more than a share of the same advantages, or to balance before its irresistible ascendency the increasing power of their rivals.

book iv.Chap. 5. 1759.

They had received encouragement from Jaffier; but that ruler, since the invasion of the Mogul Prince, felt so powerfully his dependence on the English, that, when called upon by the English for the use of his authority and power, he durst not decline. In the month of August a Dutch ship arrived in the river, filled with troops; and this was speedily followed by six more, the whole having on board 700 Europeans and 800 Malays. To attack without provocation the ships or troops of a nation in friendship with this country, was not regarded by Clive as less than a hazardous step. The advantages, however, of standing without a rival in Bengal outweighed his apprehensions; he obtained an order of the Subahdar, commanding the Dutch to leave the river; and under pretence of seconding his authority resolved upon hostilities. The seven ships ascended the river as far as a few miles below Calcutta, and landed their troops, which were thence to march to the Dutch factory at Chinsura. Clive detached Colonel Forde, with a force, consisting of 300 Europeans, 800 Sepoys, and about 150 of Jaffier's cavalry, to intercept them; and at the same time commanded three of the Company's ships, fitted out and manned for the purpose, to attack the Dutch East Indiamen. Colonel Forde, by the dexterity and success of his exploit, converted it into one of the most brilliant incidents of the war; and of the 700 Europeans, not above fourteen were enabled to reach Chinsura, the rest being either taken prisoners or slain. The attack upon the ships was equally successful; after an engagement of two hours, six of them were taken, and the seventh was intercepted by two English ships which lay further down the river. After this heavy blow the Dutch, to prevent their total expulsion from Bengal, were contented to put themselves in the wrong, by paying the expenses of the war;

book iv.Chap. 5. 1760.

and the irregularity of his interference made Clive well pleased to close the dispute, by restoring to the Dutch their ships, with all the treasure and effects. The agreement with the Dutch was ratified on the 5th of December; and Clive, who for some months had been meditating return with his fortune to Europe, resigned the government early in February and sailed from Calcutta.[1]

He left not the country in peace. Meeran, before he departed from Patna, the preceding year, had sown the seeds of a future war. He treated with injustice some officers of considerable rank and influence; and no sooner was he gone than a confederacy was formed between them and some neighbouring Zemindars to support the Shazada in a fresh invasion. Intelligence of their designs had reached Calcutta before the contest with the Dutch was decided. And the Nabob of Poorania, whom Meeran had already endeavoured to cut off by treachery, had taken the field, and was expected to join the Mogul prince.

Colonel Calliaud had been called from Carnatic to take the command of the forces in Bengal, when Clive and Forde, who meditated simultaneous departure, should sail for Europe. He arrived with a reinforcement of troops toward the end of November; and it was necessary that he should proceed to stop the menaced invasion without a moment's delay. He left Calcutta with a detachment of 300 Europeans, 1,000 Sepoys, and fifty artillery men, with six pieces of cannon, and arrived at Moorshedabad on the 26th of December. He was joined by Clive on the 6th of January, who, having made his arrangements with the Subahdar, or Nabob, set out after a week for Calcutta. Calliaud, being joined by 15,000 horse and foot, and twenty-five pieces of cannon, of the Nabob, under command of Meeran, resumed his march on the 18th.



In the mean time, the Mahrattas, who had been incited by the Vizir, Umad al Mulk, to invade the provinces of Oude and Rohilcund, had been defeated and obliged to fly; while the powerful King of the Abdallees was again on his march for the invasion of Hindustan. Excited by the approach of formidable danger, the Vizir, in a fit of exasperation or despair, ordered the murder of the Emperor, the wretched Aulumgeer; and the news of this tragical event reached the Shazada, just as he had passed the Carumnassa into the province of Bahar. He was advised to assume immediately the state and title of Emperor; to confer the office of Vizir upon Suja Dowla, the Nabob of Oude, and to confirm Nujeeb ad Dowla in the office of Ameer ul Omrah. The majesty of the imperial throne, and his undoubted title, had an influence still upon the minds of men. It was now clear and immediate rebellion to resist him; and whatever guilt could be involved in making war upon their rightful sovereign, must be incurred by those who carried arms against him. The English had already familiarized themselves with the idea of rebellion in India; and the consideration of legitimate sovereignty, though the sovereign would have purchased their protection by unlimited grants, appears not to have excited a scruple in a single breast. The new dignity, however, of Vizir called upon the Nabob of Oude for some exertions in favour of his sovereign; and the fascination of the imperial title was still of force to collect around him a considerable army.[1]

The march of the English was retarded by the necessity of settling terms with the Nabob of Poorania, who had encamped on the left bank of the river between Moorshedabad and Patna, and professed a desire of remaining obedient to Jaffier, provided the English would engage for his security. This negotiation wasted seven days; and in the mean time the Emperor advanced towards Patna. Ramnarain, whom the sagacity of Aliverdi had selected to be deputy Governor of Bahar, on account of his skill in matters of finance, was destitute of military talents; and considering his situation, under the known hatred of Jaffier, as exceedingly precarious, he was unwilling to lay out any of the wealth he had acquired, in providing for the defence of the country. He was still enabled to draw forth a respectable army, reinforced by seventy Europeans and a battalion of English sepoys, commanded by Lieutenant Cochrane; and he encamped under the walls, with a view to cover the city. He had received by letter the strongest injunctions from Calliaud, on no account to hazard a battle till Meeran and he should arrive. An action however took place; the army of Ramnarain was attacked with impetuosity; some of his officers behaved with

treachery; his troops were giving way on all sides; and he himself was dangerously pressed; when he sent an importunate request to the English for immediate assistance. The Lieutenant had advised him at the beginning of the action to place himself, for the security of his person,
near the English battalion; an advice with which his vanity did not permit him to comply. That officer marched to his relief without a moment's delay; but he imprudently divided his handful of troops; they were unable to withstand the force of numbers; all the European officers of the Sepoys fell, when the Sepoys dispersed and were cut to pieces. The English who remained alive, resolved to fight their way to the city; and such was the awe and terror which the sight of their courage inspired, that the enemy, not daring to resist, opened instantly to the right and left, and allowed them to retire.[1]



Had the troops of the Emperor pushed on with vigour, immediately after this victory, when Ramnarain was severely wounded, his army panic-struck and dispersed, and the city without defenders, they
might have taken Patna with the greatest ease. But they employed themselves in ravaging the open country, and in receiving messengers and overtures from Ramnarain till the 19th of February, when they learned that Meeran and the English were distant from them but twenty-eight miles. The resolution was taken to march and engage them; and next day the two armies approached. Colonel Calliaud urged immediate attack; but Meeran and his astrologers found that the stars would not be favourable before the 22d. Early on the morning of that day, Calliaud was in motion; but before he could reach the enemy the day was so far spent, "by the insufferable delays," as he himself complains, "of Meeran's march," that, wishing to have time before him, he was unwilling to engage till the following morning. The enemy however advanced, and Calliaud drew up his men between two villages which covered both his flanks, advising Meeran to form a second line, the whole of which, except the two wings, would have been covered by the English and the villages. But though this was agreed upon, "he crowded his army upon the right, and, in spite of the most pressing and repeated solicitations, presented to battle a body of 15,000 men with a front of scarcely 200 yards in a tumultuous unformed heap." With a feigned appearance of directing the main attack upon the English, the enemy advanced with the best part of their army against Meeran, who in about ten minutes began to give way. Colonel Calliaud, however, marched with a battallion of Sepoys to his aid, and immediately decided the fate of the day. The Sepoys drew up within forty yards upon the enemy's flank, and having poured in a couple of fires, advanced with the bayonet, when the
enemy recoiled upon one another, fell into confusion, and, being charged by Meeran's cavalry, dispersed and fled. Calliaud was eager to pursue, but Meeran, who had received a trifling wound in the battle, preferred an interval of ease and pleasure at Patna. He would not even permit the service to be performed without him; and though Calliaud offered to proceed with his own troops alone, if only a few horse, which he earnestly entreated, were granted him, he found all he could urge without avail.





The Emperor fled the same night to Bahar, a town about ten miles from the field of battle. Here a measure of great promise suggested itself: To leave Meeran and the

English behind; and, marching with the utmost expedition to Bengal, surprise Moorshedabad, and take the Nabob prisoner. It was the 29th of the month before Meeran could be prevailed upon to abandon the indulgences of Patna; when he and the English marched towards Bahar, and were surprised to learn that the enemy had already performed two marches towards Bengal. The strongest motives pressed for dispatch: The English embarked in boats, and along with Meeran's cavalry in three days overtook the foe; who adopted a bold and politic resolution. No longer able to proceed along the river, the Emperor directed his march across the mountains; and Calliaud still resolved to follow his steps. The route was long and difficult, and it was near the end of March before the Emperor emerged on the plains of Bengal, about thirty miles west from Moorshedabad. During this interval, intelligence was in sufficient time received by Jaffier to enable him to collect an army and obtain a body of 200 Europeans from Calcutta: but the Emperor was joined by a body of Mahrattas, who had lately broken into that part of the country; and had he rapidly attacked the Nabob, he still enjoyed, in the opinion of Calliaud,
the fairest prospect of success. But he lingered till Meeran and
the English joined the Nabob on the 4th of April; and on the 7th,
when they advanced to attack him, he set fire to his camp and
fled. Calliaud again urged for cavalry to pursue, and again was absolutely refused.



One object of hope was even yet reserved to the Emperor. By the precipitation with which his pursuers had followed him, Patna was left in a miserable state of defence. Could he return with expedition, and anticipate the arrival of succour, it must fall into his hands. At this very time M. Law, with his small body of Frenchmen, passing that capital, to join the Emperor who had again invited him from Chitterpore, threw it into the greatest alarm. It was almost entirely destitute of the means of defence; but Law was ignorant of its situation; and proceeded to Bahar to wait for the Emperor. At this time the Naib of Poorania took off the mask, espousing openly the cause of the Emperor; and had he seized the present opportunity of marching to Patna, nothing could have prevented it from falling into his hands. The exertions however of Ramnarain, and of the gentlemen of the English factory, had collected, before the Emperor was able to arrive, a sufficient body of defenders to secure the city against the first impression; and Colonel Calliaud, who foresaw the danger, formed a detachment of 200 chosen Europeans, and a battalion of Sepoys, of which he gave the command to Captain Knox, and commanded them to march with the utmost expedition to Patna. The Emperor had lost no time in commencing the siege; and after several days of vigorous operation, during which Mr. Fullerton, the English Surgeon, and Raja Shitabroy, had distinguished themselves peculiarly within
the walls, Law attempted an assault. Though repulsed, he, in two
days, renewed the attempt; and part of the wall being
demolished, the rampart was scaled. The enemy were still
compelled to retire; but the city was now thrown into the greatest alarm; a renewed assault was expected the following night; and scarcely a hope was entertained of its being withstood; when Captain Knox with a flying party was seen approaching the walls. He had performed the march from Moorshedabad to Patna, under the burning heat of a Bengal sun, in the extraordinary space of thirteen days, himself marching on foot, as an example and encouragement to the men. That very night the Captain reconnoitred the enemy's camp in person; and next day, watching the hour of

afternoon's repose, surprised them when asleep, and drove them from their works, to which they never returned.

While the Emperor, conscious of his weakness, withdrew to the neighbourhood of Teekaury, waiting the result of his applications to the Abdallee Shah, who was now commanding from the ancient seat of the Mogul government the whole of the upper provinces of Hindustan, the Naib or Deputy Governor of Poorania had collected his army, and was on the march to join him. To counteract his designs, the English army under Calliaud, and that of Jaffier under Meeran, rendezvoused at Raje mahl, on the 23d of May. They moved upwards on the one side of the river, the Naib advancing on the other; and orders were forwarded to Captain Knox to cross over from Patna, and harass his march till the main army should arrive; while his boats, which were not able to ascend the river so fast as he marched, were overtaken and seized. Captain Knox amazed the inhabitants of Patna by declaring his resolution, as soon as the enemy appeared, of crossing the river with his handful of men and giving them battle. Part of Ramnarain's troops were placed under his command; but as the enterprise appeared to them an act of madness, they formed a determined resolution to have no share in it. Raja Shitabroy having between two and three hundred men in his pay, with whom he had performed important services in the defence of Patna, joined the Captain with a real disposition to act. Two hundred Europeans, one battalion of Sepoys, five field-pieces, and about 300 horse, marched to engage an army of 12,000 men, with thirty pieces of cannon. Arrived within a few miles of the enemy, Knox proceeded in the dark to the quarters of Shitabroy, to communicate his design of surprising the enemy's camp during the night: he found that gallant associate fully prepared to second his ardour; the troops were allowed a few hours for repose; and a little after midnight they began to march. The guide having missed his way from the darkness of the night, they wandered till within two hours of day-break, and having lost the time for attacking the enemy by surprise, abandoned the design. They had laid down their arms, and prepared themselves for a little repose, when the vanguard of the enemy appeared. The gallantry of Knox allowed not a moment's hesitation. He took his ground with skill; and though completely surrounded by the enemy, repulsed them at every point; sustained a conflict of six hours, in which Shitabroy fought with the greatest activity and resolution; and having compelled them at last to quit the field, pursued them till night.1



In consequence of this defeat, the Naib postponed his resolution of joining the Emperor, and marched towards the north. In a few days Calliaud and Meeran crossed the Ganges to pursue him, and, as his army was encumbered with baggage and artillery, soon overtook him. He immediately formed his line, as if to engage; but unloading the treasure, and the most valuable part of the baggage, putting it upon camels and elephants; and skirmishing only till the English came up, he marched away with great expedition, leaving his heavy baggage and artillery behind.1 The rains were now set in with unusual violence, yet Calliaud, animated by the reports of the rich treasure (the English were credulous on the subject

of treasure) which the Naib carried in his train, resolved to make the utmost exertions to overtake him before he could reach the forests and mountains. The pursuit had been continued four days, when during the night of the 2d of July, which proved exceedingly tempestuous, the tent of Meeran was struck with lightning, and he, with all his attendants, were killed on the spot. The death of their leader is, to an Indian army, the signal to disband. The probability of this event, which would deliver the province of Bahar into the hands of the Emperor, struck the English commander with the utmost alarm. His whole attention was now occupied in keeping the army together, till reconducted to Patna, toward which he marched with all possible expedition; and distributed the troops in winter quarters in the 29th of July.[1]



The political affairs of the province were hastening to another crisis. The government of Jaffier was in a state approaching to dissolution. The English Presidency was distressed by want of pecuniary resources, and the seeds of violent discords were sown in the council.

When Jaffier got possession of the viceroyalty by the dethronement and death of his master Suraja Dowla, and when the English leaders were grasping the advantages which the revolution placed in their hands, both parties, dazzled with first appearances, overlooked the consequences which necessarily ensued. The cupidity natural to mankind, and the credulity with which they believe what flatters their desires, made the English embrace, without deduction, the exaggerations of Oriental rhetoric on the riches of India; and believe that a country which they saw was one of the poorest, was nevertheless the most opulent upon the surface of the globe. The sums which had been obtained from Jaffier were now wholly expended. “The idea of provision for the future,” to use the words of a governor, “seemed to have been lost in the apparent immensity of the sum stipulated for compensation of the Company’s losses at Calcutta.” No rational foresight was applied, as the same observer remarks, to the increased expenditure which the new connection with the government of the country naturally produced; and soon it appeared that no adequate provision was made for it. “In less than two years it was found necessary to take up money at interest, although large sums had been received besides for bills upon the court of Directors.”[1] The situation of Jaffier was deplorable from the first. With an exhausted treasury, an exhausted country, and vast engagements to discharge, he was urged to the severest exactions; while the profusion with which he wasted his treasure upon his own person, and some unworthy favourites, was ill calculated to soothe the wretched people, under the privations to which they were compelled. The cruelties of which he and Meeran were guilty, made them objects of general detestation: the negligence, disorder, and weakness of their government, exposed them to contempt; and their troops, always mutinous from the length of their arrears, threatened them every moment with fatal extremities. When the news arrived at Moorshedabad of the death of Meeran, the troops surrounded the palace, scaled the walls, and threatened the Nabob with instant death; nor were they, in all probability, prevented from executing their menaces, otherwise than by the interference of Meer Causim, his son-in-law, who, on promise

of succeeding to the place and prospects of Meeran, discharged a part of their arrears from his own treasury, and induced them to accept of Jaffier's engagements to pay the whole within a limited time.

When Clive resigned the government of Bengal, instead of leaving the elevation to the chair in the established order of succession, his influence was successfully exerted to procure the nomination of Mr. Vansittart, who was called from Madras. Mr. Holwell, on whose pretensions there had been violent debates in the Court of Directors, was promoted to the office in virtue of his seniority, till July, when Mr. Vansittart arrived. The new governor found the treasury at Calcutta empty, the English troops at Patna, on the very brink of mutiny, and deserting in multitudes for want of pay; the Presidencies of Madras and Bombay totally dependant upon Bengal for pecuniary resources; the provision of an investment actually suspended; the income of the Company scarcely sufficient for the current expences of Calcutta; the allowance paid by the Nabob for the troops several months in arrear; and the attainment of that, as well as of a large balance upon his first agreements, totally hopeless. Some change, by which the revenue of the Company could be placed on a level with their expenditure, was indispensable.[1] They might retire from all concern with the government of the country, and content themselves with the protection of Calcutta, for which a small body of troops and a small expenditure would suffice. But not to speak of the golden hopes which had been so fondly cherished, fears suggested themselves (fears when they favour wishes are potent counsellors) that the place which the Company might resign in directing the government of the country would be occupied by the French or the Dutch. From the administration of Jaffier, resigned as he was to a set of unworthy favourites; old, indolent, voluptuous, estranged from the English, and without authority; no other consequences were to be expected, than those which had already been experienced. From a strong sense of the incurable vices of Jaffier and his family, Mr. Holwell, during the few months of his administration, had advised the council to abandon him; and, embracing the just cause of the Emperor, to avail themselves of the high offers which that deserted monarch was ready to make. An idea, however, of fidelity to the connexion which they had formed, though with a subject in rebellion to his king, prevailed in the breasts of the council; and a middle course was chosen. Of all the members of Jaffier's family, whose remaining sons were young, Meer Causim, the husband of his daughter, who passed for a man of talents, appeared the only person endowed with qualities adapted to the present exigencies of the government. It was agreed that all the active powers of administration should be placed in his hands; Jaffier not being dethroned in name, but only in reality. A treaty was concluded with Meer Causim on the 27th of September. He agreed, in return for the powers thus placed in his hands, to assign to the Company the revenues of the three districts of Burdwan, Midnapore, and Chittagong, to pay the balance due by Jaffier, and a present of five lacks for the war in Carnatic. On the 2d of October, Mr. Vansittart, accompanied by Colonel Calliaud and a detachment of troops, proceeded to Moorshedabad to persuade or to compel the Nabob to accede to the arrangements which had been formed. Jaffier discovered intense reluctance; and Mr. Vansittart wavered. Meer Causim, who could be safe no longer in the power of Jaffier,

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exclaimed against the perfidy of making and not fulfilling an engagement such as that which was contracted between them: and formed his resolution of joining the Emperor with all his treasure and troops. The resolution of Mr. Vansittart was at last confirmed; and a favourable moment was chosen for occupying the palace of Jaffier with the troops. When assured that no designs against his person or authority were entertained; that nothing was proposed beyond a reform of his government in the hands of his son-in-law, who would act as his deputy; he replied, with disdain, that he was no stranger to the meaning of such language; and too well acquainted with the characters of men, particularly that of his son-in-law, to be in doubt respecting the consequences. He peremptorily refused to remain a vain pageant of royalty, and desired permission to retire to Calcutta, to lead a private life under the English protection.[1]

When the pecuniary distresses of the Company's government, and the enormous disorders in that of the Nabob, were under the deliberation of the board at Calcutta, there was but one opinion concerning the necessity of some important change. To vest Meer Causim with the power requisite for reforming the government of the Nabob, was the plan approved of unanimously in the Select Committee. The force which might be necessary to subdue his reluctance was provided; and though it was not anticipated that he would resign the government rather than comply, the step which that resolution made necessary was a natural consequence; and was without hesitation decreed. When Mr. Vansittart returned to Calcutta on the 7th of November, he found there were persons by whom those measures were by no means approved. Mr. Verelst and Mr. Smyth, two members of the Council, who were not of the Select Committee, entered a minute on the 8th, in which they complained that a measure of so much importance had not been submitted to the Council at large; and laying great stress upon the engagements which had been formed with Jaffier, insinuated their ignorance of the existence of any cause why those engagements should be abandoned and betrayed. When Clive made his plan for the government of Bengal, by the irregular elevation of Mr. Vansittart, he seems to have overlooked, or very imperfectly to have estimated, the passions which it was calculated to excite. Mr. Amyatt, who was a man of merit, and next to the chair, could not behold himself postponed or superseded without dissatisfaction; and those among the Bengal servants, who stood next to him in hopes, regarded their interests as involved in his. A party thus existed, with feelings averse to the Governor; and they soon became a party, opposed to his measures. Other passions, of a still grosser nature, were at this time thrown into violent operation in Bengal. The vast sums, obtained by a few individuals, who had the principal management of the former revolution, when Meer Jaffier trode down Suraja Dowla his master, were held in vivid remembrance; and the persuasion that similar advantages, of which every man burned for a share, were now meditated by the Select Committee, excited the keenest emotions of jealousy and envy. Mr. Amyatt was joined by Mr. Ellis, a person of a violent temper, whom, in some of his pretensions, the Governor had opposed; and by Major Carnac, who had lately arrived in the province to succeed Calliaud, but whom the Governor had offended by proposing that he should not take the command till the affairs at Patna, in which Calliaud was already engaged, and with which he was well acquainted, should be conducted to a close. A minute, in which Mr. Ellis and Mr. Smyth coincided, and in

which the deposition of Jaffier was formally condemned, was entered by Mr. Amyatt on the 8th of January. No attempt was made to deny the extreme difficulties in which the English government was placed, or the disorders and enormities of Jaffier's administration; it was only denied that any of these evils would be removed by the revolution of which, in violation of the national faith, the English, by the Select Committee, had been rendered the instruments.

Meer Causim, aware that money was the pillar by which alone he could stand, made so great exertions that, notwithstanding the treasury of Meer Jaffier was found almost empty, he paid in the course of a few months the arrears of the English troops at Patna; so far satisfied the troops of the Subah, both at Moorshedabad and Patna, that they were reduced to order and ready to take the field; and provided six or seven lacks in discharge of his engagements with the Company, insomuch that the Presidency were enabled in November to send two lacks and a half to Madras, whence a letter had been received declaring that without a supply the siege of Pondicherry must be raised.



In the month of January, Major Carnac arrived at Patna, and took the command of the troops. The province of Bahar had suffered so much from the repeated incursions of the Emperor; and the finances both of the Nabob and of the Company were so much exhausted by the expense of the army required to oppose him, that the importance was strongly felt of driving him finally from that part of the country. The rains were no sooner at an end, than the English commander, accompanied by the troops of Ramnarain, and those which had belonged to Meeran, advanced towards the Emperor, who was stationed at Gyah Maunpore. The unhappy Monarch made what exertions he could to increase his feeble army; but Carnac reached his camp by three days' march; forced him to an engagement, and gained a victory. The only memorable incident of the battle was, that M. Law was taken prisoner: And the British officers exalted themselves in the eyes even of the rude natives, by treating him with the highest honour and distinction.[1]

At this time the Zemindars of Beerboom, and Burdwan, two important districts of Bengal, not far from Moorshedabad, took arms. It has been alleged that they acted in concert with the Emperor; with whom it had been arranged during his former campaign, that a body of Mahrattas should penetrate into Bengal immediately after the rains; that he himself should advance to Bahar, and, by as menacing an appearance as possible, engage the attention of the English and Nabob; that the Zemindars should hold themselves in readiness, till the Emperor, giving his enemies the slip, should penetrate into Bengal, as he had done the year before; when they should fall upon the province by one united and desperate effort. There seems in this too much of foresight and of plan for Oriental politicians, especially the weakminded Emperor and his friends: At any rate the movements of the Zemindars betrayed them: Meer Causim, attended by a detachment of English under Major Yorke, marched in haste to Beerboom, defeated the troops which were opposed to them, reduced both provinces to obedience, and drove the Mahrattas to the south.



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Immediately after the battle with the Emperor, Major Carnac sent to him the Raja Shitabroy, to make an overture of peace; and to ask permission to visit him in his camp. At first, by the instigation of one of the restless Zemindars who supported him, he declined the proposal; presently afterwards, having listened to other counsels, he became eager to make his terms. He was tired of his dependence upon the rude and insolent chiefs who hitherto had upheld his cause; and cherished hopes that the late revolution
at Delhi might produce some turn in his favour. The Abdallee Shah, after his great victory over the Mahrattas, had acknowledged him as sovereign of Hindustan; had appointed his son to act in the quality of his deputy at Delhi; and had recommended his cause to the Afghaun chiefs, and to his vizir the Nabob of Oude. Major Carnac paid his compliments to him as Emperor, in his own camp, and, after the usual ceremonies, conducted him to Patna.



Meer Causim was not easy upon the prospect of a connexion between the Emperor and the English; and hastened to Patna, to observe and to share in the present proceedings. Upon his arrival he declined waiting upon the Emperor in his own camp; either because he was afraid of treachery, of which there was no appearance; or because (so low was the house of Timur fallen) he was pleased to measure dignities with his King. After much negotiation the English invented a compromise; by planning the interview in the hall of the factory, where a musnud was formed of two dining tables covered with cloth. The usual ceremonies were performed; and Meer Causim, upon condition of receiving investiture as Subahdar of Bengal, Bahar, and Orissa, engaged to pay annually twenty-four lacks of rupees to the Emperor, as the revenue of the provinces, with the government of which he was entrusted. After a short stay at Patna, where the intrigues of the Nabob had as yet prevented his being proclaimed as sovereign, Shah Aulum accepted the invitation of the Subahdar of Oude, of Nujeeb ad Dowla, and other Afghaun chiefs, to whom his cause was recommended by the Abdallee Shah, to place himself under their protection, and marched toward his capital. He was escorted
by Major Carnac to the boundaries of the province of Bahar; and made a tender to the English of the duanee of Bengal, Bahar, and Orissa, for which, and all their other privileges, he offered to grant phirmâns, whenever the petition for them should be presented in form. The intention was distinctly formed at Calcutta, to afford assistance for placing and confirming him on his paternal throne; but the want of money, and the disinclination of the Nabob, proved decisive obstructions.



Meer Causim, who had supplied his first necessities, by squeezing out of those persons, who were suspected of having made riches in the public service, all that terror or cruelty, under pretence of making them account for their balances, was calculated to extort, regarded the supposed treasures of Ramnarain, as well as the revenues of his government, with a craving appetite; and resolved to omit no effort or contrivance, to get both in his power. As Ramnarain, however, had been assured of protection by the English, it was necessary to proceed with caution and art. The pretence of calling upon him to account for the receipts of his government was the instrument employed. It was the purpose of the Nabob to accede to no

accommodation which should not leave Ramnarain at his mercy: It was the purpose of Ramnarain to avoid, by every effort of chicanery, the rendering of a fair account. These endeavours, truly Oriental, of the Nabob on the one side, and Ramnarain on the other, operated to the ruin of both.

Mr. Vansittart, and the party who supported him, desirous of finding the conduct of Meer Causim, whom they had raised, of a nature to justify their choice, were disposed to interpret all appearances in his favour: The opposite party, who condemned the elevation of Meer Causim, were not less disposed to interpret all appearances to his disadvantage. Unfortunately for Ramnarain, and, in the end, not less unfortunately for the Nabob, the persons at Patna, in whose hands the military power of the English at this time was placed, belonged to the party by whom the Governor was opposed. Major Carnac was indeed superseded in the chief command by the arrival of Colonel Coote soon after the Emperor was received at Patna; but Coote fell so entirely into the views of his predecessor, that Carnac, though in a subordinate station, remained at Patna, to lend his countenance and aid to measures, the line of which he had contributed to draw.



So far was Mr. Vansittart from intending to permit any injustice towards Ramnarain, that Major Carnac, in his first instructions, was particularly informed of the engagements subsisting between the English government and Ramnarain; and of the necessity of supporting his life, fortune, and government against the Nabob, should any hostile design appear to be entertained. Mr. Vansittart, however, listened to the representations which the Nabob artfully sent him, of the artifices by which Ramnarain evaded the settlement of his accounts: The exigencies of the Calcutta government urgently required the payments due from the Nabob: The Nabob declared that the recovery of the balances from Ramnarain was the only fund from which those payments could be made: And Vansittart, with the usual credulity, believed the vulgar reports, of the great treasures, as well as the vast balances, in the hands of Ramnarain; though the accounts of only three years of his government were unexamined, and though in each of those years his country had been regularly over-run by hostile armies, and he had been obliged for defence to keep on foot an army greater than he was able to pay.[1]



Major Carnac and Colonel Coote, on the other hand, allowed their minds to be entirely engrossed by the evidence which appeared of the resolution of the Nabob to destroy Ramnarain. The proof which they possessed was indeed but too conclusive, since they have both left their declarations upon record, that the Nabob tempted them with enormous bribes to leave Ramnarain in his power.[2] Their opposition to the Nabob, which was often offensive and exceptionable in the mode, appeared to Vansittart to have no better aim than vexation to himself; it lessened the care of Ramnarain to save appearances in evading the extortion with which he was threatened; and it enabled the Nabob at last to persuade Vansittart, that he was a man requiring nothing but justice, which Ramnarain was labouring to defeat; and that his government was hastening to ruin from the obstinate

dishonesty of one man supported by two English commanders.

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So far did these altercations and animosities proceed, that on the 25th of June, Vansittart, who had a majority in the council, came to the unhappy resolution of recalling both Coote and Carnac from Patna, and of leaving Ramnarain at the mercy of the Nabob. He made that use of his power, which it was the height of weakness in Vansittart not to foresee. Ramnarain was immediately seized and thrown into prison; his very house was robbed; his friends were tortured to make confession of hidden treasures; his life was only for the moment spared, lest the indignation of the English should be too violently roused; and after all, the quantity of treasure which he was found to possess was insignificant, a sum barely sufficient for the daily expenses of his government.[1]

This was the fatal error of Mr. Vansittart's administration; because it extinguished among the natives of rank all confidence in the English protection; and because the enormity to which, in this instance, he had lent his support, created an opinion of a weak or a corrupt partiality, and diminished the weight of his interference when the Nabob was really the party aggrieved. For now began the memorable disputes between the Nabob and the Company's service about the internal trade; and, at the same time, such changes were produced in the Council at Calcutta, as impaired considerably the Governor's power. These changes constitute an incident in the history of the Company, the memory of which is of peculiar importance.

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Just before Colonel Clive resigned the government in Bengal, the 147th paragraph of one of the last of the dispatches, to which he affixed his name, addressed the Court of Directors in the following terms. "Having fully spoken to every branch of your affairs at this Presidency, under their established heads, we cannot, consistent with the real anxiety we feel for the future welfare of that respectable body from whom you and we are in trust, close this address without expostulating with freedom on the unprovoked and general asperity of your letter *per Prince Henry Packet*. Our sentiments, on this head, will, we doubt not, acquire additional weight, from the consideration of their being subscribed by a majority of your Council, who are, at this very period, quitting your service, and consequently, independent and disinterested. Permit us to say, That the diction of your letter is most unworthy yourselves and us, in whatever relation considered, either as masters to servants, or gentlemen to gentlemen. Mere inadvertencies, and casual neglects, arising from an unavoidable and most complicated confusion in the state of your affairs, have been treated in such language and sentiments, as nothing but the most glaring and premeditated faults could warrant. Groundless informations have, without further scrutiny, borne with you the stamp of truth, though proceeding from those who had therein obviously their own purpose to serve, no matter at whose expense. These have received from you such countenance and encouragement, as must most assuredly tend to cool the warmest zeal of your servants here and every where else; as they will appear to have been only the source of general reflections, thrown out at random against your faithful servants of this Presidency, in various parts of your letter now before us,—faithful to little purpose,—if the breath of scandal, joined to private pique or private or personal attachments, have

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power to blow away in one hour the merits of many years' services, and deprive them of that rank, and those rising benefits, which are justly a spur to their integrity and application. The little attention shown to these considerations in the indiscriminate favours heaped on some individuals, and undeserved censures on others, will, we apprehend, lessen that spirit of zeal so very essential to the well-being of your affairs, and, consequently, in the end, if continued, prove the destruction of them. Private views may, it is much to be feared, take the lead here, from examples at home; and no gentlemen hold your service longer, nor exert themselves further in it, than their own exigencies require. This being the real present state of your service, it becomes strictly our duty to represent it in the strongest light, or we should with little truth, and less propriety, subscribe ourselves,

"May it please your Honours,

"Your most faithful servants,
"Robert Clive,
"J. Z. Holwell,
"Wm. B. Sumner,
"W. M'Guire."

The Company were even then no strangers to what they have become better acquainted with the longer they have acted; to that which, from the very nature of their authority, and from their local circumstances, it was evident they must experience; a disregard of their orders, when contrary to the interests or passions of their servants: but as they never before had a servant of such high pretensions, and so audacious
a character as Clive, they had never before been treated with so much contumely in words. They were moved accordingly to resent it highly. In the very first paragraph of their general letter to Bengal, dated the 21st of January, 1761, they said, "We have taken under our most serious consideration the general letter from our late President and council of Fort William, dated the 29th December, 1759, and many paragraphs therein containing gross insults upon and indignities offered to the Court of Directors; tending to the subversion of our authority over our servants, and a dissolution of all order and good government in the Company's affairs: To put an immediate stop therefore to this evil, we do positively order and direct, that immediately upon the receipt of this letter, all those persons still remaining in the Company's service, who signed the said letter, viz. Messieurs John Zephaniah Holwell, Charles Stafford Playdell, William Brightwell Sumner, and William M'Guire, be dismissed from the Company's service; and you are to take care that they be not permitted, on any consideration, to continue in India, but that they are to be sent to England by the first ships which return home the same season you receive this letter."

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The dismissals of which this letter was the signal, not only gave a majority in the Council to the party by whom Vansittart was opposed; but sent Mr. Ellis, the most intemperate and arbitrary of all his opponents, to the chiefship of the factory at Patna. He treated the Nabob with the most insulting airs of authority; and broke through all respect for his government. So early as the month of January he gave his orders to the

commander of the troops to seize and keep prisoner one of the Nabob's collectors, who had raised some difficulties in permitting a quantity of opium, the private property of one of the Company's servants, to pass duty free as the property of the Company. This outrage the discretion of the officer avoided, by suspending obedience to the order, and sending a letter to the Nabob, to redress by his own authority whatever might appear to be wrong. About the same time another servant of the Nabob, a man of high connexions and influence, purchased for the Nabob's use a quantity of nitre. But the monopoly of the saltpetre trade had been conveyed to the Company. Though an exception in favour of the Nabob to the extent of his own consumption was, from standing usage, so much understood, that to express it had appeared altogether useless and vain, this purchase was converted by Mr. Ellis into such an invasion of the English rights, that the Nabob was not to be consulted in the punishment of his own servant. The unfortunate man was seized, put in irons, and sent down a prisoner to Calcutta to receive whatever chastisement the Council might direct. It required the utmost address and power of the President to get him sent back to be punished by his master. As to sending him back for the purpose of ascertaining whether he was guilty or innocent, that was a preliminary which it would have been absurd to propose. Some of the Council insisted that he should be publicly whipped at Calcutta; others, that he should have his ears cut off. Not many days after these violent proceedings, Mr. Ellis, having heard by vague report that two English deserters were concealed in the fort of Mongeer, dispatched a company of Sepoys, with orders to receive the deserters, or to search the fort. The Governor declared that no Europeans were there; and for ampler satisfaction carried two officers of the Company round the fort. From apprehension, however, of some evil design, or from a very plain principle of military duty, he refused without orders to admit a body of armed men; shut the gates; and threatened to fire upon them if they approached the walls. This Mr. Ellis treated as the highest excess of insolence; and obstinately refused to withdraw the Sepoys till they had searched the fort. By these repeated invasions of his government, the pride of the Nabob was deeply wounded. He complained to the President in bitter terms; and with reason declared that the example, which was set by the servants of the Company, of trampling upon his authority, deprived him of all dignity in the eyes of his subjects, and rendered it vain to hope for their obedience. After a dispute of three months, during which Ellis was supported by the Council, the difference was compromised, by the Nabob's consenting to admit any person to search the fort whom Mr. Vansittart should name; when Lieutenant Ironside, after the strictest investigation, was convinced, that no European whatsoever, except an old French invalid, whose freedom Mr. Hastings procured, had been in the fort.



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Hitherto Meer Causim had conducted his government with no ordinary success. He had reduced to obedience all the rebellious Zemindars: What was of still greater importance, he had, as was declared by the President in his minute of the 22d of March, 1762, discharged the whole of his pecuniary obligations to the English; and satisfied both his own and his predecessor's troops.[1] He had extorted money with unsparing hands from the Zemindars and other functionaries: In the financial department of his government,

he was clear-sighted, vigilant, and severe: He had introduced a strict economy, without appearance of avarice, in his whole expenditure: And he had made considerable progress in new-modelling and improving his army; when the whole internal economy of his government became involved in disorder by the pretensions of the Company's servants.

In India, as under most uncivilized governments, the transit of goods within the country was made subject to duties; and upon all the roads and navigable rivers, toll-houses, or custom-houses, (in the language of the country *chokeys*) were erected, which had power of stopping the goods, till the duties were levied. By the rude and oppressive nature of the government these custom-houses were exceedingly multiplied; and in long carriages the inconvenience of numerous stoppages and payments was very severe. As in all other departments of the government, so in this, there was nothing regular and fixed; the duties varied at different times and different places; and a wide avenue was always open for the extortion of the collectors. The internal trade of the country was by these causes subject to ruinous obstructions.

The English Company had at an early period availed themselves of a favourable opportunity to solicit exemption from such oppressive interruptions and expense; and the rulers of the country who felt in their revenues the benefits of foreign commerce granted a *phirmaun* by which the export and import trade of the Company was completely relieved, as both the goods which they imported were allowed to pass into the interior, and those which for exportation they purchased in the interior were allowed to



pass to the sea, without either stoppage or duties. A certificate, signed by the English President, or chiefs of factories, (in the language of the country a *dustuck*) shown at the toll-houses or chokeys, protected the property. The Company, however, engrossed to themselves the import and export trade between India and Europe, and limited the private trade of their servants to the business of the country. The benefit of this exemption therefore accrued to the Company alone; and though attempts had been sometimes made to extend the protection of the Company's dustuck to the trade carried on by their servants in the interior, this had been always vigorously opposed by the Subahdars, both as defrauding the public revenue, and injuring the native merchants.

No sooner had the English acquired an ascendancy in the government by the dethronement of Suraja Dowla, and the elevation of Meer Jaffier, than the servants of the Company broke through the restraints which had been imposed upon them by former Subahdars, and engaged largely in the interior trade of the country. At first, however, they carried not their pretensions beyond certain bounds; and they paid the same duties which were levied on the subjects of the Nabob. It appears not that during the administration of Clive, any of the Company's servants, unless clandestinely, attempted to trade on any other terms. According however as they acquired experience of their power over the government of the country; and especially after the fresh and signal instance of it, the elevation of a new sovereign in the person of Meer Causim, the Company's dustuck or passport, which was only entitled to protect the goods of actual exportation and importation, was employed by the Company's agents

of all descriptions to protect their private trade in every part of the country. So great was now the ascendancy of the English name,

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that the collectors or officers at the chokeys or tollhouses, who were fully aware of the dependance of their own government on the power and pleasure of the English, dared not in general to scrutinize the use which was made of the Company's dustuck, or to stop the goods which it fraudulently screened. The Company's servants, whose goods were thus conveyed entirely free from duty, while those of all other merchants were heavily burthened, were rapidly getting into their own hands the whole trade of the country, and thus drying up one of the sources of the public revenue. When the collectors of these tolls, or transit duties, questioned the power of the dustuck and stopped the goods, it was customary to send a party of Sepoys to seize the offender and carry him prisoner to the nearest factory. Meer Causim was hardly seated on the musnud, when grievous complaints of these enormities came up to him from all quarters, and he presented the strongest remonstrances to the President and Council. In his letter to the Governor, dated March 26th, 1762, he says, "From the factory of Calcutta to Cossimbuzar, Patna, and Dacca, all the English chiefs, with their gomastahs, officers and agents in every district of the government, act as collectors, renters, and magistrates, and, setting up the Company's colours, allow no power to my officers. And besides this, the gomastahs and other servants in every district, in every market and village, carry on a trade in oil, fish, straw, bamboos, rice, paddy, beetel-nut, and other things; and every man with a Company's dustuck in his hand regards himself as not less than the Company." It is abundantly proved that the picture drawn by the Nabob was not overcharged. Mr. Hastings, in a letter to the President, dated Bauglepore, 25th April, 1762,

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said, "I beg to lay before you a grievance, which loudly calls for redress, and will, unless duly attended to, render ineffectual any endeavours to create a firm and lasting harmony between the Nabob and the Company;—I mean, the oppressions committed under the sanction of the English name, and through the want of spirit to oppose them. This evil, I am well assured, is not confined to our dependants alone, but is practised all over the country, by people falsely assuming the habit of our Sepoys, or calling themselves our gomastahs. As on such occasions the great power of the English intimidates the people from making any resistance; so, on the other hand, the indolence of the Bengalees, or the difficulty of gaining access to those who might do them justice, prevents our having knowledge of the oppressions: I have been surprised to meet with several English flags flying in places which I have passed; and on the river I do not believe that I passed a boat without one. By whatever title they have been assumed, I am sure their frequency can bode no good to the Nabob's revenues, the quiet of the country, or the honour of our nation.—A party of Sepoys, who were on the march before us, afforded sufficient proofs of the rapacious and insolent spirit of those people, where they are left to their own discretion. Many complaints against them were made me on the road; and most of the petty towns and serais were deserted at our approach, and the shops shut up from the apprehensions of the same treatment from us."[1]

At first the Governor endeavoured to redress these

evils by gentle means; by cautioning the servants of the Company; by soothing the irritation of the Nabob, and lending his own authority to enable the native toll-gatherers to check the illegitimate traffic of the English. The mischief however increased: The efforts of the collectors were not only resisted, and the collectors themselves punished as heinous offenders on the spot; but these attempts of theirs excited the loudest complaints; they were represented as daring violations of the Company's rights; and undoubted evidence of a design on the part of the Nabob to expel the English from the country. As usual, one species of enormity introduced another. When the officers of government submitted to oppression, it necessarily followed that the people must submit. At the present time it is difficult to believe, even after the most undeniable proof, that it became a common practice to force the unhappy natives, both to buy the goods of the Company's servants and of all those who procured the use of their name, at a greater; and to sell to the Company's servants the goods which they desired to purchase, at a less, than the market price. The native judges and magistrates were resisted in the discharge of their duties; and even their functions were usurped. The whole



frame of the government was relaxed: and in many places the Zemindars and other collectors refused to be answerable for the revenues.[1]



The President, aware of the prejudices which were fostered, by a majority of the board, against both the Nabob and himself, submitted not to their deliberation these disorders and disputes, till he found his own authority inadequate to redress them. The representations, presented to them, of the enormities to which the private trade of the Company's servants gave birth in the country, were treated, by the majority of the Council, as the effect of a weak or interested subservience to the views of the Nabob; while they received the complaints of the servants and their agents against the native officers, more often in fault, according to Hastings and Vansittart, from laxity than tyranny, as proofs of injustice demanding immediate punishment, and of hostile designs against which effectual securities could not be too speedily taken. Of the Council a great proportion were deriving vast emoluments from the abuses, the existence of which they denied; and the President obtained support from Mr. Hastings alone, in his endeavours to check enormities, which, a few years afterwards, the Court of Directors, the President, the servants of the Company themselves, and the whole world, joined in reprobating, with every term of condemnation and abhorrence.



Observing the progress of these provocations and resentments, Vansittart anticipated nothing but the calamity of war, unless some effectual measures could be adopted to prevent them. Dependence upon the English, though it had been light, was a yoke which the Nabob would doubtless have been very willing to throw off. This presumed inclination the majority of the Council treated as a determined purpose; and every measure of his administration was, according to them, a proof of his hostile designs. The Nabob, aware of the strength of the party to whom his elevation was an object of aversion, naturally considered the friendship of the English as a tenure far from secure. The report was spread, that the views of his enemies would be adopted in England; and it is no wonder if, against a contingency so very probable,

he was anxious to be prepared. Vansittart, however, who was not mistaken as to the interest which the Nabob had in maintaining his connection with the English, and his want of power to contend with them, remained assured of his disposition to peace, unless urged by provocations too great for his temper to endure. He formed the plan, therefore, of a meeting with Meer Causim, in hopes that, by mutual explanations and concessions, there might be drawn, between the rights of the government on the one hand, and the pretensions of the Company's servants on the other, such a line of demarcation as would preclude all future injuries and complaints. With Mr. Hastings, as a coadjutor, he arrived at Mongeer on the 30th of November, and was received with all the marks of cordiality and friendship. After some bitter complaints, the Nabob agreed that all preceding animosities should be consigned to oblivion, and that the present interview should be wholly employed in preventing the recurrence of such dangerous evils. For this purpose, he insisted that the interior trade, or that from place to place within the country, should be entirely renounced, as a trade to which the Company had no claim, and in which their servants had never been allowed to engage by any Subahdar preceding Meer Jaffier; a trade which introduced innumerable disorders into his government, and was not carried on for the benefit of the Company, but of individuals, who reaped the profit of their own offences. Mr. Vansittart, though fully aware, as he himself declares, that the interior trade, which had been grasped by the Company's servants, was purely usurpation, was yet, he says, "unwilling to give up an advantage which had been enjoyed by them, in a greater or less degree, for five or six years." A still stronger reason probably was, that he knew himself unable to make them "give it up;" and therefore limited his endeavours to place it upon such a foundation as appeared the best calculated for the exclusion of abuse. He proposed that the interior trade should be open to the servants of the Company, but that they should pay the same duties as other merchants; and that, for the prevention of all disputes, a fixed and accurate rate of duties should be established. To this arrangement, the Nabob, who saw but little security against a repetition of the preceding evils in the assignment of duties which, as before, the servants of the Company might refuse to pay, manifested extreme aversion. At last, with great difficulty, he was induced to comply; but declared his resolution, if this experiment should fail, to abolish all duties on interior commerce, and in this way at least place his own subjects on a level with the strangers. To prevent the inconvenience of repeated stoppages, it was agreed that nine per cent., immensely below the rate exacted of other traders,[1] should be paid upon the prime cost of the goods, at the place of purchase, and that no further duties should be imposed. Mr. Vansittart returned to Calcutta on the 16th of January.

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The President believed that he had left Calcutta fully authorized, by the council, to settle with the Nabob the terms of an amicable arrangement; and he expected to find the Members of the Council pleased that the servants of the Company were now vested with a right to that plentiful source of gain, in which they had hitherto participated only by usurpation. He was not as yet sufficiently acquainted with the boundless desires of his colleagues. Before his arrival, unlimited condemnation had passed on the whole of his proceedings; and the precipitation of the Nabob added to

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the disorder and combustion. The regulations which the President had formed were couched in a letter addressed to the Nabob. It was the plan of Vansittart, that, as soon as they were confirmed by the Council, instructions should be sent to the English factories and agents; and that correspondent instructions should at the same time be transmitted by the Nabob to his officers, informing them of the powers which they were authorized to exert. The Nabob, who was not sufficiently warned or sufficiently patient to observe this order of proceeding, immediately transmitted copies of Vansittart's letter to his different officers, as the code of laws by which their conduct was to be guided. The officers, of course, began to act upon these laws immediately; and as the English had no commands to obey, they resisted. The native officers, who imagined they had now authority for retaliating some of the indignities to which they had been subject, were in various instances guilty of severity and oppression. It followed of course, that the dissatisfaction which the Members of the Council were prepared to display, was rendered more confident and loud by these transactions, and by the complaints which they failed not to produce. It was speedily resolved, that the President had no authority for forming those regulations to which he had assented; and instructions were sent to the factories and agents to trade upon the previous terms, and to seize and imprison any of the Nabob's officers who should dare to offer any obstructions. In a solemn consultation, which was held on the 1st of March, it was determined,

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with only two dissenting voices, those of the President and Mr. Hastings, that by the imperial phirmaun, under which the Company had traded so long, their servants had a right (which however all preceding Nabobs had disallowed) to the internal trade, and that it was out of compliment, not by obligation, that they had in any case consented to the payment of duties. It was decided, after many words, that, as an acknowledgment to the Nabob, and out of their own liberality and free choice, they would pay a duty of two and a half per cent. upon the article of salt alone, and no other; instead of the nine per cent. upon all articles for which Vansittart had agreed. It was, however, at the same time decreed, that all disputes between the gomastahs of the English, and the subjects of the native government, should be referred, not to the native tribunals, but to the heads of factories and residents: that is, should be referred to men, not only, in the great majority of cases, far too distant to receive the complaints; but, what was still more shameful, men reaping exorbitant profits from the abuses over which they were thus exclusively vested with the judicial power.

When Vansittart took leave of the Nabob, he was setting out upon an expedition against the kingdom of Nepaul, a small country, completely surrounded, after the manner of Cashmere, by the northern mountains. It was a country which the Mahomedan arms had never reached; and on the subject of its riches, oriental credulity, inflamed by the report of its yielding gold, had room for unlimited expansion. The conquest of a country, abounding with gold, held out irresistible temptations to the Nabob. He ascended the ridge of mountains by which it is separated

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from Bengal; but he was met by the Nepaulians in a dangerous pass; and, after a contest, which appalled him, abandoned the enterprise. He was met, upon his return, by accounts of the reception which the regulations of Vansittart had experienced in the Council; of the

resistance which had been opposed to his officers in their attempts to execute his orders; and of the seizure and imprisonment which in various instances they had undergone. He wrote, in terms of the highest indignation; and called upon the English to relieve him from the burden of the Subahdary, since they deprived him of the powers without which the government of the country could not be carried on. His patience was nearly exhausted; he now, therefore, executed his resolution of abandoning all duties on the transit of goods, and laid the interior trade of his country perfectly open.

The conduct of the Company's servants, upon this occasion, furnishes one of the most remarkable instances upon record, of the power of interest to extinguish all sense of justice, and even of shame. They had hitherto insisted, contrary to all right and all precedent, that the government of the country should exempt their goods from duty: They now insisted that it should impose duties upon the goods of all other traders; and accused it as guilty of a breach of peace toward the English nation, because it proposed to remit them.1



To enforce these conditions, and yet to maintain the appearance of omitting no effort to obtain the consent of the Nabob, it was proposed in the Council to send to him a deputation. For this purpose Mr. Amyatt and Mr. Hay volunteered their services. They departed with their instructions on the 4th of April. In the mean time, in all parts of the country, the disputes between the officers of the government, and the Company's servants, were carried to the greatest height. Many complaints arrived at Calcutta of the resistance which the gomastahs of the English experienced in the conduct of their business, and even of the outrages to which they were sometimes exposed. On the other hand a multitude of instances were produced, in which the English sepoys had been employed to seize and bind and beat the officers of the government, and to protect the agents of the Company's servants in all the enormities and oppressions which they exercised upon the people. At Patna, from the animosities and violence of Mr. Ellis, the flames of discord were the most vehemently fanned; the Sepoys were employed under his directions in opposing the government in bodies of 500 at a time; and blood had been shed in the disputes which ensued. Before the 14th of April, the position of the Nabob and the Company had become so threatening, that in the consultation of that day measures of war were eventually planned. The Nabob, on his part, though well acquainted with his own weakness, (for the short duration and the difficulties of his government had rendered the collection of more than a very small army impossible,) yet fully persuaded of the resolution of the Council to depose him, now applied for assistance to the Emperor and the Nabob of Oude; and prepared himself for a conclusion which he deemed inevitable.

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On the 25th of May some boats, laden with arms for the troops at Patna, arrived at Mongeer. This circumstance tended to confirm the Nabob in his opinion that the English were arming for war. He had the resolution to order the arms to be stopped. The deputation from the Council had already arrived; but he treated their new propositions as unreasonable; and enumerating the outrages committed upon his

servants, and the disorders introduced into his government, insisted, that the resolution of the Council to protect such proceedings imported nothing less than a design to deprive him of his authority. Though he offered to let the arms proceed to Patna, if either Mr. Amyatt, Mr. M'Guire, or Mr. Hastings, were placed over the factory, he refused to send them to Ellis, as a man determined to employ them against him. He even insisted that the troops which were stationed at Patna, and for whom he paid, under the pretence of their being employed for the protection of his government, should not remain at the disposal of his enemy, but should be sent either to Calcutta or Mongeer.

The Council were unanimous in treating the detention of the arms as a very serious offence; and the deputation were instructed to take their departure, unless the boats were allowed to proceed. The Nabob wavered; and on the 19th of June, the gentlemen of the deputation wrote to the Council, that he had consented to release the boats of arms immediately; to enter upon negotiation without persisting as before in his preliminary demand of removing the troops from Patna; and that they had accordingly agreed to wait upon him the following day. The hopes, which were drawn from this communication, by those Members of the Council to whom peace was really dear, were speedily destroyed. Mr. Ellis, at an early period of the disputes, had presented urgent expostulations to the Council upon the necessity of being entrusted with discretionary powers, not only to act upon the defensive if attacked by the Nabob, but even to anticipate any hostile attempt by the seizure of Patna. This demand the President had very earnestly opposed, from a strong conviction that the precipitation of Mr. Ellis would force the Company into war. By alarming representations, however, of the imminent dangers to which the factory was exposed, and of the impossibility of receiving instructions from Calcutta in time for the adoption of measures indispensable for its safety, the permission which Mr. Ellis solicited was at last conferred. After a variety of reports received by the Nabob of operations, openly carried on by this gentleman, which could have nothing in view but a state of war, a letter was brought to him from the Governor of Patna, on the 20th or 21st, informing him that Mr. Ellis had made preparations, and even constructed ladders, for attacking the fort. This seems to have put an end to the inclination, if any, which he had still retained for avoiding, by accommodation, the hazard of war. Commands were sent to stop the arms, which had already proceeded up the river: Mr. Amyatt was allowed to return to Calcutta: But Mr. Hay was detained, as a hostage for the Nabob's aumils, imprisoned by the English. Intelligence of the departure of Amyatt reached Mr. Ellis on the 24th. On that very night, he surprised and took the city of Patna. The news of this attack carried the resentment of the Nabob to that degree of violence, to which a long course of provocation, terminated by a deadly injury, was calculated to raise that passion in a half-civilized mind. He dispatched his orders to seize and make prisoners of the English wherever they were to be found; among the rest to stop Mr. Amyatt, and send him with his retinue to Mongheer. As Mr. Amyatt refused to stop his boats, and answered the command which he received for that purpose by firing upon the Nabob's people, the boats were immediately boarded, and in the struggle he himself, with several others, was slain.



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Both parties now hastened to take the field. The Nabob was speedily encouraged by tidings from Patna. After Captain Carstairs, the officer commanding the English troops, which were sent a little before day-break on the morning of the 25th to surprise Patna, had, without much difficulty, finding the guards for the most part off their duty, scaled the walls; and after the Governor of Patna, who suddenly collected a portion of the garrison, and made a very short resistance, had left the city and fled towards Mongheer; the English, masters of the whole place, except the citadel, and a strong palace, into which an officer had thrown himself, broke through the rules of prudence as much in the prosecution, as they had broken through those of caution in the commencement of their operations; The troops were allowed to disperse, and were plundering the houses of the inhabitants; when the Governor, who had only marched a few miles before he met a detachment which had been sent to reinforce him from Mongheer, receiving at the same time intelligence of the resistance made by the citadel and palace, returned. The English were ill prepared to receive him. After a slight resistance they spiked their cannon, and retired to their factory. It was soon surrounded; when, fear taking place of their recent temerity, they evacuated the place during the night, and taking to their boats which were stationed at their cantonments at Bankipore they fled up the river to Chopperah, and towards the frontiers of Oude, where being attacked by the Fojedar of Sirkaur Sarun, they laid down their arms. The factory at Cossimbuzar was plundered about the same time; and all the English who belonged to it, as well as those who had fled from Patna, were sent prisoners to Mongheer.



It had some time before been determined in the Council, the President and Mr. Hastings refusing to concur, that in case of a war with Meer Causim, the door should be closed against accommodation, by divesting him of the government, and elevating another person to his throne. When the melancholy death, therefore, of Mr. Amyatt became known, a negotiation was immediately commenced with Meer Jaffier, whose puerile passion to reign made him eager to promise compliance with any conditious which were proposed. Besides confirming the grant which had been obtained from Meer Causim of the revenues of the provinces of Burdwan, Midnapore, and Chittagong, for defraying the expense of the English troops employed in the defence of the country, the new Subahdar granted exemption to the trade of the Company's servants from all duties, except the two and a half per cent. which these servants themselves, out of their own liberality, agreed to pay upon the single article of salt. He consented also to rescind the ordinance of Meer Causim for the general remission of commercial imposts, and to levy the ancient duties upon all except the English dealers. He engaged to maintain 12,000 horse, and 12,000 foot; to pay to the Company thirty lacks of rupees, on account of their losses and the expense of the war; to reimburse the personal losses of individuals, and to permit no Europeans but English to erect fortifications in the country.



On the 2d of July the English army was ordered to march from Gherettee. It consisted of 650 Europeans, and 1,200 Sepoys, exclusive of the black cavalry, commanded by Major Adams, of the King's Eighty-fourth regiment; and was afterwards joined by 100 Europeans and a battalion of Sepoys from Midnapore. After concluding the treaty

on the 11th, the new Nabob proceeded to the army, which he joined at Agurdeep on the 17th.

The first defensive movement of Meer Causim was to send three of his generals, with their respective troops, to post themselves, for the protection of Moorshedabad, between that city and the English army. That army encountered them on the 19th; and gave them a total defeat. They retreated from the battle towards Geriah, where they received command to post themselves, and where they were reinforced by the principal part of Meer Causim's army, among the rest by the German Sumroo,1 who commanded the Sepoys, or the troops disciplined in the European manner, in the service of that Nabob. On the 23d the English army advanced to Chuna Collee, and on the 24th in the morning stormed the lines at Mootejil, which gave them possession of Moorshedabad. On the 2d of August they reached the plain of Geriah, near Sootee, where the enemy waited and gave them battle. It was the severest conflict which the English had yet sustained with an Indian army. Meer Causim had been very ambitious to introduce the European order among his troops; and he was now defended by a body of men better appointed and better disciplined than those which any native commander had ever brought into the field. The battle lasted four hours, during which the enemy once broke a part of the English line, took possession of two guns, and attacked the Eighty-fourth regiment in front and rear. The steadiness, however, of the English exhausted the impetuosity of their assailants, and in the end bestowed upon them a complete and brilliant victory. The enemy abandoned all their cannon, with 150 boats laden with provisions, and fled to a strong post on a small stream, called the Oodwa, where Meer Causim had formed a very strong entrenchment. On every reverse of fortune, the fears and the rage of that unhappy man appear to have inflamed him to a renewed act of cruelty; and Ramnarain, who hitherto had been retained a prisoner, with several chiefs and persons of distinction, was, upon the present disaster, ordered for execution. It was at this time only that Meer Causim, among whose qualities contempt of personal danger had no share, having first conveyed his family and treasures to the strong hold of Rotas, left Mongheer. He marched towards Oodwa, but halting at a distance, contented himself with forwarding some bodies of troops. The English approached the entrenchment on the 11th. It occupied the whole of a narrow space which extended between the river and the foot of the hills. The ditch, which was deep, was fifty or sixty feet broad, and full of water. The ground in front was swampy, and admitted no approach, except for a space of about 100 yards on the bank of the river. At this place the English, harassed daily by numerous bodies of cavalry both in front and rear, were detained for nearly a month. On the 5th of September, while a feigned attack at the bank of the river engaged the attention of the enemy, a grand effort was made at the foot of the hills, and, in spite of an obstinate resistance, was crowned with success. Meer Causim, upon intelligence of this new misfortune, left his camp privately the succeeding night, and hastened to Mongheer, whither he was followed by the army in great disorder. He remained, however, only a few days, to secure some of his effects, and refresh his troops; and then proceeded towards Patna. He carried with him the English prisoners; and killed by the way the two celebrated Seets, the great Hindu bankers, whom, in the



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progress of his disputes with the English, he had seized and brought from Moorshedabad.

Mean time the English army advanced towards Mongheer, which they were obliged to attack regularly; but early in October they made a practicable breach, when the garrison, consisting of 2,000 Sepoys, capitulated. The loss of this place, which he had made his capital, threw Meer Causim into a paroxysm of rage; during which he ordered the English prisoners to be massacred; and Sumroo, the German, executed with alacrity the horrid command. Mr. Fullerton, the Surgeon, who, in the exercise of his profession, had gained a place in the affections of Meer Causim, was the only individual whom he spared. As the English were advancing towards Patna, Meer Causim departed to some distance from the city. The garrison defended it with spirit; even took one of the English batteries, and blew up their magazine. But the ruinous fortifications were not calculated for a prolonged resistance, and Patna was taken by storm on the 6th of November. After the loss of this place Meer Causim made no further resistance. He formed his resolution to throw himself upon the protection of the Nabob of Oude the Vizir, and made haste to take refuge in his dominions. The English army followed him to the banks of the Carumnassa, which they reached early in December.



A treaty, in which the Vizir had bound himself by his oath on the Coran to support the ejected Nabob, had been concluded, before that unfortunate chief crossed the boundary of his own dominions. At that time the Emperor and Sujah Dowla were encamped at Allahabad, preparing an expedition against Bundelcund, the predatory inhabitants of which had refused to pay their revenues. Meer Causim was received by them with all the distinction due to the greatest viceroy of the Mogul empire. As the enterprise against the Bundelas threatened to retard the assistance which he was impatient to receive against the English, he offered to reduce them with his own battalions, crossed the Jumna, took one of their fortresses, and so alarmed them, by his artillery, and his Sepoys, dressed and disciplined in the European manner, that they hastened to make their submission; and Sujah Dowla who, under pretence of assisting Meer Causim, already grasped in his expectation the three provinces of the East, marched with his allies to Benares, to make preparations for his selfish enterprise.

In the mean time the English, who were ignorant of his designs, and not without hopes that he would either deliver Meer Causim into their hands, or at least deprive him of his treasures and troops, directed that the army should be cantoned on the frontiers for the purpose of watching his motions. In this situation an alarming disaffection broke out among the troops.
The importance and difficulties of the service which they had rendered in recovering the provinces from Meer Causim, had raised a high expectation of some proportional reward: Nor had the opportunity of acting upon them been neglected by the emissaries of the enemy. On the 11th of February, the European battalion stood to their arms, and, after loading their pieces and fixing their bayonets, took possession of the artillery parks, and marched towards the Carumnassa. The Sepoys were also in motion; but, of them, by

the exertions of their officers, a great proportion were induced to return. Of the Europeans, the English, with few exceptions, desisted and came back; the rest, in number about 300, of whom some were Germans, and the greater part were French, proceeded towards Benares. At the beginning of the month of March, when Major Carnac arrived to take the command, a mutinous disposition still prevailed among the troops; provisions were in great scarcity, and the preparations making for the invasion of the province by the Nabob of Oude were no longer a secret. Though urged by the Governor and Council to act upon the offensive, and to push the war into Suja Dowla's dominions, he agreed with all his officers in opinion, that without a greater certainty of provisions, especially in the present temper of the troops, the hazard ought not to be incurred. At the beginning of April, when the enemy crossed the Ganges, and began to advance, the English, straitened for provisions, and afraid lest by a circuitous rout a detachment of the hostile army should get between them and Patna, retreated to that city and encamped under the walls. Early in the morning of the 3d of May the enemy approached in order of battle, and began a cannonade, which before noon was converted into a general and vigorous attack. Sumroo, with the choice of the infantry, supported by a large body of cavalry, assailed the English in front; while the main body of the army made an onset in the rear. The English army, and particularly the Sepoys, who bore the principal weight of the attack, behaved with great steadiness and gallantry. It was sun-set before the enemy were completely repulsed. At that time the English were too much worn-out with fatigue to be able to pursue. Their loss, at least in Europeans, was inconsiderable: the slaughter of the assailants great. From this day till the 30th the enemy hovered about Patna, continually shifting their position, and keeping the English in perpetual expectation of a renewed attack, without allowing them an opportunity, such at least as Carnac thought it prudent to seize, of acting on the offensive. During this time Suja Dowla opened a correspondence with Meer Jaffier, the new Nabob: But as the English would listen to no proposal without the preliminary condition of surrendering Meer Causim, Sumroo, and the deserters; and as the pretensions of Suja Dowla extended to nothing less than the province of Bahar, it led to no agreement. The rains being now at hand, and the treasury of the Vizir severely feeling the burden of so great an army in the field, he marched away on the 30th, with great expedition. At this time the Emperor, uneasy under the treatment which he received from the greedy and unprincipled Vizir, sent a private message, offering to form a separate connexion with the English; but Major Carnac refused to open a correspondence. Without venturing to pursue the enemy, he sent a strong detachment across the Ganges, to threaten Suja Dowla's frontier; which had the effect of making him hasten to his own dominions.



In the month of May, Major, afterwards Sir Hector Munro, arrived from Bombay with a body of troops, partly King's and partly Company's; and hastened with them to Patna, to take the command of the army. He found the troops, Europeans as well as Sepoys, extremely mutinous, deserting to the enemy, threatening to carry off their officers, demanding higher pay, and a large donation, promised, as they affirmed, by the Nabob.[1] The Major resolved to subdue this spirit by the severest measures. He had hardly arrived when a whole battalion of Sepoys, with their arms and accoutrements, went off to join the enemy. He immediately detached a body of

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troops on whom he thought he could depend, to pursue them and bring them back. They overtook them in the night, when asleep, and made them prisoners. The Major, ready to receive them with the troops under arms, ordered their officers to select fifty, whom they deemed the most depraved and mischievous, and of this fifty to select again twenty-four of the worst. He then ordered a field court-martial, composed of their own black officers, to be immediately held; and addressed the Court, impressing them with a sense of the destruction which impended over an army in which crimes like these were not effectually repressed. The prisoners were found guilty of mutiny and desertion, and sentenced to suffer death in any manner which the commander should direct. He ordered four of them to be immediately tied to the guns, and blown away; when four grenadiers presented themselves, and begged, as they had always had the post of honour, that they should first be allowed to suffer. After the death of these four men, the European officers of the battalions of Sepoys who were then in the field came



to inform the Major that the Sepoys would not suffer the execution of any more. He ordered the artillery officers to load the field pieces with grape; and drew up the Europeans, with the guns in their intervals. He then desired the officers to return to the heads of their battalions; after which he commanded the battalions to ground their arms, and assured them if a man attempted to move that he would give orders to fire. Sixteen more of the twenty-four men were then blown away; the remaining four were sent to another place of cantonment, and executed in the same manner. Nothing is more singular, than that the same men, in whom it is endeavoured to raise to the highest pitch the contempt of death; and who may be depended upon for meeting it, without hesitation, at the hand of the enemy; should yet tremble, and be subdued, when threatened with it by their own officers.

The rains drawing to a close, Munro appointed the 15th of September as the day of rendezvous from the several places of cantonment. He then advanced towards the Soane, to which the enemy had forwarded several bodies of horse; and where they had thrown up some breast-works, to impede the passage of their assailants. Having sent a detachment to cross the river at some distance below, for the purpose of attacking the enemy at a concerted moment, and covering the passage of the troops, he gained the opposite side without molestation; and advanced toward Buxar, where the hostile armies were encamped. For the last two or three days the line of march was harassed by the enemy's cavalry; and the Major encamped on the 22d of October within shot of the enemy's camp, entrenched with the Ganges on its left, and the village and fort of Buxar in the rear.



An attack was intended the same night, but the spies not coming in till towards morning, it could not take place. About eight o'clock in the morning the enemy were seen advancing; and as the troops were encamped in order of battle, they were in a few minutes ready for action. The battle began about nine, and lasted till twelve; when the enemy gave way, and retired slowly, blowing up some tumbrils and magazines of powder as they withdrew. The Major ordered the line to break into columns and follow: but the enemy, by destroying a bridge of boats upon a stream of water two miles from the field of battle, effectually impeded the pursuit. This was one of the most critical and important victories in the history of the British wars in that part of the globe. It broke

completely the force of Suja Dowla, the only Mogul chief who retained till this period any considerable strength; it placed the Emperor himself under the protection of the English; and left them without dispute the greatest power in India.

The very day after the battle, the Emperor sent his application to the English commander; who immediately wrote to the Presidency for directions; and received authority to conclude an agreement. The Emperor complained that he had been the state prisoner of Suja Dowla; and before the answer from Calcutta arrived, marched along with the English, and encamped with his guards close to them every night. When the army arrived at Benares, Suja Dowla sent his minister with overtures of peace; promising twenty-five lacks of rupees to reimburse the Company for the expenses of the war; twenty-five lacks to the army: and eight lacks to the Commander himself. The preliminary surrender of Meer Causim and Sumroo was still however demanded. The perfidious Vizir had already violated the laws of hospitality and honour towards his wretched guest.



A quarrel was picked, on account of the non-payment of the monthly subsidy which the Ex-Nabob had promised for the troops employed in attempting his restoration; the unhappy fugitive was arrested in his tent; and his treasures were seized. Still the Nabob dreaded the infamy of delivering him up; but, if that would satisfy the English, he offered to let him escape. With regard to Sumroo, his proposal was, to invite him to an entertainment, and have him dispatched in presence of any English gentleman who might be sent to witness the scene. As this mode of disposing of their enemies was not agreeable to English morality, the negotiation ceased: but Meer Causim, who dreaded the conclusion to which it might lead, contrived to escape with his family and a few friends into the Rohilla country, whither he had providently, before the plunder of his treasures, dispatched a dependant with some of his jewels.

The negotiation with the Emperor proceeded with less obstruction. It was proposed, and as far as mutual approbation extended, agreed and contracted; that the English, by virtue of the imperial grant, should obtain possession of Gauzeepore, and the rest of the territory of Bulwant Sing, the Zemindar of Benares; that on the other hand they should establish the Emperor in the possession of Allahabad, and the rest of the dominions of Suja Dowla; and the Emperor engaged to reimburse them afterwards, out of the royal revenues, for the whole of the expense which this service might oblige them to incur.

In the mean time, affairs of no trivial importance were transacting in the Council. They had been extremely urgent with Meer Jaffier to leave the army, and come down to Calcutta, before Major Carnac quitted the command. The treasury of the Company was in a most exhausted state; and every effort was to be used to make Jaffier yield it a more abundant supply. In addition to the sums for which he had contracted in the recent treaty, a promise was drawn from him to pay five lacks per month toward the expense of the war so long as it should last. But his former engagements to the Company were not yet discharged. The payments also to individuals, stipulated under the title of compensation for losses, were swelled to an oppressive amount. When this article was first inserted in the treaty, the Nabob was informed, that the demand at the utmost

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would extend to a sum about ten lacks. That demand, however, was soon after stated at twenty, then at thirty, afterwards at forty, and at last was fixed at fifty-three lacks of rupees. We are assured by a Director of the Company, "That all delicacy was laid aside in the manner in which payment was obtained for this sum, of which seven-eighths was for losses sustained, or said to be sustained, in an illicit monopoly of the necessaries of life, carried on against the orders of the Company, and to the utter ruin of many thousands of the India merchants; that of the whole one half was soon extorted from him, though part of the payments to the Company was still undischarged, and though the Company was sinking under the burden of the war, and obliged to borrow great sums of money of their servants at eight per cent interest, and even with that assistance unable to carry on the war and their investment, but obliged to send their ships half loaded to Europe."1 By the revenues of the three ceded districts, added to the monthly payment for the war, "the Company," we are informed by Clive, "became possessed of one half of the Nabob's revenues. He was allowed, says that great informant, "to collect the other half for himself; but in fact he was no more than a banker for the Company's servants, who could draw upon him" (meaning for presents) "as often, and to as great an amount as they pleased."1 "To all other causes of embarrassment in the finances of Jaffier were added the abuses perpetrated in conducting the private trade of the Company's servants, which not only disturbed the collection of the taxes, but impeded the industry of the whole country.2 In such circumstances it was to no purpose to harass the Nabob for larger payments. The importunities to which he was subjected3 only conspired, with the infirmities of age and of a body worn out with pleasure, to hurry him to his grave. After languishing several weeks at Calcutta, he returned to Moorshedabad, loaded with disease, and died in January, 1765.

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The making of a new Nabob, the most distinguished of all occasions for presents, was never disagreeable to the Company's servants. The choice lay between the next surviving son of Jaffier, Nujeem ad Dowla, a youth of about twenty years of age; and the son of Meeran his eldest, a child of about six. According to the laws and customs of the country, the title of both might be regarded as equal. In point of right, the office of Subahdar was not only not hereditary, it was, like any other office under the Mogul government, held at the will of the Emperor; and, during the vigorous days of the Mogul dynasty, no Subahdar had ever been permitted to enjoy it long. In the decline of that power, the Subahdars became frequently, during their lives, too formidable to be removed; and the Emperors contented themselves with resuming their power when the provincial chief expired. But it sometimes also happened, that a son, brother, or other relative, succeeded too rapidly and too completely to the power of the deceased, to render it convenient to attempt his removal. The Emperor contented himself with a nominal, when an efficient choice was out of his power; and on these terms had the Subahdaree of the eastern provinces been held for some generations. The right of choice belonged unquestionably to the Emperor; but to this right the servants of the Company never for a moment thought of paying any regard. That unhappy, dependant sovereign, now stript of all his dominions, while great kingdoms were still governed in his name, might have recovered the immediate sovereignty of Bengal, Bahar, and

Orissa, at the word of the English; or, despairing of so generous and self-denying a policy, would gladly have bestowed the Subahdaree upon them. The duanee; or collection, receipt and disbursement of the revenue, which in the present state of the country implied all the powers of government, he had repeatedly offered to them; and very recently, through Major Munro. But the modesty of the English, still alarmed at the thought of declaring themselves sovereigns of Bengal, grasped powerfully at the reality, though it desired to shun the appearance, of power. The long minority, which would have followed the choice of the infant son of Meeran, would have placed the government, even to the minutest details, in the hands of the Company; and the present rulers were blamed by their successors for not securing so great an advantage. But they looked for some assistance in the drudgery of governing from a Nabob of mature age, and had no difficulty in believing that the shadow of power with which he was to be invested would little interfere with either the pleasure or the profits of English domination. Another motive had doubtless some weight: Nujeeb ad Dowla could give presents; the infant son of Meeran, whose revenues must be accounted for to the Company, could not.



In the treaty with the new Nabob, dated in February, 1765, it was resolved by the English, to take the military defence of the country entirely into their own hands; and to allow the Nabob to keep only so many troops as should be necessary for the parade of government, the distribution of justice, and the business of the collections. They had two motives; one was to preclude the possibility of inconvenience from the power of the Nabob; the second was to make provision for the defence of the country, which they found, by experience under Meer Jaffier, would depend almost entirely upon themselves. And we may suppose that another consideration was not without its influence; that a still greater share of the revenues might pass through their hands. The civil government of the country was no less effectually transferred from the Nabob to his faithful allies. He bound himself to choose, by the advice of the Governor and Council, a Deputy, who, under the appellation of Naib Subah, should have the entire management of all the affairs of government, and not be removable without their consent. The Nabob suffered more in submitting to this condition than to all the rest; and showed extreme solicitude about the choice of the person who was to fill that important office. Mahomed Reza Khan was appointed by the Governor and Council; and appears to have been one of the best men, whom, under Indian morality, it was easy to find. The Nabob was eager for the nomination of Nuncomar, who, beyond dispute, was one of the worst. This man, who was governor of Hoogley, at the time when Suraja Dowla took Calcutta, had rendered himself conspicuous by a restless ambition, and unbounded avarice, which he sought to gratify by the vilest arts of intrigue, by dissimulation, and perfidy. He had at an early period, become odious to the English, as a deceitful and dangerous character, and was a prisoner at Calcutta for having corresponded with their enemies, while Meer Jaffier resided there, during the Nabobship of Meer Causim. During this time, he paid his court so very successfully to the dethroned Nabob, that upon his restoration, he solicited, as an object of the first importance, to be allowed to employ Nuncomar as his minister. Though Vansittart, and even some of those who in general concurred not in his views, objected to this arrangement, on account of the

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exceptionable character of the man, the Council, as the last triumph, according to Vansittart, of a factious party, decided, that the Nabob might enjoy his choice. Nuncomar redeemed not his character with the English, while he governed the Nabob. The want of corn, under which the operations of the army were impeded at Patna, the disappointments in the receipt of monies from the Nabob, were all principally laid to the charge of Nuncomar; who was also vehemently suspected of having carried on a traitorous correspondence with the Nabob of Oude. Mr. Vansittart had, a little before this time, returned to Europe; and was succeeded in the chair by Mr. Spencer, as the oldest member of the board. As opposition to the Governor, therefore, no longer actuated the Council, the general opinion of the bad character of Nuncomar produced its proper effect; and he was peremptorily excluded from the government of the country. The other conditions of the treaty were nearly the same as those of the treaty with the old Nabob. Beside the revenues of Burdwan, Midnapore, and Chittagong, the five lacks per month were to be continued during the war, and as much of them after the war as the state of the country might, to the English, seem to require. And the grand privilege to the Company's servants of trading free from the duties which other merchants paid within the country, and of paying only two and a half per cent. upon the single article of salt, was carefully preserved. The government of the country was now so completely in the hands of the English, that the accountants of the revenue were not to be appointed except with their approbation.



During the military and political transactions which so intensely engaged their servants in India, the Courts of Directors and Proprietors remained for several years rather quiet spectators and warm expectants, than keen and troublesome controulers. When they had been agitated for a while, however, by the reports of mismanagement which were mutually transmitted to them by Vansittart and his opponents; and, at last, when they were alarmed by the news, of a war actually kindled with the Nabob, of the massacre of so many of their servants, and the extensive spirit of mutiny among the troops, their sense of danger roused them to some acts of authority. Though Clive had quitted India with an act of insult towards his employers, which they had highly resented; though the Directors had disputed and withheld payment of the proceeds of his jaghire, for which he had commenced a suit against them in the court of Chancery; he was now proposed for Governor as the only man capable of retrieving their disordered and desperate affairs. Only thirteen Directors, however, were found, after a violent contest, to vote for his appointment; while it was still opposed by eleven. Yet the high powers which he demanded, as indispensable for the arduous services necessary to be performed, though strongly opposed, were also finally conferred. He was invested with the powers of Commander in Chief, President, and Governor in Bengal; and, together with four gentlemen, named by the Directors, was to form a Select Committee, empowered to act by their own authority, as often as they deemed it expedient, without consulting the Council, or being subject to its controul.



The Directors, at the same time, condemned, in the severest terms, the rapacious and unwarranted proceedings of their servants. In their letter to the Governor and Council

of Bengal, dated the 8th of February, 1764, “One grand source,” they said, “of the disputes, misunderstandings, and difficulties, which have occurred with the country government,
appears evidently to have taken its rise from the unwarrantable and licentious manner of carrying on the private trade by the Company’s servants, their gomastahs, agents, and others, to the prejudice of the Subah, both with respect to his authority and the revenues justly due to him; the diverting and taking from his natural subjects the trade in the inland parts of the country, to which neither we, or any persons whatsoever dependent upon us, or under our protection, have any manner of right. In order, therefore, to remedy all these disorders, we do hereby positively order and direct,—That from the receipt of this letter, a final and effectual end be forthwith put to the inland trade in salt, beetle-nut, tobacco, and all other articles whatsoever, produced and consumed in the country.”[1]



In his correspondence
with the Court of Directors, on the subject of his return to Bengal, Clive expressed himself in the following manner: “The trading in salt, beetle-nut, and tobacco, having been one cause of the present disputes, I hope these articles will be restored to the Nabob, and your servants absolutely forbid to trade in them. This will be striking at the root of the evil.”[1] At a general meeting, however, of proprietors, held on the 18th of May, 1764, it was urged by several active members, and urged to the conviction of the majority, that the servants of the Company in India ought not to be deprived of such precious advantages; which enabled them to revisit their native countries with such independent fortunes as they were entitled to expect. The Court therefore RESOLVED, “That it be recommended to the Court of Directors to reconsider the orders sent to Bengal relative to the trade of the Company’s servants in salt, beetel-nut, and tobacco, and to regulate this important point, either by restrictions framed at home, or by referring it to the Governor and Council of Fort William.” In consequence of this recommendation, the Court of Directors, by letter dated 1st of June, 1764, and sent by the same ship which carried out Lord Clive, instruct the Governor and Council, after “consulting the Nabob, to form a proper and equitable plan for carrying on the inland trade.”



The presents which, since their acquiring an ascendency in the government, their servants had been in the habit of receiving, sometimes to a very large amount, from the Nabobs and other chiefs of the country, were another subject which now engaged the serious attention of the Company. The practice which prevails in all rude governments of accompanying any application to a man in power with a gratification to some of his ruling passions, most frequently to the steadiest of all his passions, his avarice or rapacity, has always remarkably distinguished the governments in the East, and hardly any to so extraordinary a degree as the governments of the very rude people of India. When the English suddenly acquired their extraordinary power in Bengal, the current of presents, so well accustomed to take its course in the channel drawn by hope and fear, flowed very naturally, and very copiously, into the lap of the strangers. A person in India, who had favours to ask, or evil to deprecate, could not easily believe, till acceptance of his present, that the great man to whom he addressed himself was not his foe. Besides the sums, which we may suppose it to have been in the power of the

receivers to conceal, and of the amount of which it is not easy to form a conjecture, the following were detected and disclosed by the Committee of the House of Commons, in 1773.



"Account of such Sums as have been proved or acknowledged before the Committee to have been distributed by the Princes and other Natives of Bengal, from the Year 1757 to the Year 1766, both inclusive; distinguishing the principal Times of the said Distributions, and specifying the Sums received by each Person respectively.

Revolution in Favour of Meer Jaffier in 1757.

| | Rupees. | Rupees. | £ |
|---|---|---|---|
| Mr. Drake (Governor) | | 280,000 | 31,500 |
| Colonel Clive as second in the Select Committee..... | 280,000 | | |
| Ditto as Commander in Chief..... | 200,000 | | |
| Ditto as a private donation..... | 1600,000[1] | | |
| | | 2080,000 | 234,000 |
| Mr. Watts as a Member of the Committee..... | 240,000 | | |
| Ditto as a private donation..... | 800,000 | | |
| | | 1040,000 | 117,000 |
| Major Kilpatrick..... | | 240,000 | 27,000 |
| Ditto as a private donation..... | | 300,000 | 33,750 |
| Mr. Maningham..... | | 240,000 | 27,000 |

[1] "It appears, by the Extract in the Appendix, No. 102, from the evidence given on the trial of Ram Churn before the Governor and Council in 1761, by Roy Dulip, who had the principal management in the distribution of the treasures of the deceased Nabob Serajah Dowla, upon the accession of Jaffier Ally Cawn—that Roy Dulip then received as a present from Colonel Clive one lack 25,000 rupees, being five per cent on 25 lacks. It does not appear that this evidence was taken on oath."

| | Rupees. | £ |
|---|---|---|
| Mr. Becher..... | 240,000 | 27,000 |
| Six Members of Council one lack each..... | 600,000 | 68,200 |
| Mr. Walsh..... | 500,000 | 56,250 |
| Mr. Scrafton..... | 200,000 | 22,500 |
| Mr. Lushington..... | 50,000 | 5,625 |
| Captain Grant..... | 100,000 | 11,250 |
| Stipulation to the navy and army..... | | 600,000 |
| | | 1,261,075 |
| Memorandum, the sum of two lacks to Lord Clive, as Commander in Chief, must be deducted from this account, it being included in the donation to the army | | 22,500 |
| Lord Clive's jaghire was likewise obtained at this period. | | |
| | | 1,238,575 |

Revolution in Favour of Cossim, 1760.

| | | |
|---|---|---|
| Mr. Sumner..... | | 28,000 |
| Mr. Holwell..... | 270,000 | 30,937 |
| Mr. M'Gwire..... | 180,000 | 20,625 |
| Mr. Smyth..... | 134,000 | 15,354 |
| Major Yorke..... | 134,000 | 15,354 |
| General Caillaud..... | 200,000 | 22,916 |
| Mr. Vansittart, 1762, received seven lacks; but the two lacks to General Caillaud are included; so that only five lacks must be accounted for here..... | 500,000 | 58,333 |
| Mr. M'Gwire 5000 gold mohrs | 75,000 | 8,750 |
| | | 200,269 |

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Revolution in Favour of Jaffier, 1763.

| | Rupees. | £ |
|---|---|---|
| Stipulation to the army..... | 2500,000 | 291,666 |
| Ditto to the navy..... | 1250,000 | 145,833 |
| | | 437,499 |
| Major Munro[1] in 1764 received from Bulwan Sing..... | | 10,000 |
| Ditto..... from the Nabob | | 3,000 |
| The officers belonging to Major Munro's family from ditto.. | | 3,000 |
| The army received from the merchants at Banaras..... | 400,000 | 46,666 |
| | | 62,666 |

Nudjum ul Dowla's Accession, 1765.

| | | |
|---|---|---|
| Mr. Spencer..... | 200,000 | 23,333 |
| Messieurs Playdell, Burdett, and Gray, one lack each..... | 300,000 | 35,000 |
| Mr. Johnstone..... | 237,000 | 27,650 |
| Mr. Leycester..... | 112,500 | 13,125 |
| Mr. Senior..... | 172,500 | 20,125 |
| Mr. Middleton..... | 122,500 | 14,291 |
| Mr. Gideon Johnstone..... | 50,000 | 5,833 |
| | | 139,357[2] |

[1] "It appears Colonel Mumo accepted a jaghire from the King, of 12,500l. a year, which he delivered to the Nabob Meer Jaffier, the circumstances of which are stated in the Journals of last year, 823."

[2] "These sums appear by evidence to have been received by the parties; but the Committee think proper to state, That Mahomed Reza Cawn intended a present of one lack of rupees to each of the four deputies sent to treat with Nudjum ul Dowla upon his father's death; viz. Messieurs Johnstone, Leycester, Senior, and Middleton; but Mr. Middleton and Mr. Leycester affirm that they never accepted theirs, and Mr. Johnstone appears to have tendered his back to Mahomed Reza Cawn, who would not accept them. These bills (except Mr. Senior's, for 50,000 rupees) appear to have been afterwards laid before the Select Committee, and no further evidence has been produced to your Committee concerning them. Mr. Senior received 50,000 rupees of his, and it is stated against him in this account."

| | Rupees. | £ |
|---|---|---|
| General Carnac received from Bulwansing in 1765..... | 80,000 | 9,333 |
| Ditto ..... from the King | 200,000 | 23,333 |
| Lord Clive received from the Begum in 1766..... | 500,000 | 58,333 |
| | | 90,999 |
| Restitution———Jaffier, 1757. | | |
| East India Company..... | | 1,200,000 |
| Europeans..... | | 600,000 |
| Natives..... | | 250,000 |
| Armenians..... | | 100,000 |
| | | 2,150,000 |
| Cossim, 1760. | | |
| East India Company..... | | 62,500 |
| Jaffier, 1763. | | |
| East India Company..... | | 375,000 |
| Europeans, Natives, &c. ..... | | 600,000 |
| | | 975,000 |
| Peace with Sujah Dowla. | | |
| East India Company..... | 5,000,000 | 583,333 |
| Total of Presents 2,169,665*l.* | | |
| Restitution, &c. 3,770,833*l.* | | |
| Total Amount, exclusive of Lord Clive's jaghire..... | | 5,940,498 |

Memorandum. The rupees are valued according to the rate of exchange of the Company's bills at the different periods."[1]

book iv.Chap. 5. 1765.

That this was a practice, presenting the strongest demand for effectual regulation, its obvious consequences render manifest and indisputable. In the first place, it laid the nabobs, rulers, and other leading men of the country, under endless and unlimited oppression; because, so long as they on whom their whole power and influence depended were pleased to desire presents, nothing could be withheld which they either possessed, or had it in their power to ravage and extort. That the temptations under which the servants of the Company were placed carried them to those heights of exaction which were within their reach, is far from true. They showed, on the contrary, a reserve and forbearance, which the education received in no other country, probably in the world, except their own, could have enabled men, in their extraordinary circumstances, to maintain. Besides the oppression upon the people of the country, to which the receiving of presents prepared the way, this dangerous practice laid the foundation of perpetual perfidy in the servants of the Company to the interests of their employers. Not those plans of policy which were calculated to produce the happiest results to the Company, but those which were calculated to multiply the occasions for presents, and render them most effectual, were the plans recommended by the strongest motives of interest to the agents and representatives of the Company in India. It is still less true, in the case of perfidy to the Company, than in the case of oppression to the natives, that the interest of the Company's servants were to the greatest practicable extent pursued.

There seems not upon the most jealous scrutiny, any reason to believe that any one of the greatest transactions, or revolutions, in which the English, up to this period, were instrumental, was not sincerely regarded at the time, by the men on whom the decision depended,
as required by the interests of their employers and country; nor has it yet been certainly made appear, that in any of the instances in question, the circumstances of the moment admitted of a better decision.



The Company now resolved that the benefit of presents should at any rate change masters: And they ordained and commanded, that new covenants, dated May, 1764, should be executed by all their servants, both civil and military, binding them to pay to the Company the amount of all presents and gratuities in whatsoever shape, received from the natives in case the amount exceeded four thousand rupees; and not to accept any present or gratuity, though not exceeding four thousand rupees, if amounting to so much as one thousand, without the consent of the President and Council. An unbounded power was still reserved by the Honourable Company for receiving or extorting presents in benefit to themselves. But as their servants were in no danger of being so rapacious for their masters' emolument, as their own, any effects which this regulation was calculated to produce were all naturally good.

With these powers and regulations Lord Clive (such was now the rank and title of this Anglo-Indian chief) sailed from England on the 4th of June 1764, and arrived at Madras on the 10th of April, 1765; where he received intelligence that the dangers of which the alarm had sent him to India were entirely removed; that the troops were obedient; that not only Meer Causim was expelled, but all his supporters subdued; that the Emperor had cast himself upon the protection of the English; and that the Nabob Meer Jaffier was dead. His sentiments upon
this intelligence were communicated in a private letter to Mr. Rous, dated seven days exactly after his arrival; "We have at last," said he, "arrived at that critical period, *which I have long foreseen;* I mean that period which renders it necessary for us to determine, whether we can or shall take the whole to ourselves. Jaffier Ally Khan is dead, and his natural son is a minor; but I know not whether he is yet declared successor. Sujah Dowla is beat from his dominion; we are in possession of it, and it is scarcely hyperbole to say, To-morrow the whole Mogul empire is in our power. The inhabitants of the country, we know by long experience, have no attachment to any obligation. Their forces are neither disciplined, commanded, nor paid as ours are. Can it then be doubted that a large army of Europeans will effectually preserve us sovereigns; not only holding in awe the attempts of any country Prince, but by rendering us so truly formidable that no French, Dutch, or other enemy will presume to molest us.—You will, I am sure, imagine with me, that after the length we have run, the Princes of Indostan must conclude our views to be boundless; they have such instances of our ambition, that they cannot suppose us capable of moderation. The very Nabobs whom we might support would be either covetous of our possessions, or jealous of our power. Ambition, fear, avarice, would be daily watching to destroy us: a victory would be but a temporary relief to us; for the dethroning of the first Nabob would be followed by setting up another, who, from the same principles, would, when his treasure admitted

of his keeping up an army, pursue the very path of his predecessor. We must indeed become Nabobs ourselves, in fact, if not in name;—perhaps totally so without disguise, but on this subject I cannot be certain until my arrival in Bengal." With these views of the bold and splendid measures which it was now the time to pursue; and anticipating the important effects which those dazzling transactions would have on the price of the Company's Stock, this great man forgot not to deliberate how they might be directed to bear upon his own pecuniary interests. He wrote on the very same day to his private agent in London, as follows: "I have desired Mr. Rous to furnish you with a copy of my letter to him of this day's date, likewise with the cypher, that you may be enabled to understand what follows: 'The contents are of great importance, that I would not have them transpire. Whatever money I have in the public Funds, or any where else, and *as much as can be borrowed in my name*, I desire may be, without loss of a minute, invested in East India Stock. You will speak to my Attorneys on this point. Let them know I am anxious to have my money so disposed of; and press them to hasten the affair as much as possible.'"[1] The letter to Mr. Rous, and the shortness of the period which intervened between the arrival of Lord Clive in Bengal and his assuming the duanee or revenues, would leave no doubt that he commanded all the money which he possessed, or which he could borrow, to be invested in India Stock, in contemplation of the rise of price which that measure was calculated to produce; had he not, when examined on the subject of this letter by the Committee of the House of Commons, declared absolutely, "that he had not while at Madras formed the resolution to seize the duanee."

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# CHAP. VI.

Political State of Carnatic—Views of the Nabob on Governor of Velore, King of Tanjore, and Marawars—Treaty with Tanjore—Company's Jaghire—War on Mahomed Issoof—Mound of the Cavery.



By the final overthrow of the French in Carnatic, the British in that part of India had accomplished an object far greater than any to which, at the beginning of the contest, they had even elevated their hopes. To see Carnatic under the Government of a chief, who should have obligations to them for his elevation, and from whose gratitude they might expect privileges and favour, was the alluring prospect which had carried them into action. They not only now beheld the man, whose interest they had espoused, in possession of the government of the country, but they beheld him dependent upon themselves, and the whole kingdom of Carnatic subject to their absolute will.

It was the grand object of deliberation, and the grand practical difficulty, to settle in what proportion the powers and advantages should be divided between the nominal sovereign and the real one. Clear, complete, well-defined and unambiguous regulations, are naturally employed for the prevention of discordance, when the parties have wisdom, and are free from clandestine views. On the present occasion, according to the slovenly mode in which the business of government is usually transacted, few things were regulated by professed agreement; the final distribution was left to come out among the practical, that is, the fortuitous results of government; and of the two parties each inwardly resolved to appropriate as great a share of the good things as power and cunning would allow.

book iv.Chap. 6. 1763.

The English were not disposed to forget that upon them the whole burden of the war had devolved; that they alone had conquered and gained the country; that the assistance of Mahomed Ali had been of little or rather of no importance; and that even now he possessed not resources and talents sufficient to hold the government in his hands, unless they continued to support him.

On the other hand Mahomed Ali looked upon himself as invested with all the dignity and power of Nabob; and the absolute ruler of the country. During the whole progress of the dispute the English had represented themselves as contending only for him; had proclaimed that his rights were indisputable; and that their zeal for justice was the great motive which had engaged them so deeply in the war. The Nabob, therefore, hesitated not to consider himself the master; though a master owing great obligations to a servant who had meritoriously exerted himself in his cause.

The seeds of dissatisfaction between the rulers of Carnatic, abundantly sown in a fruitful soil, were multiplied by the penury of the country. The avidity, which made the English so long believe that every part of India abounded with riches, had filled them with hopes of a great stream of wealth, from the resources of Carnatic. And

although they had already experienced how little was to be drawn, and with how great difficulty, from the districts which had come into their power; though they were also aware how the country had been desolated by the ravages of war, they still expected it to yield a large supply to their treasury, and accused and complained of the Nabob when their expectations were not fulfilled.



The Nabob, who was the weakest party, and as such had the greatest occasion for the protection of well-defined regulations, had, before the surrender of the French in Pondicherry, presented a draught of the conditions to which it appeared to him expedient that the two parties should bind themselves. He offered to pay to the Company, in liquidation of the sums for which in the course of the war he had become responsible, twenty-eight lacs of rupees annually till the debts should be discharged; and three lacs of rupees annually to defray the expense of the garrison at Trichinopoly: Should Pondicherry be reduced, and the Company afford him an adequate force to extract from the renters and other tributaries of the country, the contributions which they owed, he would discharge his debt to the Company in one year: Should any of the districts between Nelore and Tinivelly, be taken or plundered by an enemy, a proportional deduction must take place, from the twenty-eight lacs which were assigned to the company: On the other side, the Nabob desired, that the Company would not countenance the disobedience of the local governors and administrators; that the English officers in the forts or garrisons should not interfere in the affairs of the country, or the disputes of the inhabitants; that the Nabob's flag, instead of the Company's, should be hoisted in the different forts; and that the Company should, when required, assist his officers in the collection of the revenue.

The President; whether he decided without reflection, or thought a promise which would keep the Nabob in good humour, and might be broken at any time, was an obligation of no importance, expressed by letter his assent to these conditions.[1] In a short time however the President and Council presented to the Nabob a demand for fifty lacs of rupees. The Nabob, as this was a sum which he did not possess, endeavoured by all the means in his power to evade the contribution. Unable to resist the importunities of his allies, he was driven to his credit, which was very low; and under disadvantageous terms, which heaped upon him a load of debt, he raised by loan the money they exacted.



The expense of the war, the exhaustion of their own treasury, and their exaggerated conception of the riches of the country of which they had made him sovereign, rendered the President and Council by no means sparing in their requisitions upon the Nabob. It was stipulated that he should repay the whole expenses of the siege of Pondicherry. Even to this he agreed, upon condition of receiving all the stores which should be taken in the place. The servants of the Company, however, appropriated the stores to themselves; and they met the complaints of the Nabob, by promising to allow for them a certain sum in his account: in other words, they took for their own benefit what by their own contract belonged to the Nabob, and promised to make their masters pay him something, more or less, by way of compensation. Their masters, however, were on this occasion not less alive to their own interests than their servants

had been to their's; and no sooner heard of the sum which had been allowed to the Nabob in their books, than they ordered it to be re-charged to his account; while their servants were left in undisturbed possession of the stores.[1]



From the mode in which the country was governed; by sub-division into local commands, with a military force and places of strength in the hands of every local commander, who withheld the revenue of his district, as often as he beheld a prospect of escaping punishment for his faults; it has frequently been seen what difficulties attended the realizing of revenue, whenever the government became disordered or weak. For a series of years, Carnatic had been subject to no regular government; the different antagonists had collected the revenues, and raised contributions, in those districts which had at any time fallen into their hands; and the commanders of districts and forts had eluded payment as often as it was in their power. From this wasted, and disordered country, with an insignificant army, and no resources for its augmentation, was Mahomed Ali required to find means for the support of his own government, for the gratification of his own taste and passions, and to satisfy the unbounded expectations of the English.

The hopes of the Nabob, who knew the poverty of the country, and with what severity every thing had been stripped from those among the district Governors who enjoyed not extraordinary means of defence, were chiefly fixed upon the supposed treasures of Mortiz Ali, Governor of Velore, the riches of Tanjore, and the two Marawars. The fort and district of Velore was an acknowledged portion of the Carnatic territory. Tanjore and the Marawars were separate principalities, which, as often as they were pressed by the strength of their neighbours, had, according to Indian practice, occasionally paid them tribute; as Bengal and Carnatic themselves had paid to the Mahrattas; but which had never been incorporated with the Mogul empire, nor regarded their dependence as more than casual, temporary, and unjust.



The strength, however, of the Nabob was altogether inadequate to the coercion of such powerful chiefs; and for the accomplishment of so important an object, he importuned the Presidency to join their forces to his. The state of the treasury at Madras, exhausted by the efforts of so tedious and expensive a war, rendered the English by no means desirous of engaging immediately in fresh adventures. And it was not without difficulty that in the summer of 1761 they were induced to lend their aid for the reduction of Velore. It resisted the exertions of the army for three months, and but ill repaid the conquerors by the treasure which it contained.

The conquest of Tanjore was an object of still greater promise. As it had not yet been ravaged by foreign armies, the ideas of Indian wealth, which so long had sparkled in the imaginations of men, were not altogether extinct. The country, though small, was undoubtedly fertile; the incompatibility between the existence of a rude government and people, and the production and accumulation of wealth, was not understood; and the expectations which had misled both the French and the English still maintained their sway in the mind of Mahomed Ali. Besides, as ruler of Carnatic, it was his

interest to add a principality of some importance to his dominions, and to remove a neighbour who might on every emergency become a dangerous foe.

The English, however, either because they had descended in their estimate of the riches of the country,
or because they had ascended in their estimate of the difficulty of its subjugation, discovered an aversion, which the Nabob was unable to overcome, to embark in the conquest of Tanjore. The Governor recommended negotiation; and offered himself as mediator. To settle with the subordinate agents of his own government belonged, he said, to the Nabob himself: but the King of Tanjore was a sovereign Prince; and a tribunal, distinct from that of either party, namely, that of an independent mediator, was necessary to adjust the differences between them.[1]



The Nabob resisted this mode of adjustment, with great eagerness; and, rather than adopt it, would have postponed the enforcement of his claims, trusting to the chapter of accidents, and a time to come, at which the Rajah might yield at discretion. The Presidency, however, knew their power; they sent, therefore, an agent to Tanjore, to hear the allegations of both parties, and suggest the conditions of an agreement. The following were the terms which they resolved to confirm: That twenty-two lacs of rupees, at five instalments, should be paid by the Rajah to the Nabob, as arrears; four lacs as a present; and four annually as a tribute: That the districts, on the other hand, of Coiladdy and Elangad should be ceded to the Rajah; and that Arni should be restored to its former Governor or Killedar. The pecuniary exactions were greatly inferior to the claims of the Nabob; and so great reluctance did he show to the ratification of the treaty, that Mr. Pigot is said to have seized his chop or seal, and applied it to the paper with his own hand.[1] Aware that the inflated conceptions diffused among their countrymen of the riches of India, and of Tanjore as a distinguished part of India, might lead the Court of Directors to regard the sum extracted from the Rajah as criminally small, the Presidency wrote, in their own defence; That, without their assistance, the Nabob was unable to extract a single rupee; that the reduction of Tanjore would have been a difficult enterprise; that they had not an army sufficient for the purpose; that the expedition would have occasioned an expense which they were unable to bear; and that a rupture with the Rajah would have tended to raise up other enemies. The inability of the country to sustain, without oppression, a heavier exaction, they were either not yet aware of, or did not care to allege. When the Directors afterwards transmitted their reflections, they said; “If four lacks were given as a present, it seems as if the Company ought to have it, for their interposition and guarantee of the treaty. We shall be glad to have this affair explained to us, that we may know the real state of the case, with respect to that donation.”[2] The twenty-two lacs were directed to be paid to the Company, and credit was given for them in the Nabob’s account.

The war between the English and French, which had ceased in India with the fall of Pondicherry, was terminated in Europe by the treaty of Paris, definitively signed on the 10th of February, 1763. Of this treaty the eleventh article, intended to define the rights of the two nations in India, or those advantages, in the enjoyment of which the relative

strength of the two parties made them willing to engage not to molest one another, was in the following words: “That Great Britain shall restore to France, in the condition they now are, the different factories[1] which that crown possessed, as well on the coast of Coromandel and Orissa, as on that of Malabar, as also in Bengal, at the beginning of the year 1749. And France renounces all pretensions to the acquisitions which she has made on the coast of Coromandel and Orissa.[2] And his most Christian Majesty shall restore, on his part, all that he may have conquered from Great Britain in the East Indies during the present war, and will expressly cause Natal and Tapanouly,[3] in the island of Sumatra, to be restored. And he further engages not to erect fortifications, or to keep troops, in any part of the dominions of the Subahdar of Bengal; and in order to preserve future peace on the coast of Coromandel and Orissa, the English and French shall acknowledge Mahomed Ally Khan, for lawful Nabob of the Carnatic, and Salabut Jung for lawful Subahdar of the Deccan, and both parties shall renounce all demands and pretensions of satisfaction, with which they might charge each other, or their Indian allies, for the depredation or pillage committed on either side during the war.”

In the distribution of the advantages of the Carnatic sovereignty; for such it now might truly be deemed, as scarcely even a nominal subjection was acknowledged either to the Subahdar of Deccan, or
the Emperor himself; the English imagined they had as yet not appropriated to themselves the requisite share. They began accordingly to represent to the Nabob the necessity of bestowing upon the Company a jaghire; or a grant of lands, the rents and revenues of which, free from any deduction to the Nabob’s treasury, should accrue to themselves. The Nabob urged the narrowness of his own resources, the load of debt under which he laboured, the great proportion of his revenue already allowed to the Company, and the cession which he had made, not only of lands, but of the tribute which the Company owed for Madras itself.



The Company, in truth, had now placed themselves in a situation of considerable difficulty. The Presidency could not help observing, that under the weakness of both the mind and the resources of the Nabob, the defence of Carnatic must rest upon them; and that they must, therefore, maintain at all times an army sufficient to oppose its enemies. This, without the revenue of the country, was a burden which they knew they could not sustain: And yet to strip of all his revenue a sovereign Prince, of whose rights they had so often proclaimed themselves the champions, was a procedure which bore a most unfavourable appearance, and from which formidable accusations against them could hardly fail to be drawn.

The Company took the course which power, though less supported by reasons, will most commonly pursue: They adopted the alternative which was most agreeable to themselves; and the revenues of Carnatic gradually passed into their hands. The President, however, was anxious that, at this time, the donation should wear the appearance of a voluntary
act on the part of the Nabob; and amid his efforts of persuasion assured him, if we can believe the Nabob himself, “that if four districts were given, the Company would be extremely pleased

and obliged to him, and would ever assist him and his children with a proper force of Europeans, without desiring any thing further; that till he had cleared off his debts to the Company, the revenues of those districts, after defraying the expenses of the soldiers, should be placed to the credit of his account."[1] When the President began to pass from the tone of suggestion to that of requisition; and the Nabob perceived that compliance could not be escaped, he endeavoured to obtain the security of at least a written promise for those terms which had been offered in order to gain his consent. But when he transmitted the draught of an agreement, in which those terms were specified, and which he requested the Governor and Council to sign, the temper of the President broke through his policy; and he pulled off the mask with which he had hitherto endeavoured, though it must be confessed but awkwardly, to cover from the Nabob and the world the view of his real situation. He sent back the agreement unsigned, with strong marks of his displeasure; and told the Nabob by letter, that it ill became the situation in which he stood, to make conditions with the Company; since "they," said he, "do not take any thing from you; but they are the givers, and you are a receiver."[2]

It was not till the summer of 1763 that the Nabob and Presidency were enabled to turn their attention to Madura and Tinivelly. Though Mahomed Issoof had been vigorously employed, from the raising of the siege of Madras till the fall of Pondicherry, in reducing the refractory Polygars and other local commanders, obedience and tranquillity were by no means established: And when that active and useful partisan proposed to take the country as renter, and to become responsible, though for a small revenue, from a region which hitherto had cost much and yielded nothing, the offer was not unwillingly embraced. Mahomed Issoof, like other renters of India, had no doubt an inclination to withhold if possible the sum which he engaged to pay out of the taxes which he was empowered to collect: and, like other Governors, contemplated, it is probable, from the very beginning, the chance of independence. It cannot, however, be denied, that the enemies with whom he had as yet been obliged to struggle, and who had heretofore rendered the country not only unproductive, but burdensome, left him no revenue to pay. It appears, accordingly, that none had ever been received. For this failure, the Nabob and the Company now proceeded to inflict chastisement, and in the month of August 1763, a combined army of natives and English marched to Madura. Mahomed Issoof endeavoured by negotiation, and the influence of those among the English whom he had rendered his friends, to ward off the blow. But when he found these efforts unavailing, he resolved to give himself the chance of a struggle in his own defence. He was not a man of whom the subjugation was to be expected at an easy price. He baffled all the efforts of the Nabob and the Company, till the month of October, 1764; when he had already forced them to expend a million sterling, and no ordinary quantity of English blood; and without a deed of treachery which placed his person in their hands, it is uncertain how far he might have prolonged his resistance. Among a body of French troops whom he had received from the Raja of Tanjore was a person of the name of Marchand, by whom he was seized and delivered to his enemies.



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The occasions on which the interests of the Nabob and of the Raja of Tanjore were liable to clash or to interfere became, through their jealousy and mutual hatred, a perpetual source of contention. The treaty which had been formed under the coercive authority of the English, had defined the terms of their pecuniary relation: with the usual want of foresight, every thing else was left vague and disputable. The river Cavery, about six miles to the north-west of Trichinopoly, is divided into two streams, of which the northern takes the name of Coleroon, and, by a course not far from direct, joins the sea at Devi-Cotah. The southern branch, which retains the name of Cavery, passes through the flat alluvial territory of Tanjore; and, dividing itself into a great number of smaller streams, overflows, and fructifies the country. But it so happens that the two branches of this great river, after flowing at some distance from one another, for a space of about twenty miles, again approach, forming what is called the island of Seringham, and are only prevented by a narrow neck of land, which requires continual repairs, from reuniting their streams, and falling down the channel of the Coleroon to the ocean. The kingdom of Tanjore was thus in the highest degree interested in the preservation of the mound of the Cavery, upon the waters of which its vegetative powers so greatly depended; and it must have anciently been a powerful instrument of coercion in the hands of the neighbouring kingdom of Trichinopoly, within the territories of which it appears to have been always included.

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The Nabob, as sovereign of Trichinopoly, now assumed authority over the mound of the Cavery; and the dispute between him and the Raja grew to importance. The Raja endeavoured to make the reparation of the mound the condition of paying the money which he owed by the treaty; and the President, after writing several letters to the Nabob, appointed a deputy to inquire into the subject and to make his reports. The rights in question were actually two. The first was the right of sovereignty in the mound; the second was the right of having the mound preserved and repaired. The first, as no one disputed, belonged to the Nabob. The second, if prescription and equity constituted any title, as undeniably belonged to the Rajah. Ignorantly and awkwardly, and not without English co-operation, they blended them together in one question; and the dispute became interminable. Who had the right of repairing the mound, was the subject about which they contended; the Nabob claiming it, as inherent in the sovereignty; and the Rajah as inherent in the title which he possessed to the waters of the Cavery. Unhappily, in the right which, as sovereign, the Nabob claimed, of permitting no one but himself to repair the mound, he tacitly included the right of omitting all repairs whenever he pleased. The Rajah, who dreaded the consequences, solicited an interview; and by making ample submission and protestations, effected a temporary compromise. It was not long, however, before he had again occasion to complain; and wrote the most pressing letters to Madras, beseeching the Presidency to lay their commands upon the Nabob for the repair of the mound. The Nabob hardly disguised his intention of allowing it to be washed away; alleging the wishes of his own people, who, on account of the overflowing of the low grounds to the eastward of Trichinopoly, desired the waters of the Cavery to be turned into the channel of the Coleroon. The English at last interfered, with a determination to prevail; and the Nabob, but not before the month of January, 1765, and with great

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reluctance, gave his consent, that the mound of the Cavery should be repaired by the King of Tanjore.1

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# CHAP. VII.

Second Administration of Clive—Company's Orders respecting the Private Trade disregarded—Arrangements with the Vizir—With the Emperor—Acquisition of the Duannee—Private Trade created a Monopoly for the Benefit of the superior Servants—Reduction of the Military Allowances—Its effects—Clive resigns, and Verelst succeeds—Proceedings in England relative to the Rate of Dividend on Company's Stock—Financial difficulties—Verelst resigns, and Cartier succeeds.

Lord Clive, together with Mr. Sumner and Mr. Sykes, who had accompanied him from England, and were two of the persons empowered to form the Select Committee, arrived at Calcutta, on the 3d of May, 1765. The two other persons of whom that extraordinary machine of government was to be composed, were absent: General Carnac, beyond the confines of the province of Bahar, with the army; and Mr. Verelst, at the distant settlement of Chittagong. For as much as the disturbances, which guided the resolves of the Company, when they decreed that such a new organ of government should exist, were now removed; and for as much as the Select Committee were empowered to exercise their extraordinary powers for so long a time only as those disturbances should remain; it was a question, whether they were entitled to form themselves into a governing body; but a question of which they speedily disposed.[1] On the 7th of May, exactly four days after their arrival, Lord Clive, and the two gentlemen who accompanied him, assembled; and without waiting for communication with the rest of the destined members declared the Select Committee formed; assumed the whole powers of government civil and military; and administered to themselves and their secretaries an oath of secrecy.





The great corruption which they represented as prevailing in the government, and tainting to a prodigious degree the conduct of the Company's servants, was the foundation on which they placed the necessity for the establishment of the Committee. The picture which they drew of these corruptions exhibited, it is true, the most hideous and the most disgusting features. But the impartial judge will probably find, that the interest of the Committee to make out the appearance of a strong necessity for investing themselves with extraordinary powers, after the original cause for them had ceased to exist, had *some* influence on their delineations. In the letter, addressed to the Committee, with which Lord Clive opened their proceedings, on the 7th of May, "A very few days," he says, "are elapsed since our arrival; and yet, if we consider what has already come to our knowledge, we cannot hesitate a moment upon the necessity of assuming the power that is in us of conducting, as a Select Committee, the affairs both civil and military of this settlement. What do we hear of, what do we see, but anarchy, confusion, and, what is worse, an almost general corruption.—Happy, I am sure, you would have been, as well as myself, had the late conduct of affairs been so irreproachable as to have permitted them still to

continue in the hands of the Governor and Council." Yet one would imagine that four days afforded not a very ample space for collecting a satisfactory body of evidence on so extensive a field, especially if we must believe the noble declarer, that the determination to which it led was a disagreeable one.

"Three paths," observed his Lordship, when afterwards defending himself, "were before me. 1. One was strewed with abundance of fair advantages. I might have put myself at the head of the government as I found it. I might have encouraged the resolution which the gentlemen had taken not to execute the new covenants which prohibited the receipt of presents: and although I had executed the covenants myself, I might have contrived to return to England with an immense fortune, infamously added to the one before honourably obtained.—2. Finding my powers disputed, I might in despair have given up the commonwealth, and have left Bengal without making an effort to save it. Such a conduct would have been deemed the effect of folly and cowardice.—3. The third path was intricate. Dangers and difficulties were on every side. But I resolved to pursue it. In short, I was determined to do my duty to the public, although I should incur the odium of the whole settlement. The welfare of the Company required a vigorous exertion, and I took the resolution of cleansing the Augean Stable."[1]



Another circumstance deserves to be mentioned, of which Lord Clive takes no notice in his speech, though on other occasions it is not forgotten; that without the formation of the Select Committee, he would, as Governor, have enjoyed only a shadow, or at best a small fragment of power. In his letter to the Directors, dated the 30th of February, in which he describes the transactions of the first five months of his new administration, he says, "The gentlemen in Council of late years at Bengal, seem to have been actuated, in every consultation, by a very obstinate and mischievous spirit. The office of Governor has been in a manner hunted down, stripped of its dignity, and then divided into sixteen shares,"—the number of persons of whom the board consisted.—"Two paths," he observes, in nearly the same language as was afterwards used in his speech, "were evidently open to me: The one smooth, and strewed with abundance of rich advantages that might easily be picked up; the other untrodden, and every step opposed with obstacles. I might have taken charge of the government upon the same footing on which I found it; that is, I might have enjoyed the name of Governor, and have suffered the honour, importance, and dignity of the post to continue in their state of annihilation. I might have contented myself as others had before me, with being a cypher, or, what is little better, the first among sixteen equals: And I might have allowed this passive conduct to be attended with the usual douceur of sharing largely with the rest of the gentlemen in all donations, perquisites, &c. arising from the absolute government and disposal of all places in the revenues of this opulent kingdom; by which means I might soon have acquired an immense addition to my fortune, notwithstanding the obligations in the new covenants; for the man who can so easily get over the bar of conscience as to receive presents after the execution of them, will not scruple to make use of any evasions that may protect him from the consequence. The settlement, in general, would thus have been my friends, and only the natives of the country my enemies." It deserves to be remarked, as twice declared by this celebrated Governor, that the covenants against the receipt of presents

afforded no effectual security, and might be violated, by the connivance and participation of the presiding individuals, to any amount. It follows, as a pretty necessary consequence, that independent of that connivance they might in many instances be violated to a considerable amount.

The language in which Clive describes the corruption of the Company's government and the conduct of their servants, at this era, ought to be received with caution; and, doubtless, with considerable deductions; though it is an historical document, or rather a matter of fact, singularly curious and important. "Upon my arrival," he tells the Directors, "I am sorry to say, I found your affairs in a condition so nearly desperate, as would have alarmed any set of men, whose sense of honour and duty to their employers had not been estranged by the too eager pursuit of their own immediate advantages. The sudden, and among many, the unwarrantable acquisition of riches, had introduced luxury in every shape, and in its most pernicious excess. These two enormous evils went hand in hand together through the whole presidency, infecting almost every member of each department. Every inferior seemed to have grasped at wealth, that he might be enabled to assume that spirit of profusion, which was now the only distinction between him and his superior. Thus all distinction ceased; and every rank became, in a manner, upon an equality. Nor was this the end of the mischief; for a contest of such a nature among our servants necessarily destroyed all proportion between their wants and the honest means of satisfying them. In a country where money is plenty, where fear is the principle of government, and where your arms are ever victorious, it is no wonder that the lust of riches should readily embrace the proffered means of its gratification, or that the instruments of your power should avail themselves of their authority, and proceed even to extortion in those cases where simple corruption could not keep pace with their rapacity. Examples of this sort, set by superiors, could not fail of being followed in a proportionable degree by inferiors. The evil was contagious, and spread among the civil and military, down to the writer, the ensign, and the free merchant."[1] The language of the Directors held pace with that of the Governor. In their answer to the letter from which this extract is taken, they say, "We have the strongest sense of the deplorable state to which our affairs were on the point of being reduced, from the corruption and rapacity of our servants, and the universal depravity of manners throughout the settlement. The general relaxation of all discipline and obedience, both military and civil, was hastily tending to a dissolution of all government. Our letter to the Select Committee expresses our sentiments of what has been obtained by way of donations; and to that we must add, that we think the vast fortunes acquired in the inland trade have been obtained by a scene of the most tyrannic and oppressive conduct that ever was known in any age or country."[1]



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The letters from the Court of Directors, commanding the immediate and total abandonment of the inland trade and the execution of the new covenants against the receipt of presents, had arrived on the 24th of January, 1765, previous to the formation of the treaty with Nujeem ad Dowla. Yet so far was the inland trade from being abandoned, that the unlimited exercise of it, free from all duties except two and a half per cent. upon the article of salt, and along with that unlimited exercise, the prohibition, or what amounted to the prohibition, of all other traders, the exaction of

oppressive duties, from which the English were exempt, had been inserted, as leading articles, in the treaty. Again, as to what regarded the covenants, not only had presents upon the accession of Nujeem ad Dowla been received, with unabated alacrity, in defiance of them; but they remained unexecuted to that very hour. The Committee of the House of Commons could not discover from the records that the Governor had so much as brought them under the consultation of the Council Board; and it is certain that no notice whatsoever had been communicated to the other servants of the Company, that any such engagements were required.

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The execution of the covenants, as a very easy and simple transaction, was one of the earliest of the measures of the Committee. They were signed, first by the Members of the Council, and the servants on the spot; and afterwards transmitted to the armies and factories, where they were immediately executed by every body; with one remarkable exception. General Carnac, when they arrived, distributed them to his officers, among whom the signature met with no evasion. But general Carnac himself, on the pretence that they were dated several months previous to the time at which intimation of them was conveyed to him, forbore privately to execute his own. A few weeks afterwards, upon his return to Calcutta, he signed it, indeed, without any scruple; but, in the interval, he had received a present of two lacs of rupees from the reduced and impoverished Emperor.

The Nabob, Nujeem ad Dowla, hastened to Calcutta, upon the arrival of Clive; and being exceedingly displeased with the restraints imposed upon him, presented a letter of complaints. Mahomed Reza Khan, whose appointment to the office of Naib Subah was the most offensive to the Nabob of all the hard conditions to which he had been compelled to submit, had given presents on account of his elevation to the amount of nearly twenty lacs of rupees. There was nothing, in this, unusual or surprising; but the Nabob, who was eager to obtain the ground of an accusation against a man whose person and office were alike odious to him, complained of it as a dilapidation of his treasury. The servants of the Company, among whom the principal part of the money was distributed, were those who had the most strongly contested the authority of Clive's Committee; and they seem to have excited, by that opposition, a very warm resentment. The accusation

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was treated as a matter of great and serious importance. Some of the native officers engaged in the negotiation of the presents, though required only for the purpose of evidence, were put under arrest. A formal investigation was instituted. It was alleged that threats had been used to extort the gifts: And the Committee pronounced certain facts to be proved; but in their great forbearance reserved the decision to the Court of Directors. The servants, whose conduct was arraigned, solemnly denied the charge of using terror or force; and it is true that their declaration was opposed by only the testimony of a few natives, whose veracity is always questionable when they have the smallest interest to depart from the truth: who in the present case were not examined upon oath; were deeply interested in finding an apology for their own conduct, and had an exquisite feeling of the sentiments which prevailed towards the persons whom they accused in the breasts of those who now wielded the sceptre. There seems not, in reality, to have been any difference in the applications for presents on this and on former occasions, except

perhaps in some little ceremoniousness of manner. A significant expression escapes from Verelst, who was an actor in the scene; “Mahomed Reza Khan,” he says, “affirms that these sums were not voluntarily given. This the English gentlemen deny. Perhaps the reader, who considers the increased power of the English, may regard this as a *verbal* dispute.”1

On the 25th of June Lord Clive departed from Calcutta, on a progress up the country, for the purpose of forming a new arrangement with the Nabob for the government of the provinces, and of concluding a treaty of peace with Suja Dowla the Vizir.



The first negotiation was of easy management. Whatever the Committee were pleased to command, Nujeem ad Dowla was constrained to obey. The whole of the power reserved to the Nabob, and lodged with the Naib Subah, was too great, they said, to be deposited in a single hand; they resolved, therefore, to associate the Rajah Dooloob Ram, and Juggut Seet, the Hindu banker, with Mahomed Reza Khan, in the superintendance of the Nabob’s affairs. To preserve concord among these colleagues, it was determined to employ the vigilant control of a servant of the Company, resident upon the spot. The Nabob was also now required to resign the whole of the revenues, and to make over the management of the Subahdaree, with every advantage arising from it, to the Company; by whom an annual pension of fifty lacs of rupees, subject to the management of their three nominees, were to be allowed to himself. The final arrangement of these terms was notified to the Committee on the 28th of July, by a letter dispatched from Moorshedabad, whence, a few days before, Clive had proceeded on his journey.

The army had prosecuted the advantages gained over the Vizir; and at this time had penetrated far into the territories of Oude. The arrangement, however, which had been concluded with the Emperor, and in conformity with which the English were to receive the Gauzeepore country for themselves, and to bestow the dominions of Suja Dowla on the Emperor, had been severely condemned by the Court of Directors. They denounced it, not only as a violation of their repeated instructions and commands not to extend the dominions of the Company; but as in itself an impolitic engagement; full of burden, but destitute of profit.1 Lord Clive, and, what is the same thing, Lord Clive’s Committee, professed a deep conviction of the wisdom of that policy (the limitation of dominion) which the Directors prescribed;2 declaring, “that an influence maintained by force of arms was destructive of that commercial spirit which the servants of the Company ought to promote; oppressive to the country, and ruinous to the Company; whose military expenses had hitherto rendered fruitless their extraordinary success, and even the cession of rich provinces.”3



After the battle of Buxar, the Vizir, who no longer considered his own dominions secure, had sent his women and treasures to Bareily, the strong fort of a Rohilla chief; and, having gained as much time as possible by negotiations with the English, endeavoured to obtain assistance from Ghazee ad dien Khan, from the Rohilla chiefs, and a body of Mahrattas, who were at that time under Mulhar Row, in the vicinity of

Gualior. The Mahrattas, and Ghazee ad dien Khan, with a handful of followers, the miserable remains of his former power, had, in reality, joined him. But the Rohillas had amused him with only deceitful promises: And he had been abandoned even by Sumroo; who, with a
body of about 300 Europeans of various nations, and a few thousand Sepoys, was negotiating for service with the Jaats.



The English had detached two battalions of Sepoys, which took possession of Lucknow, the capital of Oude, and made an attempt upon the fortress of Chunar, the strength of which enabled the garrison to make a successful resistance; when the preparations of Suja Dowla induced Sir Robert Fletcher, on whom, till the arrival of Carnac, after the departure of Sir Hector Munro, the command of the troops had devolved, to endeavour to anticipate that Nabob by taking the important fortress of Allahabad. Nujeef Khan, as a partisan of the Emperor, had joined the English with his followers from Bundelcund, and being well acquainted with the fortress, pointed out the weakest part. It was speedily breached; and the garrison, too irresolute to brave a storm, immediately surrendered. Soon after this event General Carnac arrived, and took the command of the army. The situation of the enemy, which rendered their designs uncertain, puzzled, for a time, the General; who over-estimated their strength, and was afraid of leaving the frontiers exposed. Having received undoubted intelligence that the enemy had begun to march on the Corah road; and suspecting that an attack was designed upon Sir Robert Fletcher, who commanded a separate corps in the same direction; he made some forced marches to effect a junction with that commander; and, having joined him, advanced with united forces towards the enemy. On the 3d of May a battle was fought in the neighbourhood of Corah; or rather a skirmish, for, by the absence of the Rohillas, and the weakness of Ghazee ad dien Khan, the force of the Vizir was inconsiderable, and he was still intimidated by remembrance of Buxar. The Mahrattas, on whom he chiefly depended,
were soon dispersed by the English artillery. The Vizir separated from them; and they retired with precipitation towards the Jumna. Observing the English to remit the pursuit in order to watch the Vizir, who made no attempt to join his allies, they ventured a second effort to enter Corah. To stop their incursions the General resolved to drive them beyond the Jumna; crossed that river on the 22d; dislodged them from their post on the opposite side; and obliged them to retire to the hills.



The Vizir impelled, on the one side by the desperate state of his affairs, on the other by hopes of moderate treatment from the English, resolved to throw himself entirely upon their generosity, by placing his person in their hands. On the 19th of May, General Carnac received, written partly by the Nabob with his own hand, a letter, in which he informed that officer that he was on his way to meet him. The General received him with the highest marks of distinction; and all parties recommended a delicate and liberal treatment. The final settlement of the terms of pacification was reserved for the presence of Clive. As it was unanimously agreed, that it would cost the Company more to defend the country of the Vizir, than it would yield in revenue; that Suja Dowla was more capable of defending it than the Emperor, to whom it had been formerly promised, or than any other chief who could be set up; and that in the hands of the Vizir it might form a barrier against the Mahrattas and Afghauns; it was

determined to restore to him the whole of his dominions, with the exception of Allahabad and Corah, which were to be reserved to the Emperor.

When the first conference was held with the Vizir on the 2d of August, he strongly expressed his gratitude for the extent of dominion which his conquerors were willing to restore; and readily agreed to the payment of fifty lacks of rupees demanded in compensation for the expences of the war: But, when it was proposed to him to permit the English to trade, free from duties, and erect factories in his dominions, he represented so earnestly the abuses which, under the name of trade, the Company's servants and their agents had perpetrated in the provinces of Bengal, Bahar, and Orissa; and expressed with so much vehemence his apprehension of disputes, and the impossibility they would create of long preserving the blessings of peace, that Clive agreed, in the terms of the treaty, to omit the very names of trade and factories.

The Raja Bulwant Sing, who held, as dependencies of the Subah of Oude, the Zemindarees of Benares and Gauzeepore, had joined the English and rendered important service, in the late wars against the Vizir. It was, therefore, incumbent upon them to yield him protection against the resentment of a chief whose power he could not resist. The Vizir bound himself not to molest the Rajah, in the possession of his former dominions; and the Rajah was held bound to pay him the same tribute as before. The Vizir and the English engaged to afford assistance, each to the other, in case the territory of the other was invaded; and the Vizir engaged never to harbour or employ Meer Causim or Sumroo.

The business with the Emperor was the next subject of negotiation which claimed the exertions of Clive. Of the annual tribute to the Emperor, contracted for in the names of Meer Jaffier, Meer Causim, and Nujeem and Dowla, as the imperial revenue from Bengal, Bahar, and Orissa, thirty lacks were unpaid. Of this debt, the indigent sovereign was frankly and definitively told, that not a single rupee would ever be given him. The sum which had, under the English authority, been assigned as the share due to him of the revenue of these provinces, was twenty-six lacks of rupees in money, and jaghires or land to the annual amount of five lacks and a half. The jaghires, it was now made known to him, he must henceforth renounce. He expressed warmth, and even resentment, upon the hardness of these arbitrary conditions; but the necessities of the humbled monarch left him without means of relief. The twenty-six lacks of rupees were continued as his portion of the revenues; and he was put in possession of the countries of Corah and Allahabad. On his part was required the imperial grant of the duannee, or collection and receipt of the revenues, in Bengal, Bahar, and Orissa. The phirmaun of the duannee, which marks one of the most conspicuous eras in the history of the Company, constituting them masters of so great an empire, in name and in responsibility, as well as in power,[1] was dated the 12th day of August, 1765. Along with the duannee was required of the Emperor his imperial confirmation of all the territory which the Company possessed throughout the nominal extent of the Mogul empire. Among these confirmations was not forgotten the jaghire of Lord Clive; a possession, the dispute about which that powerful servant had compromised before his departure from England, by yielding the reversion to the Company, after ten years' payment, if so long he should live.

It was in the course of this summer that, in pursuance of the terms of the treaty concluded in Europe between the English and the French, the settlements of that nation at Chandernagor and other places in Bengal, were restored.

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On the 7th of September, Lord Clive resumed his seat, in the Select Committee; in which the urgent questions respecting the inland trade now constituted the grand subject of consultation. The Company's letter of the 8th of February, 1764, completely prohibiting the inland trade of their servants, was taken into consideration by the Board, on the 17th of October, in the same year. And it was resolved that all the branches of that trade, which it was worth while to carry on, should still be stedfastly retained; but that proper respect should be shown to the commands of their masters; and what was of no value to keep should be immediately and completely resigned. The grand articles of the interior trade of Bengal were salt, beetel-nut, and tobacco; of which salt was out of all proportion the most important: Tobacco in particular was so inconsiderable, that few, if any, of the Company's servants had engaged in it. The determination was, to give up the tobacco, preserving and securing the beetel-nut and the salt. It must not, however, be forgotten that an order was now issued, prohibiting the practice of forcing the natives to buy and sell at any price which the Company's servants thought proper to command.

On the 1st of June, 1764, a letter was written by the Court of Directors, in consequence of the resolution of the Court of Proprietors that the letter of the 8th of February should be reconsidered. In this, the Directors declared, that the terms imposed upon Meer Causim for the regulation of the private trade in the interior "appeared to them so injurious to the Nabob and the natives, that they could not, in the very nature of them, tend to any thing but the producing general heart-burning and dissatisfactions: That the orders, therefore, in their letter of the 8th of February should remain in force until a more equitable and satisfactory plan could be formed and adopted; and, as it was impossible for them to frame such a plan at home, destitute as they were of the informations and lights necessary to guide them in settling such an important affair—the Committee were therefore ordered, as soon after the receipt of this letter as might be convenient, to consult the Nabob as to the manner of carrying on the inland trade, and thereupon to form a proper and equitable plan for that purpose, and transmit the same to the Directors; accompanied by such explanations, observations, and remarks, as might enable them to give their sentiments and directions thereupon in a full and explicit manner:—And in doing this, as before observed, they were to have a particular regard to the interest and entire satisfaction of the Nabob." It was agreed, in general consultation at Fort William, on the 25th of January, 1765, to defer all proceedings on this order, till the arrival of Lord Clive; and in the mean time, in defiance of both letters, the course of the inland trade remained undisturbed.

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One important circumstance in the letter of the 1st of June, the Directors themselves interpreted, one way; their servants in India chose to interpret, another. The servants inferred that the letter empowered them not only to contrive a plan, but also to put it in practice. It was maintained on the other hand, that the letter only authorized them to

devise a plan, and transmit the account of it to the Directors. The letter, as usual, was vague and ambiguous; and those who had to act upon it, at so vast a distance, preferred, as might have been expected, the interpretation which best suited their own interests.

It is worthy of particular remark, that Lord Clive, as he declares to the Directors themselves,[1] framed the plan, which was afterwards adopted, during his voyage to India. But, as he could not then have any lights which he had not in England, he might, unless he had determined not to be governed by the Directors, have opened to them his project, before he departed; and have allowed to his masters the privilege of deciding.

It is not less worthy of remark, that Clive and the other Members of the Select Committee; Carnac excepted, who had not left the army; formed a partnership before the beginning of June, for buying up large quantities of salt; that all the purchases were made during the month of June, and that in nine months the parties realized a profit, including interest, of about forty-five per cent. In apology for Clive, it was stated, that he brought out with him three gentlemen from England, Mr. Strachey, his secretary; Mr. Maskelyne, an old friend and fellow-servant of the Company; and Mr. Ingham, his surgeon; and that for the sake of making a fortune to them he engaged in that suspicious transaction. If a proceeding, however, is in its own nature shameful; there is but little saved, when the emolument is only made to go into the pocket of a connexion.

On the 10th of August, after these purchases had for some time been completed, and after certain inquiries had been made respecting the usual prices of salt in different places; it was resolved, in a Select Committee composed of only Mr. Sumner and Mr. Verelst, That a monopoly should be formed of the trade in salt, beetel-nut, and tobacco, to be carried on
exclusively for the benefit of the superior servants of the Company. After several consultations, the following rules were adopted: That, deducting a duty to the Company, computed to produce 100,000*l*. per annum, the profits should be divided among three classes of proprietors: That, in the first class, should be allowed; to the governor, five shares; to the second in council, three shares; to the general, three shares; ten gentlemen of council, each, two shares; two colonels, each, two shares—in all thirty-five: That, in the second class, consisting of one chaplain, fourteen senior merchants, and three lieutenant-colonels, in all eighteen persons, two-thirds of one share should be granted to each, or twelve shares to the whole: In the third class, consisting of thirteen factors, four majors, four first surgeons at the presidency, two first surgeons at the army, one secretary to the council, one sub-accountant, one Persian translator, and one sub-export-warehouse-keeper, in all twenty-seven persons, one-third of a share should be distributed to each, or nine shares to the whole: That a committee of four, empowered to make bye-laws, borrow money, and determine the amount of capital, should be appointed for the entire management of the concern: That the purchases should be made by contract: That the goods should be conveyed by the agents of the association to certain fixed places, and there sold to the native merchants and retailers at established and invariable prices: That the exclusive power of making those purchases

should be insured to the association for one year: And that European agents should be allowed to conduct the business of the society in different parts of the country.

In defence of this scheme, it was urged, that by the prohibition of presents, and the growing share of the export and import trade engrossed by the Company's investment, the pay of their servants was reduced to the means of a bare subsistence; that besides the hardship of this policy, the wisdom was very defective, since it was absurd to suppose that men deprived of the means of enriching themselves by legitimate, would abstain from illegitimate means, when placed to a boundless extent in their power; that a too rapid enriching of their servants, by enabling them to hurry to England, and leaving none but inexperienced youths to conduct their affairs, was ruinous to their interests; and that, by the admirable arrangements of the trade society, a proper fortune was secured to those who had attained a certain station in the service, without incurring the danger of sending them home enriched at too early a period.



Upon these arguments, one reflection cannot be withheld, because the occasions for its application are exceedingly numerous, and because it appears, unhappily, to be not frequently made. It is contrary to experience, that by deriving large emoluments from an office the person who holds it will be less eager to grasp at any unlawful gains which are within his reach. The avidity for more is not in general diminished by the amount of what is possessed. A trifling sum will doubtless lose something of its apparent magnitude in the eye of a man of wealth; but the vast sums are those alone which are of much importance; and they, we find, are as resistless a temptation to the rich as to the poor. The prevalence of the idea that satiating the servants of the public with wealth is a secret for rendering them honest, only proves how little the art of government has borrowed as yet from the science of human nature. If, with immense emoluments, a door is left open to misconduct, the misconduct is but the more ensured; because the power of the offender affords him a shield against both popular contempt and legal chastisement. If the servants of the Company, as Clive and his Committee so positively affirmed, had it in their power, and in their inclination, to pillage and embezzle, when their incomes were small; the mere enlargement of their incomes would add to the power, and could not much detract from the inclination.



At the time of these proceedings, the Select Committee were deprived of the shelter even of an ambiguous expression; and knew that they were acting in express defiance of the wishes and commands of their superiors. Under date the 15th of February, 1765, the Directors had written in the following terms: "In our letters of the 8th February, and 1st June last, we gave our sentiments and directions very fully in respect to the inland trade of Bengal;—we now enforce the same in the strongest manner, and positively insist that you take no steps whatever towards renewing this trade, without our express leave; for which reason you must not fail to give us the fullest information upon the subject, agreeable to our abovementioned directions."

Having thus established the private trade Society, the Committee proceeded to introduce other regulations which the state of affairs appeared to require. It had been a common practice with members of the Council, instead of remaining at the Board for the business of the Presidency, to receive nomination to the chiefship of factories, as often as additional means of accumulating money were there placed in their hands. To this practice the Committee, on very good grounds, resolved to put an end. "We are convinced," they said, "by very late experience, that the most flagrant oppressions may be wantonly committed
in those employments, by members of the Board, which would not be tolerated in junior servants; and that the dread and awe annexed to their station, as counsellors, has too frequently screened them from complaints, which would be lodged without fear or scruple against inferior servants." Yet, with this experience before them, they recommended great emoluments as a security against corruption. The Committee further remarked, that not only the business, which was thus engrossed by the Members of the Board, could be as well transacted by a junior servant, at much less expense; but that other inconveniences, still more pernicious, were incurred; that by the absence of so many members of the board, it had been necessary to increase their numbers from twelve to sixteen; that by the regular departure to the out-settlements of those Members of the Council who had the greatest influence to procure their own appointment, there was so rapid a change of counsellors at the board, where only the youngest and most inexperienced remained, that the business of the Presidency was obliged to be conducted by men deficient in the knowledge and experience necessary for carrying it on.



Another measure, productive of considerable irritation and disturbance, was promoted by Clive. The rapid acquisition of riches in Bengal had recently sent so many of the superior servants, along with their fortunes, to Europe, that few remained to fill up the vacancies in the Council, except either men very young and inexperienced, or those whom Clive described as tainted with the corruptions which had vitiated the administration. The Committee say, "It is with the utmost regret we think it incumbent on us to declare, that in the whole list of your junior merchants, there are not more than three or four gentlemen whom we could possibly recommend to higher stations at present." They accordingly forbore to supply the vacancies which occurred in the Council, and resolved upon calling a certain number of servants at the other presidencies, to supersede those in Bengal. They paid to their employers the compliment of recommending the measure to their consideration; but waited not for their decision, for, in two months from the date of their letter, four gentlemen arrived from Madras, and soon after took their seats at the Board.[1]

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Among the circumstances most strongly recommended to Lord Clive by the Company, was the reduction of the military expenses; which absorbed all their revenues, and rendered their ascendancy in the country a burden rather than advantage. As service in the field is, in India, attended with peculiar charges to the officers, the Company had at an early period of their wars, found it necessary to allow their officers, during the time of campaign, a certain addition to their daily pay,

which, in the language of the country, was styled *batta*, or indemnity for field expenses.

When the English forces took the field with Meer Jaffier after the battle of Plassy, to cherish their good-will, on which he was so dependant, that Nabob afforded to the officers twice the ordinary sum, and this allowance was distinguished by the name of *double batta*. As long as the troops continued to be paid by Meer Causim, the Company felt no prevailing motive to lessen an expense, which pleased the officers, and oppressed only the Nabob. When they perceived upon the assignment of territorial revenues for the expense of the army, that what could be with held from the army would accrue to themselves, they issued repeated orders for the reduction of the batta. But the dangers of the country had rendered the exertions of the army so necessary; and they to whom the powers of government were entrusted had so little dared to venture their authority in a contest with the military, that double batta had hitherto been allowed to remain.

Upon the conclusion of the war with Suja Dowla, the troops were regimented, according to a plan proposed by Clive and sanctioned by the Company before his departure from England; divided into three brigades, each consisting of one regiment of European infantry, one company of artillery, six battalions of Sepoys, and one troop of black cavalry; and were stationed, one brigade at Mongheer, 300 miles from Calcutta; another at Bankipore, near Patna, 100 miles beyond Mongheer; and the third at Allahabad, 200 miles beyond Patna; whither it had been sent as a security against the Mahrattas, whom the Emperor and Vizir were far too reduced to be able to oppose.

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In this situation the Select Committee issued an order, that on the 1st of January, 1766, the double batta should cease; and that the officers in Bengal, with some exceptions in favour of the troops in the most distant and expensive stations, should be placed on the same footing with those on the coast of Coromandel; that is, receive single batta, when in the field; in garrison or cantonments, no batta at all.

The officers, who, along with the rest of their countrymen, had formed unbounded notions of the wealth of India, and whose imaginations naturally exaggerated the fortunes which were making in the civil branch of the service, had received every previous intimation of this reduction with the loudest complaints and remonstrances; and treated the peremptory decree which was now issued, as an act of the highest injustice; and as a most unworthy attempt to deprive them of a share of those rich advantages for which they had fought and bled, only that a larger stream of emolument might flow into the laps of those very men who were the instruments of their oppression.

At all times, and especially in situations in any degree resembling that of the British in India, it has been found a hazardous act to reduce the advantages of an army; and Clive appears to have greatly miscalculated either the weight of his own authority, or the delicacy of the operation. Without any endeavour to prepare the minds of the men, the order was issued and enforced; and without any care to watch its effects, the

Governor remained in perfect security and ignorance, till the end of April, when he received
a letter informing him, that a most alarming conspiracy, embracing almost every officer in the army, was ripe for execution.



As early as the month of December a combination began. Private meetings and consultation were held, secret committees were formed, and correspondence carried on. The combustion first began in the brigade at Mongheer; but was soon, by letter, communicated to the rest, whose bosoms were perfectly prepared for inflammation. The plan concerted was, that the officers should resign their commissions in a body, and, by leaving the army totally ungoverned, make the constituted authorities submit to their terms. Nearly two hundred dommissions of captains and subalterns were in a short time collected. Besides a solemn oath of secrecy, they bound them selves by a similar obligation, to preserve at the hazard of their own lives, the life of any officer, whom a Court Martial might condemn to death. Each officer executed a penalty bond of 500*l*., not to accept his commission till double batta was restored. A subscription was raised among them to establish a fund for the indemnification of those who might suffer in the prosecution of the enterprise; and to this, it was understood, that the gentlemen in the civil service, and even those at the Presidency, largely contributed.

When the army was in this situation, a body of between fifty and sixty thousand Mahrattas appeared on the frontiers of Corah, about one hundred and fifty miles from Allahabad. To watch their motions, the brigade remaining in garrison at that city was ordered to encamp at Seragepore. Early in April Lord Clive, accompanied by General Carnac, had repaired to Moorshedabad, in order to regulate the collections of the revenue for the succeeding year, to receive from Sujah Dowla the balance of his payments, and to
hold a congress of the native chiefs or princes, who were disposed to form an alliance for mutual defence against the Mahrattas. On the 19th was transmitted to him, from the Select Committee, a remonstrance received from the officers of the third brigade, expressed in very high language, which he directed to be answered with little respect. It was not till late in the evening of the 28th; when he received a letter from Sir Robert Fletcher, the commanding officer at Mongheer; that Clive had the slightest knowledge or suspicion of a conspiracy so extensive, and of which the complicated operations had been going on for several months.



At Bankipore, a considerable part of the cantonments had been burnt down; and a Court Martial was held upon one of the officers, accused of having been the voluntary cause. The act proceeded from a quarrel between him and another officer, who attempted to take away his commission by force: and, upon exploring the reason of this extraordinary operation, the existence of the combination was disclosed. The commanding officer immediately dispatched an account of the discovery to Sir Robert Fletcher at Mongheer; who was by no means unacquainted with the proceedings in his own brigade, but was only now induced to give intimation of them to his superiors. It was the plan of the officers to resign their commissions on the 1st of June; but this

discovery determined them, with the exception of the brigade at Allahabad, to whom information could not be forwarded in time, to execute their purpose a month earlier.

Clive at first could not allow himself to believe that the combination was extensive; or that any considerable number of men, the whole of whose prospects in life was founded upon the service, would have resolution to persevere in a scheme, by which the danger of exclusion from it, not to speak of other consequences, was unavoidably incurred. It was one of those scenes, however, in which he was admirably calculated to act with success. Resolute and daring, fear never turned him aside from his purposes; or deprived him of the most collected exertion of his mind in the greatest emergencies. To submit to the violent demands of a body of armed men, was to resign the government. He had a few officers in his suite upon whom he could depend; a few more, he concluded, might yet be found at Calcutta, and the factories; and some of the free merchants might accept of commissions. The grand object was to preserve the common soldiers in order and obedience, till a fresh supply of officers from the other Presidencies could be obtained.

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He remained not long without sufficient evidence that almost all the officers of all the three brigades were involved in the combination, and that their resignations were tendered. Directions were immediately sent to the commanding officers, to find, if possible, the leaders in the conspiracy; to arrest those officers whose conduct appeared the most dangerous, and detain them prisoners; above all things to secure the obedience of the Sepoys and black commanders, if the European troops should appear to be infected with the disobedience of their officers. Letters were dispatched to the Council at Calcutta, and the Presidency at Fort St. George, to make the greatest exertions for a supply of officers; and Clive himself hastened towards Mongheer. On the road he received a letter from Colonel Smith, who commanded at Allahabad, informing him that the Mahrattas were in motion, and that Ballagee Row was at Calpee, with 60,000 men collecting boats. If reduced to extremity, but not before, Smith was instructed to promise the officers compliance with their demands.

Expecting their resignation to produce all the effects which they desired, the officers had concerted no ulterior measures. Their desperation had not led them to make any attempts to debauch the common soldiers. The Sepoys every where exhibited a steady obedience; and the commanding officers of all the brigades remained in perfect confidence of being able, in case of mutiny, to put every European soldier to death. Except, however, at Mongheer, where symptoms of mutiny, among the Europeans were quickly dispelled by the steady countenance of the Sepoys drawn out to attack them, no disturbance occurred. The officers at Mongheer submitted quietly to be sent down to Calcutta; the greater part of those belonging to the other brigades retracted: And this extraordinary combination, which, with a somewhat longer sight on the part of the officers, or less of vigour and of the awe of a high reputation on the part of the Governor, would have effected a revolution in India, produced, as ineffectual resistance generally does, a subjection more complete than what would have existed, if the disturbance had never been raised. Some of the officers, upon profession of repentance, were allowed to resume the service; others were tried and cashiered. The case of Sir Robert Fletcher was the most remarkable. He had been active in subduing

the confederacy; but was found to have encouraged its formation. He apologized for himself on two grounds; that he wished, through the guilt of the conspiracy, to be able to dismiss a number of officers, whose bad conduct rendered them an injury to the service; and that he wished, through the appearance of favouring the views of the officers in some things, to have the advantage of a complete knowledge of their proceedings: A Court Martial, notwithstanding, found him guilty of mutiny, of sedition, and concealment of mutiny; and he was punished by ejection from the service.

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Upon the termination of this dangerous disaffection, Lord Clive proceeded to Chopprah, where he was met by Suja Dowla, by the Minister of the Emperor, and by deputies from the Mahratta Chiefs. Suja Dowla continued to express the highest satisfaction with the treaty which he had lately concluded with the Company; and cheerfully advanced the remainder of the sum which he had promised as the price of peace. The grand desire of the Emperor was to regain possession of the capital of his ancestors, and to mount the throne at Delhi. He had exhausted all his arts of negotiation and intrigue to obtain the assistance of the English; and had, without their concurrence, formed engagements with the Mahrattas, who, at his persuasion, it now appeared, and under assurances that the English would join them in escorting him to his capital, were assembled on the confines of Corah. This ambition of the Emperor was offensive to the English; who, as they had no intention to second his views, dreaded violently his connexion with the Mahrattas. The formation of a treaty for mutual defence, including the Emperor, the Company, the Jaat and Rohilla chiefs, was left to be conducted by Suja Dowla.

During these transactions died the Nabob of Bengal, Nujeem ul Dowla. He expired on the 8th of May, a few days after Clive had left him at Moorshedabad. He was an intemperate youth, of a gross habit of body; and his death had in it nothing surprising. Its suddenness, however, failed not, in a country habituated to deeds of darkness around a throne, to cover it with odious suspicions. His brother, Syeff ul Dowla, a youth of sixteen, was elevated to his nominal office; a change of less importance now than that of the chief of a factory.

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Upon the return of Clive to the Presidency, the private trade, so dear to individuals, demanded the attention of the Committee. The native merchants, to whom the salt had been disposed of, at the places of the society's sales, had re-sold or retailed it at a profit which the Committee deemed extravagant. Instead of inquiring whether, if the trade, as alleged by the Committee, was monopolized and engrossed by a combination, the means could not be devised of yielding it the benefit of free competition; they contented themselves with the easy and despotical expedient of ordering the commodity to be retailed at an established price: and by an *ex-post-facto* law fined the native merchants to the amount of their additional gains.[1]

On the 3d of September the Select Committee proceeded to arrange the business of the inland trade society for another year. The Company in their letter of the 19th of February, already received, had declared that they considered the continuance of this

trade "as an express breach and violation of their orders, and as a determined resolution to sacrifice the interests of the Company, and the peace of the country, to lucrative and selfish views." Pronouncing, "that every servant concerned in that trade stood guilty of a breach of his covenants, and of their orders," they added, "Whatever government may be established, or whatever unforeseen circumstances may arise, it is our resolution to prohibit, and we do absolutely forbid, this trade of salt, beetle-nut, and tobacco, and of all articles that are not for export and import, according to the spirit of the phirmaund, which does not in the least give any latitude whatsoever for carrying on such an inland trade; and moreover, we shall deem every European concerned therein, directly or indirectly, guilty of a breach of his covenants; and direct that he be forthwith sent to England, that we may proceed against him accordingly."

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Notwithstanding these clear and forcible prohibitions, the Committee proceeded to a renewal of the monopoly, as if the orders of the Directors deserved not a moment's regard. Clive, in his Minute, turned them carelessly aside, observing that when the Company sent them, "they could not have the least idea of that favourable change in the affairs of these provinces, whereby the interest of the Nabob, with regard to salt, is no longer immediately concerned." As a reason against lodging the government of India in hands at the distance of half the circumference of the globe, the remark would merit attention: For the disobedience of servants to those who employed them, it is no justification at all; because, extended as far as it is applicable, it rendered the servants of the Company independent; and constituted them masters of India.

One change alone, of any importance, was introduced upon the regulations of the preceding year: The salt, instead of being conveyed to the interior, was to be sold at Calcutta, and the several places of manufacture. The transportation of the commodity to distant places, by the agents of the society, was attended with great trouble and expense: By selling it immediately at the places of manufacture, so much was saved: And by reserving the distribution to the merchants of the country, a pretended boon was granted to the natives. A maximum price was fixed; and on the 8th of September a Committee of trade was formed with directions for carrying the plan into execution.

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No sooner was this arrangement formed, than Clive brought forward a proposition for prohibiting all future Governors and Presidents from any concern whatsoever in trade. On the 19th of the very same month, in a Minute presented to the Select Committee, he represented, that, "Where such immense revenues are concerned, where power and authority are so enlarged, and where the eye of justice and equity should be ever watchful, a Governor ought not to be embarrassed with private business. He ought to be free from every occupation in which his judgment can possibly be biassed by his interest." He therefore proposed, that the Governor should receive a commission of one and one-eighth per cent. upon the revenues; and in return should take a solemn and public oath, and bind himself in a penalty of 150,000*l*. to derive no emolument or advantage from his situation as Governor of Bengal, beyond this commission, with the usual salary and perquisites: And a covenant to this effect was formally executed

by him. That good reasons existed for precluding the Governor from such oblique channels of gain, both as giving him sinister interests, and engrossing his time, it is not difficult to perceive: That the same reasons should not have been seen to be good, for precluding, also, the members of the Select Committee and the Council, might, though it need not, excite our surprise.

On the 8th of December, letters arrived from England, dated the 17th of May, addressed both to Clive and the Committee. In these documents the Directors pronounced the inland trade society to be a violation of their repeated orders; declared that all those servants who had been engaged in that society should be held responsible for a breach of their covenants; and commanded that the trade should be abandoned, and should be reserved, free from European competition, to the natives. There was no longer any room for direct disobedience. The dissolution of the society was pronounced. But on the score of the contracts which had been formed and the advances made, the whole of the existing year was reserved; and the society was not abolished in fact till the 14th of September, 1768.[1]



Upon the 16th of January, 1767, Lord Clive declared his intention of returning immediately to Europe, on account of his health; and directed the attention of the Select Committee to the regulations which, previous to his departure, it might appear expedient to adopt. By recent instructions the Directors had empowered him, either to abolish, or continue the Select Committee, upon his departure, according as the state of affairs might to him appear to require. He felt no hesitation in deciding for its continuance; and named as members Mr. Verelst, who was to succeed him in the chair, Mr. Cartier, Colonel Smith, Mr. Sykes, and Mr. Beecher. He departed in the Britannia; and on the 17th of February Mr. Verelst took his oath as successor in the chair.[1]



It was the interest of the servants in India, diligently cultivated, perpetually to feast the Company with the most flattering accounts of the state of their affairs. The magnitude of the transactions, which had recently taken place; the vast riches with which the new acquisitions were said to abound; the general credulity on the subject of Indian opulence; and the great fortunes with which a few individuals had returned to Europe; inflamed the avarice of the proprietors of East India Stock; and rendered them impatient for a share of treasures, which the imaginations of their countrymen, as well as their own, represented as not only vast, but unlimited. This impulse carried them in 1766 to raise their dividend from six to ten per cent. The inflated conceptions of the nation at large multiplied the purchasers of India stock; and it rose so high as 263 per cent. The proprietors called with importunity for a higher return. It was in vain that the Directors represented the heavy debts of the Company; and pointed out the imprudence of taking an augmented dividend, when money at a heavy interest must be taken up to discharge it. In a general Court held on the 6th of May, 1767, a dividend of twelve and a half per cent. was voted for the year. The public attention was vehemently roused. Even the interference of the minister was commanded. He had condemned the rapacity of the proprietors in augmenting the dividend; and recommended a Committee of the House of Commons,

which was actually formed in November 1766, for the purpose of inquiring into the state of their affairs. The relation between the public, and the territory now held by the Company in India, called for definition. It was maintained on the one hand, as an indisputable maxim of law, supported by the strongest considerations of utility, that no subjects of the crown could acquire the sovereignty of any territory for themselves, but only for the nation. On the side of the Company, the abstract rights of property, and the endless train of evils which arise from their infringement, were vehemently enforced; while it was affirmed that the Company held not their territories in sovereignty, but only as a farm granted by the Mogul, to whom they actually paid an annual rent. An act was passed, which directed that after the 24th of June, 1767, dividends should be voted only by ballot, in general courts summoned expressly for that purpose; and that no dividend above ten per cent. for the year should be made before the next session of parliament. The resolution of the Court of Proprietors respecting a dividend of twelve and a half per cent. was thus rescinded; and the right of parliament to control and command the Company in the distribution of their own money asserted and established. The question of the sovereignty was not pushed at that time to a direct and express decision; though a decision was virtually involved in another act, by which the Company, in consideration of holding the territorial revenues for two years, were obliged to pay annually 400,000*l.* into the public exchequer.

The opinion which Lord Clive had artfully raised of the high prosperity of the Company's affairs, and of his own extraordinary share in producing it, directed the overflowings of their gratitude towards himself; and a proposition was brought forward and carried, to grant him, for ten years certain, the produce of his jaghire.

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Other acquisitions of Clive come subsequently to view. Notwithstanding the covenants executed by the servants of the Company, not to receive any presents from the natives, that Governor had accepted five lacks of rupees during his late residence in Bengal from the Nabob Nujeem ul Dowla. It was represented, indeed, as a legacy left to him by Meer Jaffier, though all indications pointed out a present, to which the name of legacy was artfully attached. At any rate, if any sums might be acquired under the name of legacies, the covenants against receiving presents were useless forms. Lord Clive represented; that upon the first intimation of this gift, his resolution was to refuse it; that he changed his mind, upon reflecting of what importance it would prove as a fund for the benefit of invalided officers and soldiers in the Company's service; and that he afterwards prevailed upon Syeff ul Dowla, the successor of Nujeem ul Dowla, to bestow three lacks more for this excellent end. The Company sanctioned the appropriation; and to this ambiguous transaction the Institution at Poplar owes its foundation.

Upon this, as upon his former departure, the regulations which Clive left behind, calculated for present applause rather than permanent advantage, produced a brilliant appearance of immediate prosperity, but were fraught with the elements of future difficulty and distress. A double government, or an administration carried on in name by the Nabob, in reality by the Company, was the favourite policy of Clive;[1]

to whose mind a certain degree of crooked artifice seems to have presented itself pretty congenially in the light of profound and skilful politics. The collection of the revenues was still made as for the exchequer of the Nabob; justice was still administered by his officers and in his name; and all transactions with foreign powers were covered with the mask of his authority. For the benefit of certain false pretexts which imposed upon nobody, the government of the country, as far as regarded the protection of the people, was dissolved. Neither the Nabob nor his officers dared to exert any authority against the English, of whatsoever injustice and oppression they might be guilty. The gomastahs, or Indian agents employed by the Company's servants, not only practised unbounded tyranny, but overawing the Nabob and his highest officers, converted the tribunals of justice themselves into instruments of cruelty, making them inflict punishment upon the very wretches whom they oppressed and whose only crime was their not submitting with sufficient willingness to the insolent rapacity of those subordinate tyrants. While the ancient administration of the country was rendered inefficient, this suspension of the powers of government was supplied by nothing in the regulations of the English. Beyond the ancient limits of the Presidency, the Company had no legal power over the natives: Beyond these limits the English themselves were not amenable to the British laws; and the Company had no power of coercion except by sending persons out of the country; a remedy always inconvenient, and, except for very heinous offences, operating too severely upon the individual to be willingly applied. The natural consequence was, that the crimes of the English and their agents were in a great measure secured from punishment, and the unhappy natives lay prostrate at their feet. As the revenue of the government depended upon the productive operations of the people; and as a people are productive only in proportion to the share of their own produce which they are permitted to enjoy; this wretched administration could not fail, in time, to make itself felt in the Company's exchequer.[1] Other sources were not wanting, whence a copious stream of evils was derived. Though the Governor and Council placed the powers of the Nabob in a sort of commission, by compelling him to resign the entire management of business to one or more persons of their own choosing; and though they placed a confidential servant of the Company to watch them at the Nabob's durbar; yet they possessed not over these depositaries of power, whom they could only punish by dismissal, sufficient means of control: Before detection, or much of suspicion, it was always possible for each of them to appropriate a treasure, and be gone; leaving his place to be filled by another who had both temptation and opportunity to repeat his crimes. With men whose interests were so little united with those of their employers, and whose situation was so very precarious, the Zemindars, Rajahs, and other agents of the revenue, might easily settle their own terms, and place the fallacy of their accounts beyond the reach of detection. The mischief was less in practice than reason would have anticipated, because in the choice of these native functionaries the English were both judicious and happy. Another, and that the most pernicious perhaps of all the errors into which Clive exerted himself to mislead the Company, was, the belief which he created, that India overflowed with riches, the expectations he raised, and on which the credulous Company so fondly relied, that a torrent of treasure was about to flow into their laps. As such expectations were adverse to the best use and


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improvement of their resources, they only hastened that disappointment and distress which their inconsistency with the matters of fact rendered a necessary consequence. In political affairs it is long before even experience teaches wisdom. Till the present moment incessant promises of treasure have never failed to deceive, without ceasing to delude. As often as the pain of disappointment has become exceedingly severe, we have condemned a
Governor, in whose conduct we believed that we had found the cause of our misery; and have begun immediately to pamper our fancy anew, with endless hopes and delusions.



Under the feebleness of Suja Dowla, and the quarrels which occupied the Mahrattas at home, the Company enjoyed profound tranquillity in Bengal for a considerable number of years; and during the administrations of Mr. Verelst and Mr. Cartier, who occupied the chair till the elevation of Mr. Hastings, and were calm, unambitious men, few events of historical importance occurred. It was during a period like this, if ever, that the Company ought to have replenished their exchequer, and to have attained financial prosperity. During this period, on the other hand, financial difficulties were continually increasing; and rose at last to a height which threatened them with immediate destruction. Doubtless, the anarchical state, in which, by the double government, the provinces were placed, contributed powerfully to impoverishment; but the surplus revenue, with which the people of England were taught to delude themselves, was hindered by more permanent causes. Though no body should believe it, India, like other countries, in which the industrious arts are in their infancy, and in which law is too imperfect to render property secure, has always been poor. It is only the last perfection of government, which enables a government to keep its own expense from absorbing every thing which it is possible to extract from the people: And the government of India, under the East India Company, by a delegation of servants at the distance of half the circumference of the globe from control, was most unhappily circumstanced for economy. On a subject like this, authority is useful.
"With regard to the increase of the expenses," says Clive, "I take the case to stand thus. Before the Company became possessed of the duannee, their agents had other ways of making fortunes.
Presents were open to them. They are now at an end. It was expedient for them to find some other channel: the channel of the civil and military charges. Every man now who is permitted to make a bill, makes a fortune."[1]



During the year 1767, a march of the Abdalee Shah, towards Delhi, excited the attention, though not much the alarm, of the Presidency. After some contests with the Seiks, and over-running a few of the provinces, that powerful Chief returned to his own country. An expedition was undertaken for the restoration of the Rajah of Nepaul, who had been dispossessed by his neighbour of Ghurka. The motives were; that Nepaul had carried on a considerable traffic with the province of Berar; that its vicinity to the district of Bettea afforded great opportunities for the improvement of trade; that all intercourse was now destroyed; and that the accomplishment of the object was easy. On the last point, at least, the authors of the war were not very correctly informed; and found they had miscalculated the difficulties of subduing a country, surrounded by mountains, and accessible only by a few narrow and nearly

impenetrable defiles. The officer sent to command the expedition was unable to proceed, and wrote for reinforcements. The Presidency were violently disappointed; and felt a strong inclination to wreak their vengeance upon the Commander. Being obliged to send assistance to Madras, they were unable to afford reinforcements, and recalled the detachment.[1] The war with Hyder Ali had now broken out in Carnatic; and considerable supplies, both in men and money, were demanded from Bengal. This year, financial distress began to be experienced. Complaints were first emitted of the scarcity of money; ascribed, not to impoverishment of the country, but to a drain of specie, occasioned by the annual exportation of the precious metals, chiefly to China, on account of the Company's investment, and also in other directions; while the usual supplies of bullion from Europe (the Company providing their investment from the revenues, the Dutch and French from the fortunes of the English consigned to them for transmission) were almost wholly cut off.[2]

Early in the year 1768, arrived the Company's peremptory order for abolishing entirely the trade of their servants in salt, and other articles of inferior traffic; for laying it open, and confining it to the natives; and for restricting their servants entirely to the maritime branches of commerce.[1]

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The commission of one and one-eighth per cent. upon the duanee revenues, which by the Select Committee had been settled upon the Governor as a compensation for relinquishing his share in the salt trade, was also commanded to cease. For as much, however, as the income of their servants, if thus cut off from irregular sources of gain, was represented as not sufficiently opulent, the Company granted a commission of two and a half per cent. upon the net produce of the duanee revenues, to be divided into 100 equal shares, and distributed in the following proportions: to the Governor, thirty-one shares; to the second in Council, four and a half; to the rest of the Select Committee, not having a chiefship, each three and a half shares; to the Members of the Council not having a chiefship, each one and a half; to the Commander-in-Chief, seven and a half shares; to Colonels, each, two and a half; Lieutenant-Colonels, each, one and a half; and to Majors, three fourths. An additional pay was allotted, to Captains, of three shillings, Lieutenants two shillings, and Ensigns one shilling per day.

Some uneasiness still continued with respect to the designs of Suja Dowla; between whom and the Emperor considerable discordance prevailed. The Directors had forwarded the most positive orders for recalling the brigade from Allahabad; and for confining the operations of the Company's army entirely within the limits of the Company's territory. The Council thought it necessary to disobey; and in their letter went so far as to say that they "must express their great astonishment at such an absolute restriction, without permitting them upon the spot to judge how far, from time and circumstances, it might be detrimental to their affairs."

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The most important particular in the situation of the Company in Bengal was the growing scarcity of pecuniary means. In the letter from the Select Committee to the Court of Directors, dated 21st November, 1768, "You will perceive," they say, "by

the state of your treasury, a total inability to discharge many sums which you are indebted to individuals for deposits in your cash, as well as to issue any part of the considerable advances required for the service of every public department. And you will no longer deem us reprehensible, if a decrease in the amount of your future investments, and a debasement of their quality, should prove the consequence."

By a correspondence between the Presidencies of Fort William and Fort St. George, in the beginning of March, 1769, the dangerous consequences to be apprehended from the exhausted state of their treasuries, and the necessity of establishing a fund against future emergencies, were mutually explained and acknowledged. In two separate consultations, held by the President and Council at Fort William, in the months of May and August, the utility, or rather the indispensable necessity of such a fund underwent a solemn discussion; and was pronounced to be without dispute. But as the expenses of the government left no resource for the creation of it, except the diminution of the investment, or quantity of goods transmitted to the Company in England, they resolved upon that reduction, and limited to forty-five lacs the investment of the year.



Even this resource was in a very short time perceived to be insufficient. On the 23d of October a deficiency of 6,63,055 rupees appeared on the balance of receipts and disbursements; and the President and Council in their Minute declared, "That however the public might have been flattered, they could not flatter themselves, with any expectations from their revenue; and that the only expedient within their reach was to open their treasury doors for remittances."[1]

These remittances consisted chiefly of the money or fortunes of the individuals who had grown rich in the Company's service, and who were desirous of transmitting their acquisitions to Europe. Such persons were eager to pay their money to the Company's government in India, upon receiving an obligation for repayment from the Company in England; in the language of commerce, for a bill upon the Company payable in England. The money thus received, in other words borrowed, was applied to the exigencies of the service; and by augmenting their resources was always highly agreeable to the servants in India. The payment however of these loans or bills in England was apt to become exceedingly inconvenient to the Directors. The sole fund out of which the payment could be made was the sale of the investment, or the goods transmitted to them from India and China. If the quantity of these goods was less in value than afforded a surplus equal to the amount of the bills which were drawn upon them, they remained so far deficient in the ability to pay. And if the goods were sent in too exorbitant a quantity, the market was insufficient to carry them off.



An opposition of interests was thus created between the governing part of the servants abroad, and the Courts of Directors and Proprietors at home. For the facility of their operations, and the success of their government, it was of great importance for the servants to preserve a full treasury in India, secured by a small investment, and the receipt of money for bills. It was the interest of the Directors to have an ample supply of money at home, which on the other hand could only be produced by a large

investment, and a moderate transmission of bills. The Directors, accordingly, had given very explicit instructions on this subject; and in their letter of the 11th of November, 1768, after acknowledging the growing deficiency of the funds in India, had said; "Nevertheless, we cannot suffer ourselves to be drawn upon to an unlimited amount, the state of the Company's affairs here not yet admitting us to answer large drafts upon us from India; but should the exigency of your affairs require your receiving money into your treasury, we prefer the mode of borrowing at interest to that of granting bills upon us: We therefore permit you to take up such sums on interest, for one year certain, as will answer your various demands, which are to be paid off at the expiration of that period, or as soon after as the state of your treasury will admit of. You are therefore to confine your drafts upon us, by the ships to be dispatched from your Presidency in the season of 1769, to the same amount as we allowed last year, viz. 70,000*l*."[1]

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When the amount of the sums which it was the desire of individuals to send home exceeded the amount which it was permitted to the government in India to receive, in other words to draw bills for upon the Company at home, the parties who were deprived of this channel of remittance betook themselves to the French and Dutch factories, and paid the money into their treasuries for bills upon their respective companies, payable in Europe. This, from an early period of Mr. Verelst's administration, had constituted a heavy subject of complaint; as making these subordinate settlers to abound with money, while the English were oppressed with want. As he ascribed the financial difficulties of the Company's government merely to a defect of currency not of revenue, so he ascribed the defect of currency to the remittances which were forced into the Dutch and French channels; though neither of these nations carried any specie out of India, and were only saved to a certain extent the necessity of importing bullion. To him it appeared surprising that the Dutch and French Company should find it easy to pay the bills which were drawn upon them for money received in India; but that the English Company should find it impossible; and he ascribed the restrictions which they imposed to a timid and narrow spirit.[1]

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One circumstance, however, which constituted a most important difference, he was ill situated to perceive. The French and Dutch Companies were chiefly commercial; and whatever money was received in India was laid out in the purchase of goods; these goods were carried to Europe, and sold before the bills became due; the bills were paid out of the proceeds; and a great trade was thus carried on upon English capital. The English Company, on the other hand, was become a regal, as well as a commercial body; the money which was paid for remittance into their treasury in India was absorbed in the expense of the government; and so much only as could be spared was employed in the purchase of investment. This was one cause undoubtedly of the comparative inability of the English Directors to pay the bills which were drawn upon them.

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In the Consultation of the 23d of October, in consideration of great exigency, it was resolved, that the Board would receive all monies tendered to the Company's treasury from that day to the 1st of November, 1770; and at the option of the lenders, grant, either interest notes payable in one year; or receipts bearing interest at eight per cent.

for bills to be granted at the sailing of the first ship after the 22d of November, 1770, payable with three per cent. interest, in equal proportions on each tender, at one, two, and three years sight. And as a resource to the Directors, it was resolved to enlarge the investment by purchasing, not with ready money, but with bonds at eight per cent. and one year's credit. This was the last considerable act in which the Governor was engaged. He resigned his office on the 24th of December, and was succeeded by Mr. Cartier. A new treaty had been concluded with Suja Dowla, which allayed whatever suspicions the ambiguous conduct of that Governor had raised, and Mr. Verelst left the three provinces in profound tranquillity.1

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# CHAP. VIII.

Subahdar of Deccan dethroned by his brother—The English take possession of the Northern Circars—Make a Treaty with the Subahdar of Deccan—Which embroils them with Hyder Ali—History of Hyder Ali—Hyder's first war with the English—New Treaty with the Subahdar—Peace with Hyder.

Carnatic remained but a short time free from the pressure of the neighbouring powers. In the superior government of Deccan, Nizam Ali, who had resumed, upon the departure of Bussy, the commanding station which he formerly occupied, made no delay in employing all his advantages to effect the dethronement of his feeble-minded brother. On the 18th of July, 1761, he committed the Subahdar to a prison; and invested himself with the full powers and insignia of the government.

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The treaty, by the provisions of which the pretensions of England and France were at this time adjusted, affords a singular illustration of the obvious and neglected truth, that the knowledge requisite for good government in India cannot be possessed by rulers sitting and deliberating in Europe. By the treaty of Paris, concluded on the 10th of February, 1763, Salabut Jung was acknowledged as lawful Subahdar of Deccan, after he had been nearly two years dethroned, and another reigning in his stead. This instrument indeed, which recognised Salabut Jung as a great sovereign, was the immediate cause of his death; for Nizam Ali, who had been withheld by dread of the restoration of the French power in India, no sooner received intelligence of the treaty of Paris, by which the French resigned Carnatic, and appeared to abandon the contest, than he felt himself delivered from all restraint, and ordered his brother to be murdered in September, 1763.

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With little concern about Bassalut Jung, who nevertheless was elder brother of Nizam Ali, that usurper, at once a regicide and fratricide, now grasped, without a rival, the power of Subahdar of Deccan. The personal title or name of himself and his father have by the English been converted into the appellative of his sovereignty; and it is under the title of the Nizam, that the Subahdar of Deccan is commonly known.

In the beginning of the year 1765, the English and Mahomed Ali their Nabob were summoned to action, by the irruption of Nizam Ali into Carnatic. With a great army, which seemed to have no object in view but plunder and destruction, he laid waste the open country with a ferocity, even greater than the usual barbarity of Indian warfare. The troops of the English and Nabob were put in motion from Arcot, under the command of Colonel Campbell, and came in sight of the enemy at the Pagoda of Tripetti. The Nizam felt no desire to fight: His army was reduced to great distress for provisions and water: He decamped accordingly on a sudden, and marching forty miles in one day evacuated Carnatic by way of Colastria and Nelore.

It was at this time that Lord Clive, on his passage from Europe to Bengal, arrived at Madras. The ascendancy of the English over the Mogul, the unfortunate and nominal Emperor Shah Aulum, rendered it extremely easy to procure from him those imperial grants which, however little respected by the sword, still gave the appearance of legal right to territorial possession within the ancient limits of the Mogul empire. A phirmaun was solicited and obtained for the maritime districts, known by the title of the Northern Circars. Like the rest of India this tract was held by renters, responsible for a certain portion of revenue. Of these some were of recent appointment; others were the ancient Rajahs and Polygars of the country; a set of men who were often found to be the most convenient renters, and who, on the regular payment of the expected revenue, were seldom displaced. The country fell within the government of the Subahdar of Deccan, and was managed by a deputy or commissioner of his appointment. After the English, however, had expelled from it the French, the authority of the Subahdar had been rather nominal than real. The English held possession of their factories and forts; the Rajahs and Polygars assumed a species of independence; Salabut Jung had offered it to Mahomed Ali at the time of his quarrel with Bussy at Hyderabad; and Nizam Ali himself had proposed to surrender it to the English, on the condition of military assistance against Hyder Ali and the Mahrattas. The advantage of possessing the whole line of coast which joined the English territories in Carnatic to those in Bengal, suggested to Clive the importance of obtaining it on permanent terms. A phirmaun was accordingly received from the Emperor, by which, as far as the formality of his sanction could extend, the Northern Circars were freed from their dependance upon the Subahdar of Deccan, and bestowed upon the English. Nor was this the only diminution which the nominal empire of the Nizam sustained; for another phirmaun was

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procured from the Emperor, by which Carnatic itself was rendered independent of his authority; and bestowed, holding immediately of the Emperor, upon the Nabob Mahomed Ali, together with the new titles of Wallau Jau, Ummir ul Hind, which he ever afterwards used.[1]

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To take possession of the Circars, on its new and independent footing, General Calliaud marched with the troops of Carnatic, and on the part of the Rajahs and Polygars found little opposition to subdue. The Nizam, or Subahdar, was at that time engaged in the country of Barad, making head against the Mahrattas. But he no sooner heard of the operations of the English, than he proceeded with great expedition to Hyderabad; and to avenge himself for the usurpation, as it appeared to him, of an important part of his dominions, made preparations for the invasion of Carnatic. The Presidency, whom their pecuniary weakness rendered timid, were alarmed at the prospect of a war with the Subahdar; and sent orders to Calliaud to hasten to Hyderabad with full powers to

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negotiate a peace. A treaty was concluded on the 12th of November, 1766, by which the Company agreed to pay to the Nizam an annual tribute of five lacks of rupees for the three circars of Rajahmundry, Ellore, and Mustephanagur; and for those of Siccacole (Chicacolé) and Murtezanagur, two lacks each, as soon as they were definitively placed in their hands. Murtezanagur, commonly called Guntoor, had been assigned as

a jaghire to Bassalut Jung; and the Company were pleased to suspend their occupation of it, so long as Bassalut Jung should live, or so long as he should remain a faithful subject to Nizam Ali. They further engaged to hold a body of troops in readiness, "to settle in every thing right and proper, the affairs of his Highness's government." And they gave him a present of five lacks of rupees, which the Nabob was ordered to find money to pay.[1]

This treaty has been severely condemned. But the Presidency were not mistaken in regard to their own pecuniary difficulties, though they probably overestimated the power of the Nizam, whose unpaid and mutinous troops the money which he received by the treaty scarcely enabled him for a short time to appease. The most imprudent article of the agreement was that which stipulated for the Nizam the assistance of English troops; because this had an evident tendency to embroil, and in the event did actually embroil them, with other powers. The exploit in which they were first to be employed, the reduction of the fort of Bangalore, was not, it is probable, disliked by the Presidency; because they were already upon hostile terms with Hyder Ali, to whom
it belonged. The Nizam, however, after availing himself of the assistance of the British troops in collecting the tribute from the Polygars, on his march, listened to the overtures of Hyder, who was too eminent a master in the arts of intrigue to let slip an opportunity of dividing his enemies. The Nizam concluded with him a treaty of alliance, in consequence of which they united their forces at Bangalore: And, in August 1767, they began to make incursions into Carnatic.



Hyder Ali, who began to occupy the attention of the English, and who proved the most formidable enemy whom they had ever encountered in India, had now rendered himself entiré master of the kingdom of Mysore. The principality of Mysore, a region of considerable magnitude, had formed one of the dependencies of the great Hindu Government of Bijanuggur, which was broken up by the formation of the Mahomedan kingdoms in Deccan. When the declining power of the sovereigns of Bijanuggur enabled Mysore to throw off its dependence upon that ancient monarchy, its distance and other local circumstances saved it from subjection to any of the Mahomedan powers. It continued, therefore, till the period of Hyder's usurpation, under a pure Hindu government, and afforded a satisfactory specimen of the political institutions of the native Hindus. The arts of government were less understood in that, than in the Mahomedan districts of India. Hardly ever have mankind been united in considerable societies under a form of polity more rude, than that which has every where been found in those parts of India which remained purely Hindu.[1] At a period considerably prior to the rise of Hyder, the government
of Mysore had assumed that state, which, if we may judge by its own example, and that of the Mahrattas, Hindu governments had a general tendency to assume. The Rajah, or Monarch, was stripped of all power, while a minister kept him a prisoner, and governed absolutely in his name. At the time when the wars of the English in Carnatic commenced, the powers of the Rajah of Mysore were usurped by two brothers, named Deoraj, and Nunjeraj. It was this same Nunjeraj, whom the French were enabled to bring to their assistance at Trichinopoly; and who there exhibited so many specimens of the

rudeness of his people, and of his own ignorance and incapacity. And it was in the station of a subordinate officer in the service of this commander, that Hyder Ali began his career.

Mahomed Beloli, the great grandfather of Hyder, was a native of Punjab, who came into Deccan in the character of a fakir, and, settling in the district of Calburga, about 110 miles in a north-west direction from Hyderabad, acquired considerable property by the exercise of his religious talents. Mahomed Beloli had two sons, Mahomed Ali, and Mahomed Wéllee. They left their father's house, and travelling southward became, at Sera, revenue peons, or armed men, employed, according to Indian practice, in the forced collection of the taxes. Mahomed Ali died at Colar, and Mahomed Wéllee, for the sake of his property, expelled his widow and son, and drove them from his doors. The name of the son was Futtee Mahomed, the father of Hyder. He obtained, along with his mother, protection from a petty officer, called a naik of peons, by whom he was brought up, and employed as a peon, or common foot soldier, in the party under his command. Futtee Mahomed found means to distinguish himself, and, in the service of the Nabob of Sera, became, first a naik of peons, and afterwards the fojedar, or military superintendant of a district.



But misfortune overtook his master. The Nabob was dethroned, his family plundered; and Futtee Mahomed lost his life in their defence. He left two sons, the elder Shabas, the youngest Hyder, and a widow, who had a brother, the naik of a few peons, in the service of a Killedar of Bangalore. With this man, the mother of Hyder sought, and, together with her sons, obtained protection. When Shabas, the elder of the brothers, grew towards manhood, he was recommended by his uncle to an officer in the service of the Rajah of Mysore. The youth quickly rose to distinction; and obtained the command of 200 horse and 1,000 peons. Hyder, till the age of twenty-seven, could be confined to no serious pursuit, but spent his life between the labours of the chase, and the pleasures of voluptuous indolence and riot. He joined, however, the troops of Mysore, as a volunteer at the siege of Deonhully, the castle of a Polygar, about twenty-four miles north-east from Bangalore, which, in 1749, Nunjeraj undertook to reduce. On this occasion the ardour, the courage, and the mental resources of Hyder, drew upon him the attention of the General; and, at the termination of the siege, he was not only raised to the command of fifty horse, and 200 peons, or foot, but was entrusted with the charge of one of the gates of the fortress.

He continued to recommend himself with so much success to Nunjeraj, that, when the efforts of the English to establish their authority in Madura and Trinivelly, in 1755, rendered precarious the possession of the fort of Dindigul, Hyder was chosen as the man on whom its defence could, with greatest security, repose. It was situated on a high rock in the middle of a plain, at nearly an equal distance, of about fifty miles, from Madura and Trichinopoly; and amid the confusions of Carnatic had fallen into the hands of the Mysoreans about ten years before. This elevation added fuel to the ambition of Hyder; and from this period his exertions in its gratification became conspicuous and incessant.

The depredations upon which all Indian, and other barbarous warriors, are so much accustomed to subsist, he reduced to a system. There are in India, and in particular in that part of it to which he belonged, a species of troops, or of men bearing the title of soldiers, who are particularly skilled in all the arts of plunder and of theft; who receive, indeed, no pay in the armies of most of the Indian states, but are understood to provide for themselves by the devastations which they commit. A body of these men Hyder engaged in his service; and employed in the business of depredation. Hyder had never learned either to write or to read; but he valued himself upon the faculty of performing exactly by memory arithmetical calculations, with greater velocity than the most expert accountants. He agreed with his depredators to receive from them one half of the spoil; and so skilfully, we are told, were his checks contrived, that it was nearly impossible for any part of it to be concealed. It was of little importance to Hyder, or to his gang, when the convenience and safety were equal, whether the property which they acquired was taken from friends or from foes. Valuables of every description were their prey; "from convoys of grain," says Mr. Wilks, "cattle and sheep, which were among the most profitable heads of plunder, down to the clothes, turbans, and earrings of travellers and villagers, men, women, and children." Thus it was, that Hyder acquired the sinews of war; and before he left Trichinopoly, to which he had repaired in the army of Nunjeraj, he was a commander of 1,500 horse, 3,000 regular infantry, 2,000 peons, and four guns. Having enlisted the most select of the men discharged by Nunjeraj, he departed for Dindegul at the head of 2,500 horse, 5,000 regular infantry, and 2,000 peons, with six guns. He employed against the polygars of his district and its neighbourhood the arts of fraud and of force, with equal success. His vigilant eye discovered, and his activity drained, every source of revenue. He excelled in deceiving the government with false musters and accounts; and the treasures of Hyder were daily augmented. The distracted state of Madura, in 1757, encouraged him to make an effort to gain possession of that country; but Mahomed Issoof marched against him at the head of the English Sepoys, and gave him a severe defeat at the mouth of the narrow pass of Natam.



The weak and distracted state of the government of Mysore afforded opportunity to Hyder of ascending gradually to higher and higher situations and power. The Rajah, who was uneasy at the state of insignificance in which he was held, harassed the ministers with perpetual intrigues; and the brothers themselves were so little united, that Deoraj, who had most of years and of prudence, retired from the scene in disgust, and left Nunjeraj alone to sustain the weight of affairs. The treasury had been exhausted by repeated exactions of the Mahrattas; and in 1758 the troops of Nunjeraj mutinied for payment of arrears.

This was an occasion on which Hyder conceived that he might interpose his authority with advantage. He marched from Dindegul with the whole of his disposable troops; exerted himself with success in effecting a reconciliation between the brothers, and between the brothers and the Rajah; with his strict and experienced eye he examined and reduced the false accounts of the army; and, by effecting a partial payment of arrears, restored the troops to obedience. In this transaction he had sustained the character of a friend to all; and took care to be rewarded in proportion.

An assignment was made to him of the revenues of a track of country for sums due by the government; and the fort and district of Bangalore were bestowed upon him in personal jaghire. The moment looked favourable for securing what he probably deemed a greater advantage. Herri Sing was one of the most powerful chiefs in the service of Mysore, and the declared enemy of Hyder. Under pretence of forwarding part of his troops to Dindegul, Hyder sent a large detachment to attack the camp of Herri Sing, who, reposing in careless security, was surprised, with a large portion of his troops, and massacred in the middle of the night.

An invasion of the Mahrattas, which immediately followed, in the beginning of 1759, contributed more remarkably to the elevation of Hyder. Though several of the principal commanders disdained to serve under a man whom they had so lately seen in a very subordinate station, he was appointed to the chief command against this formidable enemy; and acquitted himself with so much vigour and success, that before the end of the campaign he reduced them to an inclination for peace; and concluded a treaty on what were deemed favourable terms.

Hyder was now advanced to the rank and power of commander-in-chief, and had only his friend
and patron Nunjeraj, for Deoraj was dead, between him and the entire control of the resources of the state. Hyder's impatience admitted little delay. To secure the countenance of the Rajah against a man who was at once his robber and his gaoler, was an easy intrigue; and the troops, whose arrears had not been fully paid, and had again increased, were artfully incited to mutiny against Nunjeraj, and to place Hyder, by compulsion, at their head. The Rajah now interposed, and offered to procure pay for the troops, as soon as Hyder should take an oath to be obedient, and to renounce his connexion with the usurping minister. Hyder failed not to exhibit reluctance; but at last allowed himself to be constrained; and Nunjeraj, who could not any longer misunderstand the game, and whose courage was not remarkable, consented to retire, upon the condition of receiving an honourable provision. The Rajah was complimented with the show of greater liberty; but Hyder, to be enabled to provide for the arrears, and the regular pay of the troops, took care to procure the assignment of the revenues of so many districts, that what was now in his direct possession exceeded half the territory of the state.

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In March, 1759, Hyder received overtures from Lally, inviting him to his assistance against the English; and, amid the contentions of the rival strangers, looked forward to acquisitions in Carnatic. To pave the way for the share which he proposed to take in determining the fate of that important region, he resolved to obtain possession of the territory which separated Mysore from the confines of Carnatic, and which consisted first of the territory of Anicul, situated on the eastern verge of the tract of woody hills, between Savendy Droog and the Cavery, and next of the Baramahal, a province situated on the intermediate level between the first and second
ranges of hills. Immediately after the termination of the stratagem against Nunjeraj, a part of the troops, with a confidential general, were detached to occupy this intermediate territory, which opened a safe communication into the very centre of the province of Arcot. Anicul and Baramahal were secured; and the General proceeded to

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Pondicherry, under orders from Hyder, to settle the terms of co-operation with the French. These were speedily adjusted; and, on the 4th of June, 1760, a detachment of the Mysorean army arrived at Thiagar, which was surrendered to them by the treaty. The defeat which was sustained by a detachment of the English army, sent to intercept the Mysoreans on their march to Pondicherry, greatly elevated the spirits of Hyder; and inspired him with a resolution to exert his strength in the war of Carnatic. Several divisions of his troops were ordered to assemble in Baramahal, and the affairs of Carnatic might have undergone a revolution, had not a storm arisen in another quarter which it required all the address and power of Hyder to elude.

The distant employment of the troops of Hyder, and his own position, with a small detachment, under command of the guns of the palace, and surrounded by the river, which, being now full, it was impossible to pass, suggested to the queen-mother the possibility of cutting him off, and delivering her son from the thraldom in which it was the evident intention of Hyder to retain him. The assistance was secured of a Mahratta chief, who was at the head of an army in a neighbouring territory; and a cannonade began. Hyder soon discovered that his situation was desperate: but the main attack being deferred till the arrival of the Mahrattas, night came on, when Hyder, with the assistance of a few boats, crossed the river unperceived, with a small body of horse, leaving his family behind him; and having travelled ninety-eight miles in twenty hours, the first seventy-five on the same horse, he arrived at Bangalore. He was just in time to precede the orders of the Rajah, by which the gates of the fort would have been shut against him; and he now hastened to collect his forces, of which those serving with Lally constituted a principal part.



The fortunes of Hyder tottered on the verge of a precipice. The troops, which were hastening towards him from Carnatic and Baramahal, were intercepted by the Mahrattas, who had joined the Rajah; and besieged in their camp. The utmost efforts of Hyder were ineffectual to relieve them; and his power was ready to drop from his hands; when the Mahrattas agreed to march off, upon receiving the cession of Baramahal, and the payment of three lacks of rupees. They had engaged their services to Lally, now besieged in Pondicherry; but had afterwards accepted the promise of a large sum from the English Nabob, on condition of returning immediately to Poonah. It was in consequence of this stipulation, so fortunate for Hyder, that they accepted his additional bribe; and the man, who was destined to bring the English interests to the brink of ruin, was saved by a stroke of English politics.

Hyder took the field against the forces of the Rajah, but still perceiving himself to be inferior to his enemies, he took a resolution, which it required Oriental hypocrisy and impudence to form, and of which nothing less than Oriental credulity could have been the dupe. Unexpected, unarmed, and alone, he presented himself as a suppliant at the door of Nunjeraj, and, being admitted, prostrated himself at his feet. He acknowledged, in terms of bitter anguish,
the wrongs of which he was guilty toward the first and greatest of his friends; vowed to devote his future life to their reparation; and entreated a firm and sincere union, that he might establish Nunjeraj in the station of honour and power in which he had formerly beheld him. It

requires a high degree of improbability to prevent the greater part of mankind from believing what they vehemently wish. Nunjeraj was gained; and lent his troops, his exertions, his name, and his influence, to give ascendancy to the cause of Hyder. Fraud was an operative instrument in the hands of this aspiring general. Finding himself intercepted with the small detachment which had accompanied him on his sudden journey to the retreat of Nunjeraj, and his junction with the main body of his army which he had left to hang during his absence upon the rear of the enemy, rendered difficult, and his situation dangerous, he forged letters, in the name of Nunjeraj, to the principal commanders in the hostile army, letters purporting to be the result of a conspiracy into which these commanders had already entered to betray their General to Nunjeraj. The bearer was seized of course; and the letters delivered into the hands of the General, who fulfilled the fondest wishes of Hyder, by taking the panic, and running away from the army. During its confusion it was assailed by the main body of Hyder's forces in the rear, by the detachment with himself in front; and yielded an easy and decisive victory. The triumph of Hyder was now secured. He delayed, only till he augmented his army, and took possession of the lower country; when he ascended the Ghauts, and early in the month of May, 1761, arrived at the capital. He sent to the Rajah a message; "That large sums were due to Hyder by the State, and
ought to be liquidated: After the payment of these arrears, if the Rajah should be pleased to continue him in his service, it was well; if not, Hyder would depart, and seek his fortune
elsewhere." The meaning of this humble communication no one misunderstood. It was arranged, that districts should be reserved to the amount of three lacks of rupees for the personal expenses of the Rajah, and one lack for those of Nunjeraj; and that of the remainder of the whole country the management should be taken by Hyder, with the charge of providing for the expenses, civil and military, of the government. From this period Hyder was undisputed master of the kingdom of Mysore.



Hyder was fortunately cast at one of those recurring periods in the history of Oriental nations; when, the springs of the ancient governments being worn out, and political dissolution impending, a proper union of audacity and intrigue has usually elevated some adventurer to the throne. The degraded situation of the Rajah, and the feeble and unskilful administration of the two brothers, opened an avenue to power, of which Hyder was well qualified to avail himself: The debilitated and distracted government of the Subahdar of Deccan; the dreadful blow which the Mahrattas had just received at the battle of Paniput; and the fierce and exhaustive contentions which the rival strangers in Carnatic were waging against one another, left all around a wide expanse, in which, without much resistance, he might expect to reap an opulent harvest: And had it not happened, by a singular train of circumstances, that he was opposed by the arms of a people, whose progress in knowledge and in the arts was far superior to his own, he, and his son, would probably have extended their sway over the greater part of India.

In prosecution of the design which Bassalut Jung
had formed to render himself independent of Nizam Ali, he proceeded, about the month of June in 1761, to the reduction of Sera. This was a province, formerly governed by a Nabob, or

deputy, of the Subahdar of Deccan. It was now possessed by the Mahrattas. But the shock which the Mahratta power had sustained by the disaster of Paniput, inspired Bassalut Jung with the hope of making a conquest of Sera. By his approach to the territories of Hyder, that vigilant chief was quickly brought near to watch his operations. Bassalut Jung was, by a short experience, convinced that his resources were unequal to his enterprise; and as his elder brother was imprisoned by Nizam Ali, on the 18th of July, his presence at the seat of his own government was urgently required. That the expedition might not appear to have been undertaken in vain, he made an offer to Hyder of the Nabobship of Sera, though yet unconquered, for three lacks of rupees; and formally invested him with the office and title, under the name of Hyder Ali Khan Behauder, which he afterwards bore. The allied chiefs united their armies, and, having speedily reduced the country to the obedience of Hyder, took leave of each other about the beginning of the year 1762.

Hyder continued to extend his conquests over the two Balipoors; over Gooti, the territory of the Mahratta chieftain Morari Row; received the submission of the Polygars of Raidroog, Harponelly, and Chittledroog; and early in 1763 he marched under the invitation of an impostor, who pretended to be the young Rajah of Bednore, to the conquest of that kingdom. The territory of Bednore includes the summit of that part of the range of western hills, which, at a height of from four to five thousand feet above the level of the sea, and for nine months of the year involved in rain and moisture, which clothe them with the most enormous trees, and the most profuse vegetation, overlook the provinces of Canara and Malabar. The capital and fort of Bednore situated in a basin surrounded by hills, extended its sway over the maritime region of Canara, and on the eastern side of the mountains, as far as Santa Bednore and Hoolalkera, within twenty miles of Chittledroog. This country had suffered little from the calamities of recent war, and the riches of the capital, which was eight miles in circumference, are represented as having been immense. Hyder made the conquest with great ease, and confessed that the treasure which he acquired in Bednore was the grand instrument of his future greatness.[1]



Hyder devoted his mind with great intensity to the establishment of a vigorous and efficient administration in this country; which opened to him a new scene of conquest. He took possession of Soonda, a district on the northern frontier of Bednore: He reduced to submission and dependance the Nabob of Savanoor, a territory which formed a deep indentation between his recent acquisitions of Sera and Soonda: And he rapidly extended his northern frontier across the rivers Werda, Malpurba, and Gutpurba, almost to the banks of the Kistna.

This daring progress, however, again brought the Mahrattas upon his hands. Since the battle of Paniput, they had, in this quarter of India, been pushed with some vigour by Nizam Ali, the new Subahdar, who, at the commencement of his reign, gave some signs of military ardour and talent. He had constrained them to restore the celebrated fortress of Dowlatabad, in 1762; and, in 1763, carried his arms to Poona, the capital; which he reduced to ashes. The accommodation which succeeded this event, and the occupation which the Nizam was now receiving by the war for the

reduction of his brother Bassalut Jung, seemed to present an opportunity to the Mahrattas of chastising the encroachments of a neighbour, whom as yet they despised. Madoo Row, who, third in order of time, had, under the title of Peshwa, or Prime Minister, succeeded to the supreme authority among the Mahratta states, crossed the Kistna in May, 1764, with an army which greatly outnumbered that which Hyder was able to bring into the field.1 He sustained a tedious, unequal conflict, which greatly reduced and disheartened his army, till 1765; when the Mahrattas agreed to retire, upon condition that he should restore the districts wrested from Morari Row, relinquish all claims upon the territory of Savanoor, and pay thirty-two lacks of rupees.



He hastened to give order to his recent conquests in the east, which the late interruption of his prosperity had animated into rebellion. As his forts and garrisons had remained firm, these disturbances were speedily reduced, and he immediately turned his eye to new acquisitions. Having employed the greater part of the year 1765 in regulating the affairs of his government, and repairing his losses, he descended into Canara in the beginning of 1766, with the declared intention of making the conquest of Malabar. After an irregular war of some duration with the Nairs, the whole country submitted; and a few subsequent struggles only afforded an opportunity for cutting off the most refractory subjects, and establishing a more complete subjection. He had accomplished this important enterprise before the end of the year 1766, when he was recalled to Seringapatam, by intelligence of the utmost importance. Madoo Row had issued from Poona; Nizam Ali, with an English corps, was advancing from Hyderabad; the English had already sent to attack some of his districts which interfered with Carnatic; and all these powers were joined, according to report, in one grand confederacy for the conquest of Mysore. Nizam Ali, however, and the English, were the only enemies whom it was immediately necessary to oppose; and the Nizam, as we have already seen, he easily converted into an ally. In this state of his kingdom and fortunes, he began his first war with the English, in 1767.1

He was exasperated, not only by the readiness with which, in the late treaty with the Nizam, the English had agreed to join in hostilities against him, but by an actual invasion of his dominions. Under the pretence that it formerly belonged to Carnatic, but chiefly induced, we may suppose, by the consideration of the passage which it afforded an enemy into the heart of that country, the English had sent a Major, with some Europeans and two battalions of Sepoys, into Baramahl, who, unhappily, were just strong enough to overrun the open territory, and enrage its master; but were unable to make any impression upon the strong forts, much less to secure possession of the country.



It was by means of Maphuz Khan, the brother of the English Nabob, who had acted as an enemy of the English from the period of his recall as renter of Madura and Tinivelly, that Hyder effected his alliance with the Nizam. The English corps, under Colonel Smith, which had followed the Nizam into Hyder's dominions, had separated from his army, upon intimation of the design which that faithless usurper was supposed to entertain. The Nabob Mahomed Ali, who had early intelligence of the

views of the Nizam, urged the Presidency to attack his camp before the junction of the Mysorean. The advice, however, was neglected, and, in the month of September, Colonel Smith was attacked on his march, near Changamal, by the united forces of the new allies. He sustained the attack, which, for the space of an hour was vigorously maintained; and for that time repelled the enemy. He found himself, however, under the necessity of flight; and marching thirty-six hours, without refreshment, he arrived at Trinomalee. He here enclosed himself within the walls of the fort, from which he soon beheld the surrounding
country covered by the troops of the enemy, and desolated with fire and sword.

book iv.Chap. 8. 1767.

He remained not long an idle spectator, though his weakness compelled him to act with caution. He encamped for a few days under the walls of Trinomalee, and afterwards near a place called Calishy-Wâcum, about ten miles further to the north. While the army lay in this situation, Hyder planned an expedition, from which important consequences might have ensued. He detached into Carnatic 5000 horse, who marched without opposition to the very precincts of Madras. The place was completely taken by surprise. The President and Council were at their garden houses, without the town; and had not the Mysoreans been more eager to plunder, than to improve the advantages which their unexpected arrival had procured, the seizure of the English chiefs might have enabled them to dictate the terms of peace.

Before the rains compelled the English army to retire into cantonments at Wandewash, Colonel Smith attacked the enemy, with some advantage, before Trinomalee. In the mean time Nizam Ali, whose resources could ill endure a protracted contest, or the disordered state of his government a tedious absence, grew heartily sick of the war; and during the period of inactivity signified to the English his desire of negotiation. As a security against deception Colonel Smith insisted that he should first separate his troops from those of Hyder. But in the mean time the period of operations returned; and the English commander, now respectably reinforced, marched towards the enemy, who in the month of December had taken the field on the further side of Velore. The two armies met, and came to action, between Amboor and Wanumbaddy, when Hyder
and his ally were defeated, and fled to Caverypatnam. This disaster quickened the decision of the Nizam, who now lost not any time in separating his troops from the Mysoreans; and commencing his negotiation with the English. A treaty was concluded between the Subahdar, the Nabob, and the English, in February 1768; by which the titles of the Nabob, and the grants which he had received were confirmed; the former conditions respecting the Northern Circars were renewed; the duanee, or revenues, in other words the government of Carnatic Balagaut, a country possessed by Hyder, was in name consigned to the English, subject to a payment of seven lacs per annum to the Nizam, and the tribute or chout to the Mahrattas; the English agreed to assist the Nizam with two battalions of Sepoys, and six pieces of cannon, as often as required; and the tribute due to the Nizam for the Circars was reduced from nine lacs perpetual, to seven lacs per annum, for the space of six years.[1]

book iv.Chap. 8. 1768.

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The victory gained over the united forces of the allies, and their final separation by treaty, elevated the Madras government to a high tone of ambition. They resolved not only to carry their arms into Mysore, but to make the conquest and acquisition of the country. They pressed Mahomed Ali to join the army, that the war might as far as possible appear to be his. "They pompously" (as the Directors afterwards reproached them) "appointed him Phousdar of Mysore," and afterwards accused him, for accepting that very title, "of an insatiable desire of extending his dominions."[1] To bring the conduct of the war still more under the control of the Presidency, they sent to the army two members of council, as field deputies, without whose concurrence no operations should be carried on. These members compelled the commander of the troops to renounce his own scheme of operations, that he might act offensively against Mysore. The English army, however, too feeble for the enterprise, acted without energy; and the summer of 1768 passed in unavailing movements and diminutive attempts. Hyder, the newness of whose government could not long dispense with his presence, was well inclined to postpone his struggle with the English, and made in September an overture towards peace. It was received, however, with great haughtiness by the Presidency, whose persuasion of the weakness of their enemy, and hopes of a speedy conquest of his realm, it only tended to increase and inflame. In the mean time Hyder was by no means inattentive to the war. He took the considerable fort of Mulwaggle; and gained some advantages over Colonel Wood, who attempted in vain to recover the place. The Presidency, dissatisfied with the progress of the war, under Colonel Smith, who was highly exasperated by the control of the field deputies, recalled that respectable officer; and Mahomed Ali, whom they had in some measure forced to join the army, but who was now unwilling to leave it, they commanded, under pain of deprivation, to return. The army became weak and despondent, through sickness and desertion. Hyder displayed increasing vigour. He attacked Colonel Wood, who was unable to save his baggage. Before the end of the year he had recovered all the conquered districts; and in January, 1769, carried his usual ravages into Carnatic. He penetrated into the district of Trichinopoly; and detached one of his Generals into the provinces of Madura and Tinivelly, which he plundered and laid waste. The English army were unprovided with horse, and could neither overtake the march of Hyder, nor interrupt his devastations. No part of the southern division of Carnatic escaped his destructive ravages, except the dominions of the Rajah of Tanjore, who saved himself by a timely accommodation, and whose alliance Hyder was solicitous to gain. Colonel Smith was again placed at the head of the English forces, and by judicious movements straitened the operations of Hyder. He even interposed with dexterity a detachment between Hyder and his own country, which was of the less importance, however, to that warrior, as he drew his resources from the country in which he fought.

book iv.Chap. 8. 1769.

book iv.Chap. 8. 1769.

Hyder now meditated a stroke, which he executed with great felicity and address. Sending all his heavy baggage and collected plunder home from Pondicherry, which during this incursion he had twice visited to confer with the French, he drew the English army, by a series of artful movements, to a considerable distance from Madras, when, putting himself at the head of 6000 cavalry, and performing a march of

120 miles in a space of three days, he appeared suddenly on the mount of San Thomé, in the immediate vicinity of the English capital. From this he dispatched a message to the Governor, requiring that a negotiation for peace should immediately be opened; and that in the mean time the approach of the army in the field should be forbidden. The Presidency were struck with consternation. The fort might undoubtedly have held out till the arrival of Smith; but the open town, with its riches, the adjacent country, and the garden houses of the President and Council, would have been ravaged and destroyed. The Presidency were now seriously inclined to peace; and notwithstanding the unfavourableness of their situation, they agreed to negotiate upon Hyder's terms. A treaty was concluded on the 4th of April, 1769, consisting of two grand conditions; first, a mutual restitution of conquests, including the cession to Hyder of a small district, which had formerly been cut off from the Mysorean dominions; and secondly, mutual aid, and alliance in defensive wars.

The disasters of the war in Carnatic, with the disorders which pervaded the government of Bengal, excited the most violent apprehensions in the Company; and reduced sixty per cent. the price of East India Stock. The treaty with Hyder was the bed
on which the resentments of the Directors sought to repose. It is very observable, however, that their letters on this subject abound much more with terms of vague and general reproach, than with any clear designation of mischief to which the conditions of the treaty were calculated to give birth. They accuse the Presidency of irresolution, and incapacity; and tell them that by the feebleness with which they had carried on the war, and the pusillanimity with which they had made peace at the dictation of an enemy, "they had laid a foundation for the natives of Hindustan to think they may insult the Company at pleasure with impunity." Yet they pretended not, that a mutual renunciation of conquests was not better than a continuation of the war; or that the vain boast of driving Hyder's light cavalry from the walls of Madras would not have been dearly purchased with the ravage of the city of Madras, and the surrounding country. The Presidency affirm that they "were compelled to make peace for want of money to wage war."[1] And the only imprudent article of the treaty, in which, however, there was nothing of humiliation or inconsistency with the train of the Company's policy, was the reciprocation of military assistance; because of this the evident tendency (a circumstance however which seemed not ever to be greatly deprecated,) was, to embroil them with other powers.[2]

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# CHAP. IX.

Public opinion in England, Proceedings in the India House, and in Parliament—Plan of Supervisors—Plan of a King's Commissioner—Increase of pecuniary Difficulties—Dividend raised—Company unable to meet their Obligations—Parliamentary Inquiry—Ministerial Relief—An Act, which changes the Constitution of the Company—Tendency of the Change—Financial and Commercial State

book iv.Chap. 9. 1769.

The affairs of the Company excited various and conflicting passions in England; and gave rise to measures of more than ordinary importance. The act of parliament having expired which limited the amount of dividend in 1767, the Directors exclaimed against a renewal of the restriction, as transferring the powers of the Company to parliament, subverting the privileges of their charter, and rendering insecure the property of every commercial and corporate body in the kingdom. They even presented to parliament a petition, in which these arguments were vehemently enforced; and so well by this time were they represented in that assembly, that a sufficiency of orators was not wanting, who in both Houses supported their claims. Opposite views, notwithstanding, prevailed; and an act was passed to prevent the increase of the dividend beyond ten per cent. till the 1st day of February, 1769.

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Before the expiration of this term, the Company, who were anxious to evade the question respecting the public claim to the sovereignty of the Indian territory, very assiduously negotiated with the minister a temporary arrangement. After a great deal of conference and correspondence, an act was passed, in April, 1769, to the following effect: That the territorial revenues in India should be held by the Company for five years to come; that in consideration of this benefit they should pay into the exchequer 400,000*l.* every year; that if the revenues allowed, they might increase the dividend, by augmentations not exceeding one per cent. in one year, to twelve and a half per cent.; that if, on the other hand, the dividend should fall below ten per cent., the payment into the exchequer should obtain a proportional reduction, and entirely cease if the dividend should decline to six per cent.; that the Company should, during each year of the term, export British merchandise, exclusive of naval and military stores, to the amount of 380,837*l.*; and that when they should have paid their simple contract debts bearing interest, and reduced their bonded debt to an equality with their loans to government, they should add to these loans the surplus of their receipts at an interest of two per cent.[1] This agreement between the public and the Company, was made, it is obvious, upon the same supposition, that of a great surplus revenue, upon which succeeding agreements have been made, and with the same result.

In the mean time, the grievous failure in the annual treasures, which they had been so confidently promised; and which, with all the credulity of violent wishes, they had so fondly and confidently promised themselves; excited, both in the Company,

and in the nation, the most vehement complaints against the managers in India, to whose misconduct was ascribed the disappointment of hopes which no conduct could have realized.[1] A grand investigation and reform were decreed. And for the performance, after great consultation, it was resolved; that three persons should be chosen, whose acquaintance with Indian affairs, and whose character for talents, diligence, and probity, should afford the best security for the right discharge of so important a trust; and that they should be sent out, in the name and with the character of Supervisors, and with powers adapted to the exigence of the case. Mr. Vansittart, the late Governor of Bengal, Mr. Scrafton, and Colonel Ford, were recommended as the three commissioners; and it was proposed to invest them with almost all the powers which the Company themselves, if present in India, would possess; a power of superseding the operations and suspending the authority of the Presidents and Councils, of investigating every department of the service, and establishing such regulations as the interests of the Company might seem to require. The scheme was indeed opposed with great vehemence, by all those who favoured the persons now invested with the governing powers in India; by all those who had any pique against the individuals proposed; and by all those who disliked the accumulation of exorbitant authority in a small number of hands. But though they formed no inconsiderable party, the disappointment of the golden dreams of the Proprietors prevailed, in the General Court; and supervisors with extraordinary powers, it was resolved, were the very remedy which the maladies of the Indian government required.



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But the pretensions of the ministry again interfered. Not only was the legality disputed of the commission by which the supervisors were appointed; but a share was claimed in the government of India, which the Directors regarded with alarm and abhorrence. As an accession to their power and influence in India, which they imagined would be of the utmost importance, they had applied to government for two ships of the line, and some frigates. No aversion to this proposition was betrayed by the ministry; but when the Company were elated with the hopes which a compliance was calculated to inspire, they were suddenly informed that the naval officer whom the Crown should appoint to command in India, must be vested with full powers to adjust all maritime affairs; to transact with the native princes; and, in short, to act the principal part in the offensive and defensive policy of the country. The Directors represented this proposal as affecting the honour, and the very existence of the Company. The General Court was adjourned from time to time to afford sufficient space for the consideration of so important a subject; and the Proprietors were entreated to consider the present moment as the very crisis of their fate; and to devote to the question a proportional share of their attention. To vest the officers of the Crown in India with powers independent of the Company, was in reality, they said, to extrude the Company from the government; to lay the foundation of endless contests between the servants of the King and those of the Company; and to prepare the ruin of the national interests in that part of the world; If the Company were incapable of maintaining their territorial acquisitions, to surrender them to the powers of the country, upon terms advantageous to their commerce, was better, it was averred, than to lie at the mercy of a minister: And the fatal effects of the interference of the servants of the

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Crown in the affairs of a Company, formed for upholding a beneficial intercourse with India, were illustrated by contrasting the ruin of the French East India Company, the affairs of which the ministers of the French King had so officiously controled, with the prosperity of the Dutch East India Company, the affairs of which had been left entirely to themselves. The grand argument, on the other side, was furnished by Clive and the Directors themselves; who had used so many and such emphatical terms to impress a belief that the unprosperous state of their government was wholly produced by the rapacity and misconduct of those who conducted it in India. In the first place, the authority of a King's officer was held up as an indipensable security against the vices of the Company's servants; and in the next place the dignity of the master whom he served was represented as necessary to give majesty to the negotiations which a company of merchants might be required to conduct with the potentates of India.[1] After long and acrimonious debates, the powers demanded for an officer of the Crown were condemned in a Court of Proprietors; and the ministers were not disposed to enforce, by any violent procedure, the acceptance of their terms. The Company would agree to sanction the interference of the officer commanding the ships of the King only within the Gulf of Persia, where they were embroiled with some of the neighbouring chiefs; the demand of two ships of the line for the Bay of Bengal was suspended; and the legal objection to the commission of the supervisors was withdrawn. In this manner, at the present conjuncture, was the dispute between the Government and the Company compromised. Two frigates, beside the squadron for the Gulf of Persia, were ordered upon Indian service. In one of them the supervisors took their passage. Their fate was remarkable. The vessel which carried them never reached her port; nor was any intelligence of her or her passengers ever received.



Mr. Cartier assumed the government of Bengal at the beginning of the year 1770.

The first year of his administration was distinguished by one of those dreadful famines which so often afflict the provinces of India; a calamity by which more than a third of the inhabitants of Bengal were computed to have been destroyed.[1]



On the 10th of March, 1770, the Nabob Syef al Dowla died of the small-pox; and his brother Mubarek al Dowla, a minor, was appointed to occupy his station. The President and Council made with him the same arrangements, and afforded the same allowance for the support of his family and dignity, as had been established in the time of his predecessor. But this agreement was condemned in very unceremonious terms by the Directors. "When we advert," say they, "to the encomiums you have passed on your own abilities and prudence, and on your attention to the Company's interest (in the expostulations you have thought proper to make on our appointment of commissioners to superintend our general affairs in India), we cannot but observe with astonishment, that an event of so much importance as the death of the Nabob Syef al Dowla, and the establishment of a successor in so great a degree of nonage, should not have been attended with those advantages for the Company, which such a circumstance offered to your view.—Convinced, as we are, that an allowance of sixteen lacks per annum will be sufficient for the support of the Nabob's state and

rank, while a minor, we must consider every addition thereto as so much to be wasted on a herd of parasites and sycophants, who will continually surround him; or at least be hoarded up, a consequence still more pernicious to the Company. You are therefore, during the non-age of the Nabob, to reduce his annual stipend to sixteen lacks of rupees."[2]

By the last regulations of the Directors, the inland trade in salt, beetle-nut, and tobacco, was reserved to the natives, and Europeans were excluded from it. By a letter of theirs, however, dated the 23d of March, 1770, it was commanded to be laid open to all persons, Europeans as well as natives, but without any privileges to their countrymen or servants beyond what were enjoyed by natives and other subjects. These regulations were promulgated on the 12th of December.

book iv.Chap. 9. 1771.

In the mean time financial difficulties were every day becoming more heavy and oppressive. On the 1st of January, 1771, when the President and Council at Fort William had received into their treasury 95,43,855 current rupees, for which they had granted bills on the Court of Directors, the cash remaining in it was only 35,42,761 rupees. At the same period the amount of bond debts in Bengal was 612,628*l*. And at the beginning of the following year it had swelled to 1,039,478*l*.

Notwithstanding the intelligence which the Directors had received of the inadequacy of their revenues, and the accumulation of their debts in all parts of India; and notwithstanding their knowledge of the great amount of bills drawn upon them, for which they were altogether unable to provide, they signalized their rapacity on the 26th of September, 1770, by coming to a resolution for recommending it to the General Court, to avail themselves of the permission accorded in the late act, by making a dividend at the rate of twelve per cent. per annum. The approbation of the General Court was unanimous. On the 14th of March and 25th of September, 1771, it was resolved, by the Court of Directors, to recommend to the General Court an augmentation of the dividend to six and a quarter per cent. for the six months respectively ensuing: approved in the General Court, by ninety-four voices against five in the first instance, and 374 against thirty in the second. On the 17th of March, 1772, the Directors again resolved to recommend a dividend of six and a quarter per cent. for the current half year, which the Court of Proprietors in a similar manner confirmed.

book iv.Chap. 9. 1772.

These desperate proceedings hurried the affairs of the Company to a crisis. On the 8th of July, on an estimate of cash for the next three months, that is, of the payments falling due, and the cash and receipts which were applicable to meet them, there appeared a deficiency of no less than 1,293,000*l*. On the 15th of July the Directors were reduced to the necessity of applying to the Bank for a loan of 400,000*l*. On the 29th of July they applied to it for an additional loan of 300,000*l*. of which the Bank was prevailed upon to advance only 200,000*l*. And on the 10th of August the Chairman and Deputy waited upon the Minister to represent to him the deplorable state of the Company, and the necessity of being supported by a loan of at least one million from the public.[1]

The glorious promises which had been so confidently made of unbounded riches from India, their total failure, the violent imputations of corrupt and erroneous conduct which the Directors and the agents of their government mutually cast upon one another, had, previous to this disclosure, raised a great ferment in the nation, the most violent suspicions of extreme misconduct on the part of the Company and their servants, and a desire for some effectual interference on the part of the legislature. In the King's speech, on the 21st of January, at the opening of the preceding session, it had been intimated that one branch of the national concerns which, "as well from remoteness of place, as from other circumstances, was peculiarly liable to abuses, and exposed to danger, might stand in need of the interposition of the legislature, and require new laws either for supplying defects or remedying disorders." On the 30th of March a motion was made by the Deputy Chairman for leave to bring in a bill for the better regulation of the Company's servants, and for improving the administration of justice in India. The grand evil of which the Directors complained was the want of powers to inflict upon their servants adequate punishment either for disobedience of orders, or any other species of misconduct. The Charter of Justice, granted in 1753, empowered the Mayor's Court of Calcutta, which it converted into a Court of Record, to try all civil suits arising between Europeans, within the town or factory of Calcutta, or the factories dependant upon it: it also constituted the President and Council a Court of Record, to receive and determine appeals from the Mayors; it further erected them into Justices of the Peace, with power to hold quarter sessions; and into Commissioners of oyer and terminer, and general gaol-delivery, for the trying and punishing of all offences, high treason excepted, committed within the limits of Calcutta and its dependant factories. This extent of jurisdiction, measured by the sphere of the Company's possessions at the time when it was assigned, deprived them of all powers of juridical coercion with regard to Europeans over the wide extent of territory of which they now acted as the sovereigns. They possessed, indeed, the power of suing or prosecuting Englishmen in the Courts at Westminster; but under the necessity of bringing evidence from India, this was a privilege more nominal than real.



One object, therefore, of the present bill was to obtain authority for sending a chief justice with some puisne judges, and an attorney-general, according to the model of the Courts of England, for the administration of justice throughout the territory of the Company.

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The next object was, the regulation of the trade. The author of the motion, the Deputy Chairman of the Company, represented it as a solecism in politics, and monstrous in reason, "that the governors of any country should be merchants; and thus have a great temptation to become the only merchants, especially in those articles which were of most extensive and necessary consumption, and on which, with the powers of government, unlimited profits might be made." It was, therefore, proposed that the Governors and Councils, and the rest of the Company's servants, should be debarred from all concern in trade. But it neither occurred to the Deputy Chairman, nor was it pressed upon his notice by any other member of the legislative body, that the argument against the union of trade and government was equally conclusive, applied

to the Company, as applied to their servants; to those who held the powers of government in the first instance, as to those who held them by delegation and at will.

It was in the debate upon this motion that Lord Clive made the celebrated speech, in which he vindicated his own conduct, against the charges to which, as well from authority as from individuals, it had been severely exposed. He spared not the character either of his fellow-servants, or of the Directors. “I attribute the present situation of our affairs,” he said, “to four causes; a relaxation of government in my successors; great neglect on the part of administration; notorious misconduct on the part of the Directors; and the violent and outrageous proceedings of general courts.” To hear his account, no one would believe that any creature who had ever had any thing to do with the government
had ever behaved well but himself. It was much easier for him, however, to prove that his conduct was liable to no peculiar blame, than that it was entitled to extraordinary applause. With great audacity, both military and political, fortunately adapted to the scene in which he acted, and with considerable skill in the adaptation of temporary expedients to temporary exigencies, he had no capacity for a comprehensive scheme, including any moderate anticipation of the future; and it was the effects of his short-sighted regulations, and of the unfounded and extravagant hopes he had raised, with which the Company were now struggling on the verge of ruin, and on account of which the conduct both of them and of their servants was exposed to far more than its due share of obloquy and condemnation.



The suspicions of the nation were now sufficiently roused to produce a general demand for investigation; and on the 13th of April a motion was made and carried in the House of Commons for a select Committee to gratify the public desire. The bill which had been introduced by the Deputy Chairman was thrown out on the second reading, to afford time for the operations of the Committee, and parliament was prorogued on the 10th of June.

During the recess, took place the extraordinary disclosure of the deficiency of the Company’s funds, their solicitation of loans from the Bank, and their application for support to the Minister. He received their proposals with coldness; and referred them to parliament. That assembly was convened on the 26th of November, much earlier, as the King from the throne informed them, than had been otherwise intended, to afford them an opportunity of taking cognizance of the present condition of the East India Company. The Minister had already
come to the resolution of acceding to the request of the Directors; it therefore suited his purpose to affirm that how great soever the existing embarrassment, it was only temporary; and a Committee of Secrecy was appointed, as the most effectual and expeditious method for gaining that knowledge of the subject from which it was proper that the measures of parliament should originate.



Among the expedients which the urgency of their affairs had dictated to the Company, a new commission of supervision had been resolved upon during the recess; and six gentlemen were selected for that important service. The measure, however, was not

approved by the ministry; and on the 7th of December the Committee of Secrecy presented a report, stating, that notwithstanding the financial difficulties of the Company, they were preparing to send out a commission of supervisors at a great expense, and that, in the opinion of the Committee, a bill ought to be passed to restrain them from the execution of that purpose for a limited time. The introduction of this bill excited the most vehement remonstrances on the part of the Company, and of those by whom their cause was supported in the two houses of parliament. It was asserted to be a violation of property, by curtailing the powers which the Company possessed by charter of managing their own affairs; and all the evils which can arise from shaking the security of property were held up in their most alarming colours to deter men from approbation of the threatened restraint. The Company's claims of property, however, so frequently, during the whole course of their history, brought to oppose the interposition of parliament in their affairs, proved of as little force upon this as upon other occasions; and their privileges, they were told, to which the term property, in its unlimited sense, could not without sophistry be applied, were insufficient to set aside that for which all property is created—the good of the community; now in one important article so formidably threatened in their mismanaging hands.



After this decisive act of control, the next ostensible proceeding was the petition for a loan, presented by the Company to parliament on the 9th day of March. The propositions urged by the Directors were: that they should receive a loan of 1,500,000*l*. for four years, at four per cent. interest; that they should make no dividend of more than six per cent. per annum until the loan should be reduced to 750,000*l*.; that the dividend in that event should rise to eight per cent.; that the surplus of receipts above disbursements in England should be applied to the reduction of the Company's bond debts to 1,500,000*l*.; that after such reduction, the surplus should be divided equally between the public and the Company; and that the Company should be released from payment of the annual 400,000*l*. to the public, for the remainder of the five years specified in the former agreement, and from the payments to which they were bound in consequence of the late acts for the indemnity on teas. In lieu of these, the following were the propositions offered by the Minister: to lend the Company 1,400,000*l*. at an interest of four per cent.; to forego the claim of 400,000*l*. a-year from the territorial revenue till that debt is discharged; to restrict them from making any dividend above six per cent. till that discharge is accomplished, and from making any dividend above seven per cent. till their bond debt is reduced to 1,500,000*l*.; after that reduction to receive from them, in behalf of the public, three-fourths of the surplus receipts at home, the remaining fourth being appropriated either for the further reduction of the bond debt, or the formation of a fund to meet contingent exigencies; and, under these conditions, to permit the territorial acquisitions to remain in their possession for six years, the unexpired term of their charter.



The Company treated these conditions as harsh, arbitrary and illegal; petitioned against them in the strongest terms; and were supported with great vehemence of language by their own friends, and the enemies of the Minister, in both houses of parliament. The restriction of the dividend after payment of the debt, the exaction of

so great a proportion of the surplus receipts, and in particular the appropriation even of that part which it was proposed to leave as their own, they arraigned as a violent disposal of their property without their own consent, equalling the most arbitrary acts of the most despotical governments, and setting a precedent which lessened the security of every right of a British subject. These considerations, however vehemently urged, produced but little effect: the ministerial influence was predominating; the Company were odious; and it was felt, perhaps, rather than distinctly seen, that the rules of individual property were not applicable, without great restrictions, to an artificial body, whose proceedings were of such a magnitude as deeply to affect the interests of the nation at large. Of all these pretensions, however, that which seemed most to alarm the Company was the claim now distinctly asserted by the government to the territorial acquisitions; and though a definitive discussion was still waved by the Minister, the Company expostulated against the limitation of their possession to six years, as involving in it a decision of the question at issue.

A more important exercise of power over their affairs was still meditated by the Minister; an entire change in the constitution of the Company. On the 3d of May he introduced a series of propositions, as the foundation for a law, which should raise the qualification to vote in the Court of Proprietors from 500*l*. to 1,000*l*., and give to every proprietor possessed of 3,000*l*. two votes, possessed of 6,000*l*. three votes, and of 10,000*l*. four votes; which should change the annual election of the whole number of Directors to that of six new ones, or one-fourth of the whole number each year; vest the government of Bengal, Bahar, and Orissa, in a governor-general, with a salary of 25,000*l*., and four counsellors of 8,000*l*. each; render the other Presidencies subordinate to that of Bengal: establish at Calcutta a supreme court of judicature, consisting of a chief justice with 8,000*l*. a-year, and three other judges, with each 6,000*l*. a-year, appointed by the Crown.

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As subsidiary articles it was proposed; that the first governor-general, and counsellors, should be nominated by parliament in the act, and hold their office for five years, after which the patronage of those great offices should revert to the Directors, but still subject to the approbation of the Crown; that every thing in the Company's correspondence from India, which related to the civil or military affairs, to the government of the country, or the administration of the revenues, should be laid before the ministry; that no person in the service, either of the King or of the Company, should be allowed to receive presents; and that the governor-general, the counsellors, and judges, should be excluded from all commercial profits and pursuits.

If the alarm and indignation of the Company, Directors and Proprietors, were excited before; that body were now struck with the highest terror and resentment. They exclaimed, that the very constitution was threatened with subversion, and the rights conferred by charter treated as dust. They tendered a direct application to the city of London, to join them with its influence in resisting a measure; which destroyed the principle on which its own privileges and those of every chartered body in the nation depended; and threatened the very freedom of the people, both by setting a conspicuous and prolific example of the arbitrary violation

book iv.Chap. 9. 1779.

of law, and by adding the whole of the revenue and government of India to the power and influence of the Crown. They represented, that by the clause which raised the qualification of the voters, above twelve hundred Proprietors were disfranchised; violently, and without compensation, robbed of an important right, and excluded from all share, direct or indirect, in the management of their own immediate property: That by destroying the annual election of Directors, those Trustees for the Company were placed above the control of their constituents, and vested with new powers to gratify their own ease or corruption, at the expense of those whose interests were lodged in their hands: That by reducing to a small number the votes of the Proprietors, the ministerial management of that body became more easy: That, by rendering the situation of Director permanent for so great a number of years, under the incapacitation of the Proprietors either to punish or reward, and under the great power of the Minister to do both, the subserviency of the Court of Directors to all ministerial purposes was perfectly secured; and that, from these sources combined, the power of the Minister over the Company was rendered hardly any thing inferior to absolute: That the whole government of the settlements in India was taken from the Company, and, in effect, transferred to the Crown, by establishing a general presidency over all their affairs, of which the agents were in the first instance named by parliament, and ever after, in reality, under the condition of its approbation, named by the Crown: And that, "notwithstanding the Company were thus deprived of their franchise in the choice of their servants, by an unparalleled strain of injustice and oppression they were compelled to pay such salaries, as ministers might think fit to direct, to persons in whose appointment, approbation, or removal, the Company were to have no share."[1]



These considerations were frequently urged, with the utmost vehemence and asperity, in both assemblies of Parliament. Every question, every clause, was warmly debated, and pressed to a division. The city of London, the Company themselves, and those stockholders who were deprived of their votes, presented strong and earnest petitions. In behalf of the Company, and the disfranchised Proprietors, counsel, at their prayer, were heard. And two protests, couched in censorial language of extraordinary strength, obtained a numerous signature in the upper house.

All this opposition, however, and all this ferment were of little avail. The propositions of the ministry were all carried by great and decisive majorities, and being reduced into two acts, the one relating to the financial relief of the Company, the other to the establishment of their new constitution, received the royal assent on the 21st of June and the 1st of July. The arrangements which concerned the business at home were appointed to commence from the 1st of October, 1773; those which concerned the foreign administration not till the 1st of August, 1774.[1]

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Practical statesmen, so apt to assume to themselves the monopoly of political wisdom, are commonly shortsighted legislators.

In one respect the present experiment fulfilled the purpose very completely for which it was intended. It followed the current of that policy, which for many reasons has run

with perfect regularity and considerable strength, diminishing the influence of numbers in affairs of government, and reducing things as much as possible to the oligarchical state.

For the rest; it had not so much as a tendency to remove the principal evils to which it pretended to find a remedy; and it created some, of the greatest magnitude, which previously had no existence.

The evils in question were—I. Such as had their operation in India; and—II. Such as had their operation in England.

I. Those which had their operation in India might all be ranked under two heads; 1. The absorption of more than the revenues by expense; and 2. The plunder and oppression of the people.

The only parts of the new constitution which had a direct influence upon the government in India were—1. The new appointment and powers of the Governor-general and Council; and 2. The Supreme Court of Judicature.

1. The mode of appointing public functionaries, and the extent of their power, distinct from the motives to good or evil conduct which operate upon them in the discharge of their functions, are evidently of no avail. Upon the Governor and Council in India the motives to evil conduct, and the scope for its exercise, were, if not augmented by the new regulations,
at any rate not impaired.[1] As ingenuity may be challenged to refute this proposition, it follows, that from this branch of the arrangement no good was derived.[2]



2. The Supreme Court of Judicature was intended to supply the limited powers of criminal jurisdiction, which, in their ancient commercial capacity, had been committed to the Company. The terrors of law, brought nearer home to the inferior servants of the Company, and those who enjoyed their protection, might have restrained in some degree their subordinate oppressions. But it was easy to see that the operations of the supreme functionaries in India must remain exempt from the control of the Supreme Court; otherwise, that court became itself the government. This consequence was not sufficiently foreseen; and the vague and indefinite powers assigned to the judicatory, introduced immediately, between the Governor General and the Judges, those struggles which threatened the existence of English authority.

So long, on the other hand, as the Governor General and Council remained exempt from the control of law, the great oppressors were safe; and, from the community of interests, and the necessity of mutual compliance and mutual concealment, between the high offenders and the low, impunity was pretty well secured to the class.



The grand source, however, of mischief to the natives, in the jurisprudential plan, was the unfortunate inattention of its authors to the general principles of law, detached from its accidental and national forms. As the vulgar of every nation think their

language the natural one, and all others arbitrary and artificial; so, a large mass of Englishmen consider English law as the pure extract of reason, adapted to the exigencies of human nature itself; and are wholly ignorant that, for the greater part, it is arbitrary, technical, and ill-adapted to the general ends which it is intended to serve; that it has more of singularity, and less capacity of adaptation to the state of other nations, than any scheme of law, to be found in any other civilized country. The English law, which in general has neither definition nor words, to guide the discretion or circumscribe the license of the Judge, presented neither rule nor analogy in cases totally altered by diversity of ideas, manners, and pre-existing rights; and the violent efforts which were made to bend the rights of the natives to a conformity with the English laws, for the purpose of extending jurisdiction, and gratifying a pedantic and mechanical attachment to the arbitrary forms of the Westminster courts, produced more injustice and oppression and excited more alarm, than probably was experienced, through the whole of its duration, from the previous imperfection of law and judicature.[1]

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II. If, towards the amelioration of *the government* in India, the new effort in legislation performed no more than this; it injured, rather than improved, the condition of both the Company and the natives. Against *the government at home*, the only objection, of any real moment, was, its inefficiency, as the ruling power, to produce, by means of its servants, a good government in India, or, what in this case was meant by good government, a large surplus of revenue or treasure to England, without oppression to the natives. The total change which was effected in the Constitution of the Company pretended to have for its *End* the improvement and perfection of the Company in that respect: And it employed as its whole and only *Means*, dependance upon the Minister.

If the Minister had more knowledge of the affairs of India, more leisure to devote to their management, and more interest in their being well managed, this was an improvement. If he had less knowledge; less leisure; and, far above all, if his interest was likely to be most promoted by that system of patronage which creates dependance, and which is at irreconcilable enmity with the very principle of good government, the change was wholly the reverse.

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How dependance upon the Minister was to render the agents of government more faithful and economical stewards of the revenues in India, or less disposed to accumulate wealth at the expense of the prostrate natives, it is not easy to make appear: In regard to responsibility, or eventual punishment, the only caution was, to act in concert with the minister; and then they were out of all comparison more assured of impunity than before.

From dependance upon the Court of Proprietors, by annual elections, to render the Directors in a great degree independent of their constituents by elections in four years, gave them greater powers, and hence motives, to pursue their own interests at the expense of the Proprietors; but that it should increase their interest in the good government of India, and hence their motives for exertion to procure it, is impossible.

To diminish the number of votes in the Court of Proprietors, and confine the power to the rich, was contrived, it was said, to render that assembly less tumultuous. But tumultuousness, in itself, is not an evil. It is evil only when it has a tendency to produce evil effects. What is more tumultuous than a public market, a theatre, or a church? To know the merit then of a reform of tumultuousness, we ought to know the specific evils which the tumultuousness in question produced. In the case of the East India Company, the authors of the measure failed in exhibiting any mischievous effects; though by their reform they unquestionably created a field for other effects of a very pernicious description. "If tumult and disorder," as was well remarked by an illustrious Committee of the Commons House, "were lessened by reducing the number of Proprietors, private cabal and intrigue were facilitated at least in an equal degree; and it is cabal and corruption, rather than disorder and confusion, that are most to be dreaded in transacting the affairs of India;"[1] that are most to be dreaded in transacting the affairs of every country under the sun.



The virtues of a Court of Proprietors, as of every political body, are intelligence and probity. The owner of 500*l*. stock was just as likely to be intelligent as the owner of 1000*l*. But a small number of men are much more easily corrupted than a large; and, where the matter of corruption operates, much more sure of being corrupt.[2]

To the grand complaint against the Court of Proprietors, that, being filled by the servants of the Company who had returned loaded to Europe with illgotten wealth, it proved a barrier against exposure and punishment, the amount of the qualification provided no sort of remedy, but rather facilitated and confirmed the abuse.

As soon as the management of the East India Company's affairs became a source of great patronage and power, it necessarily followed that stock was generally held for the promotion of interests of much greater value than the dividend. It was distributed mostly among three great classes of Proprietors; 1. Those who aspired to a share in the Direction, and who were careful to possess themselves of whatever share of stock was calculated to strengthen their influence; 2. The large class of those who were competitors for the Company's favours and employment, all those concerned in the immense supply of their shipping and goods, constituting a considerable proportion of the ship-owners and tradesmen in London, who strengthened their influence with the great customer, by the number of votes which they could assure to the Directors in the General Court; 3. Those who aspired to contracts with the Treasury, Admiralty, and Ordnance, and clerks in public offices, who discovered that one ground of influence with the Minister was, to have votes at his disposal in the East India Proprietary Court.[1]



By every thing which tended to lessen the number of voting Proprietors, the force of all these sinister interests was increased. The only expedient which had a tendency to counteract them was, to render such Proprietors as numerous as possible. This would have promoted the interests of the public, but not those of the minister; the interests of the many, but not those of the few.[2]

One part of the ancient constitution, for the preservation of which the authors of the present reform were condemned by the Select Committee of 1783, was the ballot; "by means of which, acts," they said, "of the highest concern to the Company and to the state, might be done by individuals with perfect impunity." There are occasions on which the use of the ballot is advantageous. There are occasions on which it is hurtful. If we look steadily to the end, to which all institutions profess to be directed, we shall not find it very difficult to draw the line of demarcation.

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A voter may be considered as subject to the operation of two sets of interests: the one, interests rising out of the good or evil for which he is dependent upon the will of other men: the other, interests in respect to which he cannot be considered as dependent upon any determinate man or men.

There are cases in which the interests for which he is not dependent upon other men impel him in the right direction. If not acted upon by other interests, he will, in such cases, vote in that direction. If, however, he is acted upon, by interests dependent upon other men, interests more powerful than the former, and impelling in the opposite direction, he will vote in the opposite direction. What is necessary, therefore, is, to save him from the operation of those interests. This is accomplished by enabling him to vote in secret; for in that case, the man, who could otherwise compel his vote, is ignorant in what direction it has been given. In all cases, therefore, in which the independent interests of the voter, those which in propriety of language may be called his *own* interests, would dictate the good and useful vote; but in which cases, at the same time, he is liable to be acted upon in the way either of good or of evil, by men whose interests would dictate a base and mischievous vote, the ballot is a great and invaluable security. In this set of cases is included, the important instance of the votes of the people for representatives in the legislative assembly of a nation. Those interests of each of the individuals composing the great mass of the people, for which he is not dependent upon other men, compose the interests of the nation. But it is very possible for a majority out of any number of voters to be acted upon by the will of other men, whose interests are opposite to those of the nation. It is, therefore, of the highest importance that they should be protected from that influence.

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There is, however, another set of cases, in which those interests of the voter, which have their origin primarily in himself, and not in other men, draw in the hurtful direction; and in which he is not liable to be operated upon by any other interests of other men than those which each possesses in common with the rest of the community. If allowed, in this set of cases, to vote in secret, he will be sure to vote as the sinister interest impells. If forced to vote in public, he will be subject to all the restraint, which the eye of the community, fixed upon his virtue or knavery, is calculated to produce: and in such cases, the ballot is only an encouragement to evil. If it cannot be affirmed that the interests of the individuals, composing the court of proprietors of the East India Company, are incapable of being promoted at the cost of the British and Indian communities, it cannot be denied that the case of these proprietors belongs to this latter description.

At the very time when the discussions upon the new regulations were taking place, the Chairman of the Select Committee of the House of Commons came forward with a motion for enquiry into the circumstances of the deposition and death of Suraja Dowla; into the imposture, by a fictitious treaty, practised upon Omichund; the elevation of Meer Jaffier; and the sums of money, in the shape of presents, obtained at the time of that revolution. Crimes of the blackest dye, rapacity, treachery, cruelty, were charged upon the principal actors in that suspicious scene; and the punishment, even of Clive, as the first and principal delinquent, was represented as a necessary act of justice and policy. On the 10th of May, the following resolutions were moved; 1. "That all acquisitions, made under the influence of a military force, or by treaty with foreign Princes, do of right belong to the state; 2. That to appropriate acquisitions so made, to the private emolument of persons entrusted with any civil or military power of the state, is illegal; 3. That very great sums of money, and other valuable property, have been acquired in Bengal, from Princes and others of that country, by persons entrusted with the military and civil powers of the state, by means of such powers; which sums of money and valuable property have been appropriated to the private use of such persons." These resolutions were warmly adopted by the house. But when the application of them came to be made to individuals; and especially when the ruin was contemplated which that application would draw down upon Clive; compassion for the man, and the consideration of his services, blotted by offences, yet splendid and great, operated with effect in the breasts of the assembly, and put an end to the enquiry. According to the style, which the spirit of English laws renders predominant in English councils, inquiry was rejected ostensibly upon a subterfuge, of the nature of a legal shuffle; incompetence, to wit, in the reports of the Select Committee to be received as evidence. As if that were true! As if no other evidence had been to be found! On the other hand, the considerations which fairly recommended the rejection, or at least a very great modification of the penal proceeding, were not so much as mentioned; That the punishment threatened was more grievous than the offence; that it was punishment by an *ex-post-facto* law, because, however contrary to the principles of right government the presents received from Meer Jaffier, and however odious to the moral sense the deception practised upon Omichund, there was no law at the time which forbid them; that the presents, how contrary soever to European morals and ideas, were perfectly correspondent to those of the country in which they were received, and to the expectations of the parties by whom they were bestowed; that the treachery to Omichund was countenanced and palliated by some of the principles and many of the admired incidents of European diplomacy; that Clive, though never inattentive to his own interests, was actuated by a sincere desire to promote the prosperity of the Company, and appears not in any instance to have sacrificed what he regarded as their interests to his own; and that it would have required an extraordinary man, which no one ought to be punished for not being, to have acted, in that most trying situation in which he was placed, with greater disinterestedness than he displayed.



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The inquiry into the financial and commercial state of the Company exhibited the following results. The whole of their effects and credits in England, estimated on the

1st day of March, 1773, amounted to 7,784,689*l*. 12*s*. 10*d*.; and the whole of their debts to 9,219,114*l*. 12*s*. 6*d*.; leaving a balance against the Company of 1,434,424*l*. 19*s*. 8*d*. The whole of their effects and credits in India, China, and St. Helena, and afloat on the sea, amounted to 6,397,299*l*. 10*s*.6*d*. The whole of their debts abroad amounted to 2,032,306*l*.; producing a balance in their favour of 4,364,993*l*. 10*s*. 6*d*. Deducting from this sum the balance against the Company in England, we find the whole amount of their available property no more than 2,930,568*l*. 10*s*. 10*d*.; so that of their capital stock of 4,200,000*l*., 1,269,431*l*. 9*s*. 2*d*. was expended and gone.[1]



From the year 1744, the period to which in a former passage[2] is brought down the account of the dividend paid annually to the Proprietors on the capital stock, that payment continued at eight per cent. to the year 1756, in which it was reduced to six per cent. It continued at that low rate till Christmas, 1766, when it was raised by the General Court, repugnant to the sense of the Court of Directors, to five per cent. for the next half year. On the 7th of May, 1767, it was resolved in the General Court, that for the following half year the dividend should be six and a quarter per cent. But this resolution was rescinded by act of parliament, and the dividend limited, till further permission, to ten per cent. per annum. It was continued at ten per cent. till the year commencing at Christmas, 1769, when, in pursuance of the new regulations, it was advanced to eleven per cent. The next year it rose to twelve per cent. The following year it was carried to its prescribed limits, twelve and a half per cent.; at which it continued for eighteen months, when the funds of the Company being totally exhausted, it was suddenly reduced to six per cent. per annum, by a resolution passed on the 3d of December, 1772.[1]



In the interval between 1774 and 1772, the sales at the India House had increased from about 2,000,000*l*. to 3,000,000*l*. annually; their annual exports, including both goods and stores, had fully doubled. In the year 1751, the total amount of shipping in the service of the Company was 38,441 tons, in the year 1772 it was 61,860.[2]

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# BOOK V.

from the first great change in the constitution of the east india company and in the government of india, in 1773; till the second great change by the act commonly called mr. pitt's act, in 1784.

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# CHAP. I.

Administration of Hastings till the Time when the Parliamentary Members of the Council arrived and the Operations of the New Constitution commenced, including—arrangements for collecting the Revenue and administering Justice ostensibly as Duan—treatment of Mahomed Reza Khan and the Rajah Shitabroy—elevation of Munny Begum—destruction of the Rohillas—sale of Corah and Allahabad to the Vizir—payment refused of the Emperor's Revenue—Financial results.

By the new parliamentary authority, Mr. Hastings was appointed Governor General, and General Clavering, Colonel Monson, Mr. Barwel, and Mr. Francis, the members of Council; not removable, except by the King, upon representation made by the Court of Directors, during the period assigned in the act. Mr. Hastings had ascended with reputation through the several stages of the Company's service; possessed the rank of a member of council at the time of Mr. Vansittart's administration, and generally concurred in the measures which the party opposed to that Governor so vehemently condemned. After a visit to his native country, to which he proceeded at the same time with Vansittart, he returned to India, in 1769, to fill the station of second in council at Madras; and in the beginning of 1772 was raised to the highest situation in the service of the Company, being appointed to succeed Mr. Cartier in the government of Bengal.



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The sense which the Directors entertained of the vices which up to this time had stained their administration in India, is recorded thus: "We wish (the words of their letter to the President and Council at Fort William, dated the 7th of April, 1773,) "we could refute the observation, that almost every attempt made by us and our administrations at your Presidency, for the reforming of abuses, has rather increased them—and added to the miseries of the country we are anxious to protect and cherish. The truth of this observation appears fully in the late appointment of supervisors and chiefs—instituted, as they were, to give relief to the industrious tenants, to improve and enlarge our investments, to destroy monopolies, and retrench expenses, the end has, by no means, been answerable to the institution. Are not the tenants, more than ever, oppressed and wretched? Are our investments improved? Has not the raw silk and cocoons been raised upon us fifty per cent. in price? We can hardly say what has not been made a monopoly. And as to the expenses of your Presidency, they are at length settled to a degree we are no longer able to support. These facts (for such they are) should have been stated to us as capital reasons, why neither our orders of 1771, nor indeed any regulations whatever, could be carried into execution. But, perhaps, as this would have proved too much, it was not suggested to us; for nothing could more plainly indicate a state of anarchy, and that there was no government existing, in our servants in Bengal….When oppression pervades the whole country; when youths have been

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suffered with impunity to exercise sovereign jurisdiction over the natives; and to acquire rapid fortunes by monopolizing of commerce, it cannot be a wonder to us, or yourselves, that native merchants do not come forward to contract with the Company; that the manufactures find their way through foreign channels; or that our investments are at once enormously dear, and of a debased quality.—It is evident then, that the evils which have been so destructive to us, lie too deep for any partial plans to reach or correct. It is, therefore, our resolution to aim at the root of those evils." Their expectation of assistance from Mr. Hastings in these reforms, was expressed in the following terms: "Our President, Mr. Hastings, we trust, will set the example of temperance, economy, and application; and upon this we are sensible, much will depend. And here we take occasion to indulge the pleasure we have in acknowledging Mr. Hastings's services upon the coast of Coromandel, in constructing with equal labour and ability, the plan which has so much improved our investments there; and as we are persuaded he will persevere, in the same laudable pursuit, through every branch of our affairs in Bengal, he, in return, may depend on the steady support and favour of his employers."[1]

The double, or ambiguous administration; in name, and in ostent by the Nabob, in reality by the Company; which had been recommended as ingenious policy by Clive, and admired as such by his employers and successors; had contributed greatly to enhance the difficulties in which, by the assumption of the government, the English were involved. All the vices of the ancient polity were saved from reform: and all the evils of a divided authority were superinduced. The revenues were under a complicated, wasteful, and oppressive economy; the lands being partly managed by the native agents of the collectors, partly farmed from year to year, partly held by Zemindars, and Talookdars, responsible for a certain revenue. The administration of justice, of which, under the military and fiscal Governors of the Mogul provinces, the criminal part belonged to the Nazim, or military Governor, the civil to the Duan, or fiscal Governor, was, as a heavy and unproductive burthen, left in the hands of the Nabob; who, being totally without power, was totally unable to maintain the authority of his tribunals against the masters of the country; and the people were given up to oppression.[1]



The Company and their servants were little satisfied, from the beginning, with the produce of the duannee; and soon began to be little satisfied with the expedients adopted by Clive for ensuring a faithful collection. In the month of August, 1769, before the close of Mr. Verelst's administration, a supplementary security was devised: It was held expedient, that servants of the Company should be stationed in appropriate districts, throughout the whole country, for the purpose of superintending the native officers; both in the collection of the revenue, and, what was very much blended with it, the administration of justice. These functionaries received the title of Supervisors: And, in the next year, was added a second supplementary security; two councils, with authority over the supervisors, one at Moorshedabad, and another at Patna.



Among the duties recommended to the supervisors, one was to collect a body of information, with respect to the amount of the revenues; with respect to the state,

produce, and capabilities of the great source of the revenue, the lands; with respect to the cesses or arbitrary taxes; the whole catalogue of imposts laid upon the cultivator; the manner of collecting them, and the origin and progress of all the modern exactions; with respect to the regulations of commerce; and the administration of justice. The reports of the supervisors, intended to convey the information which they collected under those heads, represent the government as having attained the last stage of oppressiveness and barbarism. "The Nazims exacted what they could from the Zemindars, and great farmers of the revenue; whom they left at liberty to plunder all below; reserving to themselves the prerogative of plundering them in their turn, when they were supposed to have enriched themselves with the spoils of the country." The Select Committee of the House of Commons, in 1810, quoting this passage, remark, "The whole system thus resolved itself, on the part of the public officers, into habitual extortion and injustice; which produced, on that of the cultivator the natural consequences—concealment and evasion, by which government was defrauded of a considerable part of its just demands." With respect to the administration of justice, the supervisors reported, "That the regular course was every where suspended: But every man exercised it, who had the power of compelling others to submit to his decisions." The Committee of the House of Commons, whose remark on the state of the fiscal collections has just been adduced, subjoin to this quotation that which fills up the picture; "Seven years had elapsed, from the acquisition of the duannee, without the government deeming itself competent to remedy these defects."[1]



Grievously disappointed in their expectations of treasure, the Directors resolved to break through the scheme of ambiguity; so far at least as to take into their own hands the collection as well as the disbursement of the revenues. In their letter to the President and Council of Fort William, dated the 28th of August, 1771, they declared their resolution, "To stand forth as Duan" (so they were pleased to express it), "and by the agency of the Company's servants to take upon themselves the entire care and management of the revenues." The change was enormous, which it was the nature of this decree to produce. It was a revolution, much greater, probably, than any previous conjuncture, than even the change from Hindu to Mahomedan masters, had been able to create. The transition from Hindu to Mahomedan masters had only changed the hands by which the sword was wielded, and favours were dispensed; the machine of government, still more the texture of society, underwent feeble alterations; and the civil part of the administration was, from conveniency, left almost wholly in the hands of Hindus. A total change in the management of the revenues more deeply affected the condition, individually and collectively, of the people of India, than it is easy for the European reader to conceive: It was an innovation by which the whole property of the country, and along with it the administration of justice, were placed upon a new foundation.

Of the nature of this change, the Directors appear to have had no adequate conception. As if the measure which they proposed had been without consequences, they satisfied themselves with enjoining its execution; and consigned to their servants the task (of which, however, they did not much complain) of carrying into effect a change of government so momentous without one word of instruction.[1] Those servants, though

more acquainted with the practical difficulties which would be met in establishing the new system of finance, appear to have thought as little nearly as their honourable masters, of the great changes, with regard to the people, which it was calculated to produce. With great alacrity, they betook themselves to the undertaking. Mr. Hastings succeeded to the chair on the 13th of April 1772; and on the 16th the Council deemed themselves ripe for the following important resolution: That they would let the lands in farm, and for long leases; because it is the most simple mode, and best adapted to a government like that of the Company, which cannot enter into the minute details of the collections; because every mode of agency by which the rents could be received would be attended with perplexed and intricate accounts, with embezzlement of the revenue, and oppression of the people; and because any mode of collecting the revenues which would trench upon the time of the Governor and Council, would deprive them of a portion of what was already too little for the laborious duties which they had to perform.[1]



On the 14th of May the operations were planned. It was decreed, That the lands should be let for a period of five years: That a Committee of the Board, consisting of the President and four members, should perform the local operations, by circuit through the country: that the servants of the Company who superintended the business of collection in the several districts, and who had hitherto been distinguished by the title of supervisors, should henceforth be denominated collectors:[2] That a native, under the title of duan, should in each district be joined with the collector, both to inform and to check: That no banyan, or servant of a collector, should be permitted to farm any portion of the revenue; because with the servant of a collector no man would dare to become a competitor: And, as presents to the collectors from the Zemindars and other middlemen had been abolished, so all acceptance of presents, by such middlemen, from the ryots, and all other modes of extortion, should be carefully prevented. Some precautions were taken against the accumulation of debt, which swelled at exorbitant interest, rarely less than three, often as much as fifteen per cent. per month, upon the ryots, as well as the different orders of middlemen. The collectors were forbidden to lend, or to permit their banyans or servants to lend, to the middlemen; and the middlemen or agents to lend to the ryots: But the Governor and Council express their regret, that loans and exorbitant interest were an evil which it was not in their power wholly to repress.[1]



The objects which in these regulations the servants of the Company professed to have in view, were; to simplify accounts; to render uniform the mode of exaction; and to establish fixed and accurate rules. The Committee of Circuit, with whom, though a Member, Mr. Hastings did not proceed, first began to receive proposals at Kishenagur: But the terms which were offered were in general so unsatisfactory both in form and amount, that the Committee deemed them inadmissible; and came speedily to the resolution of putting up the lands to public auction. It was necessary to ascertain with as much exactness as possible the nature and amount of the different taxes which were to be offered to sale. For this purpose a new hustabood, or schedule of the taxes, was formed. The exactions consisted of two great parts; of which the first and principal was called *assall*, or the ground rents; the second *aboabs*, which

consisted of a variety of additional, often arbitrary, and uncertain imposts, established at different times, by the government, the Zemindars, the farmers, and even the inferior collectors. Some of the most oppressive of these were abolished, and excluded from the present schedule. And new leases or titles were granted to the ryots: which enumerated all the claims to which they were to be subject; and forbid, under penalties, every additional exaction. When the Zemindars, and other middlemen of ancient standing, offered for the lands which they had been accustomed to govern, terms which were deemed reasonable, they were preferred; when their offers were considered as inadequate, they were allowed a pension for their subsistence, and the lands were put up to sale.



While the settlement, in other words the taxation of the country, was carrying into execution upon this plan, the principal office of revenue, or *Khalsa*, underwent a total revolution. So long as the veil of the native government had been held up, this office had been stationed at Moorshedabad, and was ostensibly under the direction of the sort of minister of revenue, whom with the title of *Naib Duan*, the President and Council had set up. It was now resolved to transfer this great office from Moorshedabad to Calcutta; and to place it under the immediate superintendance of the government. The whole Council were constituted a Board of Revenue, to sit two days in the week, or if necessary, more. The Members of the Council were appointed to act as auditors of accounts, each for a week in rotation. The office of *Naib Duan*, which had been held by Mahomed Reza Khan at Moorshedabad, and by Shitabroy at Patna, was abolished; but a native functionary, or assistant duan, under the title of *roy royan*, was appointed to act in the Khalsa, as superintendant of the district duans, to receive the accounts in the Bengal language, to answer interrogatories, and to make reports.[1]

The fundamental change in that great and leading branch of Indian administration which concerned the revenue, rendered indispensable a new provision for the administration of justice. The Zemindar, who was formerly the great fiscal officer of a district, commonly exercised both civil and criminal jurisdiction within the territory over which he was appointed to preside. In his Phousdary, or criminal court, he inflicted all sorts of penalties; chiefly fines for his own benefit; even capital punishments, under no further restraint, than that of reporting the case at Moorshedabad before execution. In his Adaulut, or civil court, he decided all questions relating to property; being entitled to a chout, or twenty-five per cent., upon the subject of litigation. His discretion was guided or restrained by no law, except the Koran, its commentaries, and the customs of the country, all in the highest degree loose and indeterminate. Though there was no formal and regular course of appeal from the Zemindary decisions, the government interfered in an arbitrary manner, as often as complaints were preferred, to which, from their own importance, or from the importance of those who advanced them, it conceived it proper to attend. To the mass of the people these courts afforded but little protection: The expense created by distance, excluded the greater number from so much as applying for justice; and every powerful oppressor treated a feeble tribunal with contempt. The judges were finally swayed by their hopes and their fears; by the inclinations of the men who could hurt or reward them. Their proceedings were not controuled by any written memorial or record. In cases relating to religion, the Cauzee and Brahmen were called to expound,

the one the Moslem, the other the Brah-menical law; and their opinion was the standard of
decision. Originally, questions of revenue as well as others belonged to the courts of the Zemindars; but a few years previous to the transfer of the revenues to the English, the decision of fiscal questions had been taken from the Zemindar, and given to an officer styled the Naib Duan, or fiscal Deputy, in each province.



Beside the tribunals of the districts; the capital was provided with two criminal courts; in one of which, called roy adaulut, the Nazim, as supreme magistrate, tried capital offences; in another, a magistrate called the Phousdar tried offences of a less penal description, and reported his proceedings to the Nazim. At the capital was also found the principal duanee or fiscal court; in which the Duan tried causes relating to the revenue, including all questions of title to land. All other civil causes were tried at the capital in the court of the Darogo adaulut al alea; except those of inheritance and succession, which were decided by the Cauzee and Muftee. An officer, with the title of Mohtesib, superintended the weights and measures, and other matters of police.

Generally speaking, the courts of justice in India were instruments by which the powerful performed oppression, at their pleasure, on the weak.

Under the ancient government, the English, as well as other European settlers, instead of demanding payment from a reluctant debtor through the courts of law, seized his person and confined it, till satisfaction was obtained. Nor was this so inconsistent with the spirit of the government, as often to excite its displeasure. It was indeed a remedy to which they were not often obliged to recur; because the profit of dealing with them generally constituted a sufficient motive to punctuality. After the power of the English became predominant, the native courts ceased to exert any authority over Englishmen and
their agents.[1]



The first attempt, which had been made by the English to remedy, in their new dominions, any of the defects in the administration of justice, was the appointment in 1769 of superintending commissioners to the several districts, with directions to inquire into the proceedings of the courts of justice, to restrain iniquitous proceedings, to abolish the chout, and, where a total change should appear desirable, to apply to government for the requisite powers. In 1770, the Naib Duan, and such of the servants of the Company as had their station of service at Moorshedabad, were formed into a Council of Control over the administration of justice. Its administration was still to conform to the ancient and established plan; but the Council of Control should interpose as they perceived occasion; every judicial proceeding which concerned the government should come under their review; the trials should be transmitted to them in all criminal cases, and execution suspended, till their opinion was known; all causes relative to the revenue and to property in land should in the first instance be tried in the native courts, but the Council should revise the proceedings of these courts, and have the power of final determination.

For supplying the place of the native courts, in a great measure superseded by the new system of revenue; and for providing a more perfect judicial establishment; the following scheme was invented and pursued. Two courts, a civil, and a penal, were appointed for each district. The criminal court, styled Phousdary Adaulut, consisted of the collector, as superintendant, with the cauzee and muftee of the district, and two Mohlavies, as interpreters of the law. The civil court, styled Mofussul Duanee Adaulut, consisted of the collector, as President, assisted by the provincial duan and the other officers of the native court. From the jurisdiction of this tribunal no cases were excepted, beside those of succession to Zemindaries and Talookdaries, reserved to the President and Council.



At the seat of government were also established two supreme courts of appeal. That to which the civil branch of this appellate jurisdiction was consigned received the name of Suddur Duanee Adaulut; and was composed of the President with two Members of the Council, attended by the duan of the Khalsa, and certain officers of the Cutchery, or native court of the city. That on which the penal branch was conferred, obtained the title of Nizamut Suddur Adaulut. It consisted of a chief judge, entitled Darogo Adaulut, assisted by the chief Cauzee, the chief Muftee, and three Mohlavies. This Judge was nominated by the President and Council, who in this case acted in the capacity of Nazim. All capital cases were reported to his tribunal; and, after review, were ultimately referred to the Governor General and Council. After a short experience, however, the superintendance of this court appeared to impose a labour, and to involve a responsibility, which the Governor and Council found it inconvenient to sustain; it was one of the first transactions therefore of the new government which succeeded in 1774 to restore this part of the nizamut to the nominal Nabob, and to carry back the tribunal to Moorshedabad.[1]

For the district of Calcutta, two courts were established, on the plan of the other district courts; in each of which a Member of Council presided in rotation. In all these courts, it was ordained that records of proceedings should be made and preserved. The chout, or exaction of a fourth part of all litigated property, for the benefit of the Judge, was abolished. A prohibition was issued against exorbitant fines. The discretionary power, exercised by a creditor over the person of his debtor, was no longer tolerated. And all disputes of property, not exceeding ten rupees, were referred to the head farmer of the pergunna or village precinct, to which the parties belonged.[1]



In the introduction of these measures, a specimen is exhibited of the regard which was paid to the feelings or honour of the natives, how great soever their rank or deservings. Under the anxious search of the Directors for the cause of their intense disappointment in the receipt of treasure from the revenues of Bengal, they, after venting the first portion of their chagrin upon their European, seem to have turned it, with still greater want of consideration, upon their native agents. In a letter from the Secret Committee to Mr. Hastings, their President, dated 28th of August, 1771, they say, “By our general address you will be informed of the reasons we have to be dissatisfied with the administration of MahometReza Cawn,

and will perceive the expediency of our divesting him of the rank and influence he holds as Naib Duan of the kingdom of Bengal." Mr. Hastings is then directed, "to issue his private orders for the securing the person of Mahomet Reza Cawn, together with his whole family, and his known partizans and adherents," and for bringing them prisoners to Calcutta. For this secrecy, precipitation, and severity, (arrest and imprisonment to a man of that rank in India is one of the most cruel of all punishments) the reason assigned was, that otherwise he might "render all inquiry into his conduct ineffectual, and ill-consequences might result from his resentment and revenge." In the endeavour to discover delinquency, they say, "Your own judgment will direct you to all such means of information as may be likely to bring to light the most secret of his transactions. We cannot, however, forbear recommending to you, to avail yourself of the intelligence which Nundcomar may be able to give respecting the Naib's administration; and while the envy which Nundcomar is supposed to bear this minister may prompt him to a ready communication of all proceedings which have come to his knowledge, we are persuaded that no scrutable part of the Naih's conduct can have escaped the watchful eye of his jealous and penetrating rival."[1]



The opinion which the Directors entertained of the man of whom they desired to make such an instrument, had, on a former occasion, been thus expressed: "From the whole of your proceedings with respect to Nundcomar, there seems to be no doubt of his endeavouring by forgery and false accusations to ruin Ram Churn; that he has been guilty of carrying on correspondence with the country powers, hurtful to the Company's interests; and instrumental in conveying letters between the Shazada and the French Governor General of Pondicherry. In short, it appears, he is of that wicked and turbulent disposition, that no harmony can subsist in society where he has the opportunity of interfering. We therefore most readily concur with you, that Nundcomar is a person improper to be trusted with his liberty in our settlements; and capable of doing mischief, if he is permitted to go out of the province, either to the northward, or to the Deccan. We shall therefore depend upon your keeping such a watch over all his actions, as may he means of preventing his disturbing the quiet of the public, or injuring individuals for the future."[1]



In a letter, dated 1st September, 1772, Mr. Hastings gave the Directors a history of the operations already performed, and of the views from which they had sprung. "As your commands were peremptory, and addressed to myself alone, I carefully concealed them from every person, except Mr. Middleton, whose assistance was necessary for their execution, until I was informed by him that Mahmud Rizza Cawn was actually in arrest, and on his way to Calcutta." Beside these alleged commands of the Directors, "I will confess," he says, "that there were other cogent reasons for this reserve;" and giving these reasons, he describes the importance of the office which was filled by Mahomed Reza Khan, and the susceptibility of corruption which marked the situation of his fellow-servants in India. "I was yet but a stranger to the character and disposition of the Members of your administration. I knew that Mahmud Rizza Cawn had enjoyed *the sovereignty* of this province for seven years past, had possessed an annual stipend of nine lacs of rupees, the uncontrouled disposal of

thirty-two lacs entrusted to him for the use of the Nabob, the absolute command of every branch of the Nizamut, and the chief authority in the Dewannee. To speak more plainly; he was, in every thing but the name, the Nazim of the province, and in real authority more than the Nazim.—I could not suppose him so inattentive to his own security; nor so ill-versed in the maxims of Eastern policy, as to have neglected the due means of establishing an interest with such of the Company's agents as, by actual authority, or by representation to the Honourable Company, might be able to promote or obstruct his views."[1]

The office of Mahomed Reza Khan consisted of two parts; the one was the office of Naib Duan, in which he represented the Company, as Duan or Master of the Revenues; the other was the office of Naib Subah, as it was called by the President and Council, more properly the Naib Nazim, in which he represented the Nabob in his office of Nazim, that department of the Subahdaree, the name and ministerial functions of which were still reserved to the native Prince. The functions of the Naib Duan were indeed supplied by the new scheme for levying the revenue. But for those of the Naib Subah, as they called him, no provision as yet was made. The duties and importance of that office, are thus described by Mr. Hastings and Committee; "The office of Naib Subah, according to its original constitution, comprehends the superintendance of the Nabob's education, the management of his household, the regulation of his expenses, the representation of his person, the chief administration of justice; the issuing of all orders, and direction of all measures which respect the government and police of the provinces; the conduct of all public negotiations, and execution of treaties; in a word, *every branch of executive government*."[1]



Nothing can afford a more vivid conception of what I may perhaps be allowed to call the *style* of government which then existed in Bengal, the temper with which the difference between some performance and no performance of the duties of government was regarded, than this; that the officer on whom "*every branch of the executive government*" depended, was arrested some days before the 28th of April; and that it was not till the 11th of July, that a proposition was brought forward to determine what should be done with the office he had filled.[2] A letter signed by the Company's principal servants at Moorshedabad, and received at Fort William on the 21st of May, declared; "We must also observe to you the necessity there is for speedily appointing a Naib to the Nizamut, as the business of that department, particularly the courts of justice, is suspended for want of a person properly authorized to confirm the decrees of the several courts of justice, and to pass sentence on criminals, besides various other matters of business, wherein the interposition of the Subah [*Subahdar*] is immediately necessary."[3] Why was not some arrangement taken; or rather, is it necessary to *ask*, why some arrangement was not taken, to prevent the suspension of the judicial and every branch of the executive government, before the officer was arrested on whom all these great operations depended!

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The Rajah Shitabroy held the same office at Patna, for the province of Bahar, as was held by Mahomed Reza Khan at Moorshedabad, for that of Bengal. Because Mahomed Reza Khan was arrested, and sent to Calcutta for his trial, and because, as holding the same office, it seemed proper

that they should both share the same fate, Shitabroy was in like fashion arrested, and sent to his trial.

Ahteram al Dowlah was a surviving brother of Jaffier Ali Khan the deceased Subahdar, the uncle of the young Nabob, the eldest existing male, and hence the natural guardian, of the family: On this ground he presented a petition to "the Gentlemen," praying that he might be appointed to the vacant office of Neabut Nizamut; in other words be chosen Naib under the Nazim.

The Directors, though resolved not to be any longer Duan under a cloak; were yet eager to preserve the supposed benefit of clandestinity, in the other department of the Subahdaree, the Nizamut.1 The servants in India declared their full concurrence in the wisdom of that policy.2 But they conceived that for this purpose such an officer as the Naib
Subah (so they styled the Naib of the Nazim) was neither necessary nor desirable; first, on account of the expense, next the delegation of power, which could never be without a portion of danger. They resolved, therefore, that the office of Naib Subah should be abolished.1 That is to say, they resolved, that the main instrument of government; that on which the administration of justice, the whole business of police, and every branch of the executive government, depended; should be taken away: And what did they substitute, for answering the same ends? The Courts of Review established at Calcutta might be expected to supply the place of the Naib of the Nazim, in respect to the administration of justice: With respect to all the other branches of government, answerable for the happiness of between twenty and thirty millions of human beings, no substitution whatsoever was made: So profound, for I acquit them on the score of intention, was the ignorance which then distinguished the English rulers of India, of what they owed to the people, over whom they ruled, and the fruit of whose labour, under the pretence of rendering to them the services of government, they took from them, and disposed of as they pleased! No doubt the duties of government, thus left without an organ, were in part, and irregularly, when they pressed upon them, and could not be avoided, performed both by the President and Council, and by the servants distributed in the different parts of the country. But how imperfectly those services of government must have been rendered, for which no provision was made, and which, as often as they were rendered, were rendered as works of supererogation, by those who had other obligations to fulfil, it is unnecessary to observe.

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Though so little was done for rendering to the people the services of government, there was another branch of the duties of the Naib Nizam, which met with a very different sort and style of attention. That was, in name, the superintendance of the education and household of the Nabob; in reality, the disbursement of the money, allotted for his state and support. This was a matter of prime importance; and was met with a proportional intensity of consideration and care. It would be unjust, however, to impute to the individuals the defect in point of virtue which this contrast seems to hold forth. The blame is due to their *education*, the sort of education which their country bestows. They had been taught to consider the disbursement of a very large sum of money, as a matter of prodigious importance; they had never been taught to

consider the rendering of the services of government to the people, provided the people would be quiet, as a matter of any importance at all. They must, therefore, have been superior to ordinary men; they must have belonged to that small number who rise above the mental level which their country and its institutions are calculated to form, had they displayed a higher measure, than they did, of wisdom and virtue.

This high-prized department of the functions of the Naib Nazim was even divided into two portions; the latter subject to the control of the former. One portion was made to consist, in "the guardianship of the Nabob, and the care and rule of his family;" the other in "regulating and paying the salaries of the Nabob's servants, and keeping the account of his
expenses, to be monthly transmitted to the Board, according to the orders of the Honourable Court of Directors."[1]



To execute the first of these portions (the pretensions of Ahteram ul Dowla, and if a woman was to be chosen, those of the mother of the Nabob, the wife of Meer Jaffier, being set aside) Munny Begum, a second wife, or rather concubine of Meer Jaffier, a person who had been originally a dancing girl, was preferred and appointed. The reasons are thus assigned by the majority of the council, in their minute of the 11th of July, 1772: "We know no person so fit for the trust of guardian to the Nabob, as the widow of the late Nabob Jaffier Ally Cawn, Minnee Begum; her rank may give her a claim to this pre-eminence, without hazard to our own policy; nor will it be found incompatible with the rules prescribed to her sex by the laws and manners of her country, as her authority will be confined to the walls of the Nabob's palace, and the Dewan" (meaning the person who should hold the secondary office, the paymaster, and accountant) "will act of course in all cases in which she cannot personally appear. Great abilities are not to be expected in a Zennana, but in these she is very far from being deficient, nor is any extraordinary reach of understanding requisite for so limited an employ. She is said to have acquired a great ascendant over the spirit of the Nabob, being the only person of whom he stands in any kind of awe; a circumstance highly necessary for fulfilling the chief part of her duty, in directing his education and conduct, which appear to have been hitherto much neglected."[2]



With regard to the second of the above-described portions, a minute, in the Consultation, 11th July, 1772, signed Warren Hastings, says, "The President proposes Rajah Goordass, the son of Maha Rajah Nundcomar, for the office of Dewan to the Nabob's household. The inveterate and rooted enmity which has long subsisted between Mahomet Reza Cawn and Nundcomar, and the necessity of employing the vigilance and activity of so penetrating a rival to counteract the designs of Mahomet Reza Cawn, and to eradicate that influence which he still retains in the government of this province, and more especially in
the family of the Nabob, are the sole motives for this recommendation."[1]



The revenue allowed to the use of the Nabob had hitherto been so great a sum as thirty-two lacs of rupees. Of this the Directors had already complained; and agreeably

to their directions, in January, 1772, on the allegation of the non-age of the Nabob, it was reduced to one half.

Mahomed Reza Khan and Shitabroy were brought prisoners to Calcutta in the month of April. In his letter of the 1st of September, to the Court of Directors, Mr. Hastings says: "It may at first sight appear extraordinary, that Mahmud Rizza Cawn and Rajah Shitab Roy have been so long detained in confinement without any proofs having been obtained of their guilt, or measures taken to bring them to a trial." Among the causes of this, he first specifies the great load of business with which the time of the counsel had been consumed. He then says, "Neither Mahmud Rizza Cawn nor Rajah Shitab Roy complain of the delay as a hardship. Perhaps all parties, as is usual in most cases of a public concern, had their secret views, which, on this occasion, though opposite in their direction, fortunately concurred in the same points. These had conceived hopes of a relaxation of the Company's orders; Mahmud Rizza Cawn had even buoyed himself up with the hopes of a restoration to his former authority by the interests of his friends and a change in the Direction. I pretend not to enter into the views of others; my own were these: Mahmud Rizza Cawn's influence still prevailed generally throughout the country; in the Nabob's household, and at the capital, it was scarce affected by his present disgrace; his favour was still courted, and his anger dreaded: Who, under such discouragements, would give information or evidence against him? His agents and creatures filled every office of the Nizamut and Dewannee; how was the truth of his conduct to be investigated by these? It would be superfluous to add other arguments to show the necessity of pressing the inquiry by breaking his influence, removing his dependants, and putting the directions of all the affairs which had been committed to his care, into the hands of the most powerful or active of his enemies. With this view, too, the institution of the new Dewannee obviously coincided. These were my real motives for postponing the inquiry."[1]



With respect to the further progress of that inquiry, for facilitating which such extraordinary proceedings had been described as necessary, proceedings sufficient to procure the destruction, when required, of the most innocent of men; it was nevertheless, after two years' confinement, degradation, and anxiety, judicially declared, that in Mahomed Reza Khan, and Rajah Shitabroy, no guilt had been proved. There is no proof that their destruction was at any time an object with Mr. Hastings; and their acquittal proves that certainly it was not so to the end. Of Mahomed Reza Khan, as connected with subsequent facts of great importance, we shall afterwards have to speak. But the mind of Shitabroy, who was a man of a high spirit, was too deeply wounded for his health to escape; and he died of a broken heart, a short time after his return to Patna. As some compensation for the ill-usage of Shitabroy, Mr. Hastings, on his visit to Patna, when travelling to meet the Vizir at Benares, in 1773, appointed his son Roy-royan, or chief native agent of finance, in the province of Bahar; "from an entire conviction," as he declared, "of the merits and faithful services, and in consideration of the late sufferings, of his deceased father."[1]

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During the time in which this great revolution was effecting in the government of Bengal, the situation of the neighbouring powers was preparing another field of action

for the ambition and enterprise of the Company's servants. The loss which the Mahrattas had sustained in their late contest with the Abdalees, and the dissensions which prevailed among their chiefs, had for several years preserved the northern provinces from their alarming incursions. Nujeeb ad Dowla, the Rohilla, in whom, as imperial deputy, the chief power, at Delhi, had been vested, upon the departure of the Abdalee Shah, had, by his wisdom and vigour, preserved order and tranquillity in that part of Hindustan. The Emperor, Shah Aulum, who resided at Allahabad, in the enjoyment of the districts of Allahabad and Corah, allotted as his dominion in the treaty lately concluded with him by the English and Vizir, where his state was in some measure supported by the payment or expectation of the share which was due to him, and which the English rulers had bound themselves to pay, of the revenues of Bengal; had manifested great impatience, even before the conclusion of Mr. Verelst's government, to march to Delhi, and to mount the throne of his ancestors. Respect for the English, who laboured to repress this fond desire, and for the power of Nujeeb ad Dowla, who might not willingly retire from his command, delayed the execution of the Emperor's designs. Nujeeb ad Dowla died in the year 1770, about the very time when the ambition of Shah Aulum had stimulated him to the hazardous project of courting the Mahrattas to assist him in returning to Delhi.



With or without the concert of the Emperor, three powerful chiefs, Tookagee, Sindia, and Besagee, had taken a position to the northward of the river Chumbul, and hovered over the adjoining provinces with 30,000 horse. The Emperor, in the beginning of the year 1771, had dispatched his minister to Calcutta to obtain, if not the assistance, at least the approbation of the English, to his projected expedition; and was not restrained by their dissuasions. By the exertion of the Mogul nobles, and the assistance of the Vizir, who is said to have acted with more than his usual liberality,[1] he was enabled, in the month of May, 1771, to march from Allahabad at the head of an army of 16,000 men. At the town of Nabbee Gunge, about thirty miles beyond the city of Furuckabad, on the high road to Delhi, where he was constrained, by the commencement of the rains, to canton his army, a Mahratta vakeel, or ambassador, waited his arrival, and presented the demands of his masters. Whatever balance of chout was due from the time of Mahomed Shah, must be discharged: Whatever plunder should be taken, must be divided equally between the Mogul and Mahratta troops: The Mahratta leaders must be confirmed in their jaghires: And five lacs of rupees,[1] toward the expense of the war, must be immediately advanced to the Mahrattas from the imperial treasury. With whatever indignation these imperious terms might be heard, no reluctance was to be shown. When the season for marching returned, the Mahratta chiefs and the nobles of Delhi joined the retinue of the Emperor; and on the 25th of December he made his entrance into the capital, with all the display which his circumstances placed within the compass of his power.



The Mahrattas afforded the Emperor but a few days to enjoy the dignity and pleasures of his capital; when they hurried him into the field. The country of the Rohillas was the object of cupidity to both; to the Emperor, as an increase of his limited territory; to the Mahrattas, as a field of plunder, if not a permanent possession. Seharunpore, the jaghire of the late minister Nujeeb ad Dowla, the Rohilla chief, who

had served the royal family with so much fidelity and talent, and, in the absence of the Emperor, had governed the city and province of Delhi for a number of years, lay most accessible. It was not, as the other possessions of the Rohillas, on the further side of the Ganges, but commenced under the Sewalic hills, at a distance of seventy miles from Delhi, and was terminated by the strong fortress of Ghose Ghur on the north, and by Sakertal on the east. The resumption of the government of Delhi, which had been possessed by Nujeeb ad Dowla, and transmitted to his son Zabita Khan, and the idea of the resentment which that chief must have conceived upon this retrenchment of his power, rendered him an object of apprehension to the Emperor, and recommended to his approbation the project of commencing operations with the reduction of Seharunpore. The Mogul forces, which the Emperor accompanied in person, were commanded by Mirza Nujeef Khan, a native of Persia, who accompanied to Delhi Mirza Mhosan, the brother of Suffder Jung, the Nabob of Oude, when he returned from the embassy on which he had been sent to Nadir Shah, after his invasion of Hindustan. Mirza Nujeef was of a family said to be related to the Sophi sovereigns of Persia, and was held in confinement by the jealousy of Nadir. He and his sister were released at the intercession of the Hindustan ambassador; when the sister became the wife of her deliverer; and the brother accompanied them on their departure to Hindustan. After the death of his benefactor, Mirza Nujeef adhered to the fortunes of his son, Mahomed Coollee Khan, Governor of Allahabad; and when that unfortunate Prince was treacherously put to death by his cousin Sujah Dowla, the son and successor of Suffder Jung, Nujeef Khan retired with a few followers into Bengal, and offered his services to Meer Causim. When that Nabob fled for protection to the Nabob of Oude, whom Nujeef Khan, as the friend of Mahomed Coollee Khan, was afraid to trust, he departed into Bundelcund, and was received into employment by one of the chiefs of that country. Upon the flight of Sujah Dowla, after the battle of Buxar, Mirza Nujeef offered his services to the English; advanced claims to the government of Allahabad; was favourably received; and put in possession of a part of the country. But when the transfer of that district to the Emperor came to be regarded as a politic arrangement, the pretensions of Nujeef Khan were set aside; and, in the way of compensation, he was allowed a pension of two lacs of rupees from the English revenues, and recommended warmly to the Emperor. His talents and address raised him to a high station in the service of that enfeebled Sovereign, whom he accompanied, as commander of the forces, on his ill-fated expedition to Delhi.



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The united power of the Emperor and Mahrattas, Zabita Khan, though he made a spirited defence, was unable to withstand. He was overcome in battle; and fled across the Ganges, in hopes to defend what territories he possessed on the opposite side. He stationed parties of troops at the different fords; but this weakened his main body; Nujeef Khan gallantly braved the stream; and was followed by the Mahrattas; when Zabita Khan, despairing of success, fled to Pattirgur, where he had deposited his women and treasures. The closeness with which he was pursued allowed not time sufficient to remove them, and they fell into the hands of the enemy; while Zabita Khan himself, with a few attendants, escaped to the camp of Sujah Dowla. His country, one of the most fertile districts in India, which had flourished under the vigorous and equitable administration of Nujeeb ad Dowla,

afforded a rich booty; which the Mahrattas wholly seized, and set at nought the outcries of the Emperor. book v.Chap. 1. 1772.

The Rohillas were now placed in the most alarming situation. We have already seen[1] that among those soldiers of fortune from the hardy regions of the North, who constantly composed the principal part of the Mogul armies, and, according to their talents and influence, procured themselves lands and governments in India, the Afghauns had latterly occupied a conspicuous place; that a portion of this people, who took the name of Rohillas, had given several chiefs, with large bands of followers, to the imperial armies; that these chiefs had in some instances been rewarded with jaghires in that fertile district of country which lies principally between the Ganges and the mountains, on the western boundary of the Subah of Oude; that amid the disturbances which attended the dissolution of the Mogul government, those leaders had endeavoured to secure themselves in their possessions, which they had filled with great numbers of their countrymen. It is completely proved, that their territory was by far the best governed part of India; that the people were protected; that their industry was encouraged; and that the country flourished beyond all parallel. It was by these cares, and by cultivating diligently the arts of neutrality; that is, by pretending, according to the necessity of Indian customs, to favour all parties, not by conquering a larger territory from their neighbours, that the Rohilla chiefs had endeavoured to provide for their independance. After the death of Nujeeb ad Dowla, no one among them was remarkably distinguished for talents.[2] Hafez Rhamet Khan, whose territories lay nearest to those of Sujah Dowla, was looked upon as the chief of the tribe; but his character had in it more of caution than of enterprise, and his prudence had stamped upon him the reputation of avarice. The united force of all these leaders was estimated at 80,000 horse and foot. But though a sense of common danger might with difficulty combine them in operations of defence, they were too independent, and their minds too little capable of a steady pursuit of their own interests, to offer, through an aggressive confederacy, any prospect of danger to the surrounding powers.[1] book v.Chap. 1. 1772.

The Rohillas, on their part, however, stood exposed to alarming designs, on almost every quarter. Their nearest, and for a long time their most dangerous enemy, was the Subahdar of Oude, to whom, from its first acquisition, their territory had been a constant object of envy and desire. A predecessor of Sujah Dowla, nearly thirty years before, had invited the Mahrattas to assist him in wresting it from their hands; and had given the first temptation to that dangerous people to claim a settlement in that part of Hindustan. From the character of the present Subahdar of Oude, the danger of the Rohillas on that side was increased rather than diminished; and at the same time the superior power of the Mahrattas pressed upon them with alarming violence from the south. With their own strength, they were a match for neither party; and clearly saw, that their safety could only be found in obtaining protection against both. They temporised; and endeavoured to evade the hostile designs of each, by shielding themselves with the terror which one set of their enemies kept alive in the breasts of the other. book v.Chap. 1. 1772.

The Rohillas were vehemently roused by intelligence of the attack upon Zabita Khan, which they regarded as the first step of a general plan of aggression. They proposed an union of counsels and of arms with the Subahdar of Oude, to whom the establishment of the Mahrattas upon his frontier was, they knew, an object equally of danger and alarm. He was thrown into great consternation and embarrassment. Early in January, 1772, he pressed for an interview with the English General, Sir Robert Barker, who was then on his route to Allahabad, and met him on the 20th of the same month at Fyzabad. He remarked that "either, to prevent a total extirpation, the Rohillas would be necessitated to give up a part of their country, and to join their arms with the Mahrattas; when the whole confederacy would fall upon him; or that the Mahrattas, refusing all terms to the Rohillas, would establish themselves in the Rohilla country, and expose him to still greater danger." To extricate himself from these difficulties, the following is the plan which he had devised. He would march with his army to his own Rohilla frontier: He would there, partly by the terror of his arms, partly by desire of his aid, obtain from the Rohillas, first, the cession of a portion of their territory for the Emperor's support, leaving to them such a part as was best adapted to serve as a barrier to the province of Oude; and, secondly, a sum of money, with part of which he would purchase the departure of the Mahrattas, and part of which he would keep to his own use: He would thus effect an accommodation with both the Emperor and the Mahrattas, at the expense of the Rohillas; and put something in his own pocket besides. But for the accomplishment of these desirable ends, the presence of the English was absolutely necessary, without the guarantee of whom, he plainly declared that the Rohillas, who knew him, would yield him no trust. To the letter of the General, making known this proposal, the Presidency on the 3d of February wrote in reply, approving highly of the project of Sujah Dowla, and authorizing the General to lend the support which was desired.



The proposals of the Subahdar, in regard especially to the division of their territory, were odious to the Rohillas; and time was spent in negotiation, while 30,000 Mahrattas ravaged the country beyond the Ganges, and their main body subdued the territory of Zabita Khan. The English General, Sir Robert Barker, strongly urged upon Sujah Dowla, the necessity of protecting the Rohillas, the weakness of whom became the strength of the Mahrattas, and enabled them, if their departure were purchased, to return to the seizure of the country whenever they pleased. In the mean time the Subahdar was eager to conclude a treaty with the Mahrattas; the prospect of which alarmed the English General, and called forth his exertions to prevent so dangerous a confederacy. The Mahrattas, however, treated the overtures of the Subahdar with so little respect, that they varied their terms at every conference; and forced him at last to break off the negotiation. In their instructions to the General, on the 30th of April, the Select Committee declare: "We are confirmed in the opinion we have for some time past entertained, that the Mahrattas will not make any stay in the Rohilla country; but that they will be obliged to quit it even before the rains set in; and every day's intelligence renders the probability of this event the more apparent." Their opinion was grounded upon the knowledge which they possessed of the revolution which had taken place in the Mahratta government, and which could not, as they supposed, and as the event turned out, fail to recall their armies. The Committee add, "We therefore so far concur

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in opinion with you, that any concessions made to the Mahrattas to promote their departure would be superfluous and highly improper."

The defeat of the negotiation with the Mahrattas, and the knowledge with which the Subahdar was already furnished of the events which summoned home the Mahrattas, brought about that alliance between him and the Rohillas, which Sir Robert had laboured so eagerly to effect. The Subahdar was very keen for an arrangement, from which he expected to derive money, now when he hoped by the voluntary departure of the Mahrattas to have nothing to do in return for it. The Rohillas, on the other hand, it is observable, entered into the engagement with the utmost reluctance: in compliance solely, as it would appear, with the importunities of the English. Sir Robert Barker had sent Captain Harper to the camp of the Rohillas to negotiate; and on the 25th of May, from the Nabob's camp at Shawabad, he writes to the Presidency, in the following remarkable terms. "Gentlemen, on the 21st instant, Captain Harper, returned from the Rohilla Sirdars [commanders] having *at length prevailed* on Hafez Rhamet Khan to proceed with him to Shawabad the second day's march. The jealousy of Hindustaners has been very particularly evinced in this visit; for notwithstanding Hafez Rhamet has been encamped within three coss since the 23d of the month, until this morning, he could not prevail on himself to perform the meeting.—I hope, in a few days, to have the satisfaction of communicating to you the final conclusion of this agreement with the Rohilla Sirdars."



It was not, however, before the 17th day of the following month, that all difficulties were borne down, or removed, and a treaty of alliance, offensive and defensive, was signed by the respective parties. Of the articles, that which was attended with the most memorable consequences, that to which the Rohillas, it is probable, assented only from that rashness and negligence in forming pecuniary obligations which is universal in Indian governments and which their universal practice of fulfilling none which they can violate or evade unavoidably engenders, was the promise to pay to the Vizir forty lacs of rupees, on condition that he should expel the Mahrattas from the Rohilla territories; ten of these lacs to be furnished on the performance of the service, the rest in the space of three years.[1]



No effort whatsoever, in consequence of this agreement, was made by the Subahdar for the expulsion of the Mahrattas; in a little time he returned to his capital; and the Mahrattas, after ravaging the country, crossed the Ganges of their own accord, at the commencement of the rains. They encamped, however, between the Ganges and the Jumna, with too evident an intention of renewing their operations as soon as the favourable season should return. During the period of inaction, the Rohillas importuned the Vizir to make such arrangements with the Emperor and Mahrattas, as might prevent them from crossing the Ganges any more. But no such arrangements were attempted. As soon as the termination of the rains approached, the Mahrattas drew near to the river, and, again threatening the Rohillas, demanded a sum of money, of which, after temporising, a portion was, by Hafez Rhamet, most reluctantly paid.

Upon the accomplishment of the enterprise against Zabita Khan, the Emperor returned to Delhi, disgusted with his new allies, and eagerly desirous of an opportunity to

dissolve the connexion. The Mahrattas on their part, who disdained the restraint of obligation, whenever it might be violated with profit, had entered into correspondence with Zabita Khan, and had engaged for a sum of money to compel the Emperor, not only to restore his territory, but to bestow upon him the office of Ameer al Omra, which
his father had enjoyed. To these commands the Emperor could not prevail upon himself quietly to yield; and the Mahrattas thought proper to march towards Delhi, to enforce submission. The Emperor prepared himself for resistance; and, by the vigour and foresight of Nujeef Khan, was enabled to make a respectable defence. Incapable, however, of long supporting the weight of the Mahratta host, he opened the gates of Delhi, on the 22d of December, exactly one year, wanting three days, from the period of his inaugural entry. From this time, he was no better than an instrument in the hands of the Mahrattas. Of their power the first use was to extort from their prisoner a grant of the provinces of Corah and Allahabad, in which he had been established by the English. Having accomplished these events, they returned to the banks of the Ganges, which they made preparations to cross.



The Subahdar was now thrown into a state of the most violent alarm; and wrote repeated letters to the Bengal government to send a military force to his protection. He had neglected, or had been unable, to take any measures for placing the country of the Rohillas in a state of security. That people were now laid at the mercy of the Mahrattas; and would, he foresaw, be compelled to join them, to avoid destruction. Zabita Khan had already thrown himself upon their mercy; and he violently feared that the other chiefs would speedily follow his example. The Mahrattas, indeed, made great offers to the Rohillas. They would remit the greater part of the sums of which they had extorted the promise. They engaged to pass through the country without committing any depredations or molesting the ryots, and to grant all sorts of advantages; provided the Rohillas would
yield a free passage through their dominions into the territory of the Vizir.[1] The Subahdar of Oude exerted himself to prevent that union of the Mahrattas and Rohillas; the effects of which he contemplated with so much alarm. He moved with his army into that part of his country which was nearest to that of the Rohillas; and held out to them whatever inducements he conceived most likely to confirm their opposition to the Mahrattas. He engaged to make effectual provision both for their present and future security; and to remit, as Hafez Rhamet affirms, the forty lacs of rupees. Difficult as was the choice, the Rohillas thought it still less dangerous to rely upon the faith of the Subahdar, than upon that of the Mahrattas; and gaining what they could, by temporizing with that formidable people, they, however, declined all engagements with them, and actually joined their troops to those of the English and Subahdar.[2]



On the 7th of January, 1773, the Secret Committee at Calcutta entered into consultation on intelligence of these events; and thus recorded their sentiments. “Notwithstanding the alarms of the Vizir, expressed in the foregoing letters, it does not clearly appear that the Mahrattas have acquired any accession of power, since, whatever advantage they derived from the sanction of the King’s name, when he was independent, must now be either lost, or very much diminished, by their late rupture

with him, by their having violently possessed themselves of his person, and their usurpation of his dominions." On the subject of the Rohillas, whom the Vizir, to increase
the ardour of the English to send an army to his support, represented as actually connected with the Mahrattas, though he only dreaded that event, they remark, that instead of joining with the Mahrattas in an invasion of the territories of the Vizir, "It is still more probable that the Rohilla chiefs, who have sought their present safety in a treacherous alliance, *to which necessity compelled them*, with the Mahrattas, will, from the same principle, abandon their cause, or employ the confidence reposed in them to re-establish their own independence, rather than contribute to the aggrandizement of a power, *which in the end must overwhelm them*." With regard to the unhappy Shah Aulum, the humiliated Emperor of the Moguls, they remark; "It is possible he may solicit our aid; and, in point of right, we should certainly be justified in affording it him, since no act of his could be deemed valid in his present situation, and while he continues a mere passive instrument in the hands of the Mahrattas: But whether it would be political to interfere, or whether, at this time especially, it would be expedient, must continue a doubt with us."[1] It is remarkable, that with regard to the most important of his acts, the surrender of Corah and Allahabad, so little did any one regard it as binding, that his deputy, in these provinces, instead of delivering them up to the Mahrattas, applied to the English for leave to place them under their protection, "as the King, his master, whilst a prisoner in the hands of the Mahrattas, had been compelled to grant sunnuds in their favour."[2] The English, in consequence, threw a garrison into Allahabad, and sent a member of council to take charge of the revenues.[3]



The obligation under which the English were placed to aid the Vizir in the defence of his own territory, and their opinion of the advantage of supporting him against the Mahrattas, induced them to send Sir Robert Barker, with a part of the army. The importance of preventing the Mahrattas from establishing themselves on the northern side of the Ganges, and the facility which they would possess of invading Oude if masters of Rohilcund, disposed the English to include that district also within the line of their defensive operations. But, though the combined forces of the English and Vizir passed into the territories of the Rohillas, and encamped near the river, opposite to the main army of the Mahrattas, which threatened at once the territories of Oude and the province of Corah, a large body of Mahrattas, crossed the Ganges, over-ran a great part of Rohilcund, destroyed the cities of Moradabad and Sumbul, and continued to ravage the country till the end of March.



No operation of any importance ensued. The English General was restrained by peremptory orders from passing the river, to act on the offensive; the Mahrattas were afraid of crossing it in the face of so formidable an opponent. And in the month of May, the situation of their domestic affairs recalled that people wholly to their own country.

The departure of the Mahrattas opened a field to the ambition of the Subahdar, which he was eager to cultivate. A meeting was concerted between him and the Governor, which took place at Benares at the beginning of September. The terms are memorable in which the cause and object of this interview are mentioned by the English chief. In

his Report to the Council at Calcutta, on the 4th of October, 1773, he says, "The Vizir was at first very desirous of the assistance of an English force to put him in possession of the Rohilla country, lying north of his dominions and east of the Ganges. This has long been a favourite object of his wishes; and you will recollect that the first occasion of my last visit was furnished by a proposal of this kind."[1] The Governor-General was so far from revolting at this proposition, or hesitating to close with it, that he stimulated the Vizir to its execution.[2] *Money* was the motive to this eager passion for the ruin of the Rohillas. "As this had long," says the English ruler, "been a favourite object of the Vizir, the Board judged with me that it might afford a fair occasion to urge the improvement of our alliance, by obtaining his assent to a more equitable compensation for the expense attending the aid which he occasionally received from our forces."[3] The situation of the Company he says, urged it upon them, "as a measure necessary to its interest and safety. All our advices," he continues, "both public and private, represented the distresses of the Company at home, as extreme. The letters from the Court of Directors called upon us most loudly for ample remittances, and a reduction of our military expenses. At the same time, such was the state of affairs in this government, that for many years past the income of the year was found inadequate to its expense; to defray which, a heavy bond debt, amounting at one time to 125 lacs of rupees, had accumulated."[4] It was accordingly stipulated that forty lacs of rupees, upon the accomplishment of the enterprise, should be advanced to the English by the Vizir, and a monthly allowance, equivalent to the computed expense, be provided for the troops engaged in that service. By this, says the Governor, "a saving of near one third of our military expenses would be effected during the period of such a service; the stipulation of forty lacs would afford an ample supply to our treasury: the Vizir would be freed from a troublesome neighbourhood, and his dominions be much more defensible."





In all this, we may allow, there was enough for convenience and profit, both to the President and the Vizir. But to bring ruin upon a large body of our fellow-creatures for our own convenience and profit, unless where the most cogent reasons of justice and necessity impel, is to perform the part of the most atrocious oppressors. In this case, the pleas of justice and necessity are, to an extraordinary degree, defective and weak. The unhappy Rohillas, it seems, procrastinated, and evaded, with respect to the demand which was now violently made upon them for payment of the formerly stipulated price of defence; a payment which had not been earned, since they had never been defended; which they were not able to pay, since their country had been repeatedly ravaged and stript; of which the exaction was in reality a fraud, since the return for it was never intended to be made; which it was no wonder they were reluctant to pay, to the man who was impatient to assail them, and whom the use of their money would only strengthen for their destruction. At the worst a failure in a pecuniary obligation can never justify a war of extermination; it even authorized hostilities, as the Directors, when they condemned this employment of their forces, remarked, so far only, as might be necessary to compel the fulfilment of the contract. It was also alleged, that the Rohillas assisted the Mahrattas. But this is by no means true. They temporized with the Mahrattas, as it was highly natural they should do; but the whole power of the nation was exerted to keep and to drive the Mahrattas from their own side of the Ganges.[1] With regard to

necessity for the extirpation of the Rohillas, there was not so much as prudence to justify the deed; Hastings himself confessing, “that the dependance of the Vizir upon the Company (in other words his weakness) would, by that extension of his possessions, be *increased*, as he himself was incapable of defending even his ancient possessions without the English support.”2

Another object of great importance was to be settled between the Governor and Vizir. The provinces of Corah and Allahabad, of which a forced surrender had been obtained by the Mahrattas, but which the deputy of the Emperor, declaring the act involuntary, had, to save them for his master, placed under the protection of the English, were to be disposed



of. At first, if no resolution was taken to restore them to the Emperor, it appears, at least, that none was adopted to take them from him. As soon as the idea was begotten of making money out of the present situation of affairs, the provinces of Corah and Allahabad naturally fell into the crucible. It had long been a decided principle in the Company’s policy, not to retain those provinces under their own administration; because the expense of governing them, at so great a distance, would exceed the utmost revenue they could yield. The choice lay between preserving them for the Emperor and making them over to the Vizir. Generosity, had it any place in such arrangements, pleaded with almost unexampled strength in behalf of the forlorn Emperor, the nominal sovereign of so vast an empire, the representative of so illustrious a race, who now possessed hardly a roof to cover him. Justice, too, or something not easily distinguished from justice, spoke on the same side: considering that, in the first place, the Emperor had a right to the provinces, both by his quality of sovereign of India, and also by the peculiar concession and grant of the English Company, if not in express terms for, most certainly in consideration of, his not absolutely necessary but highly useful grant of the duanee of the three great and opulent provinces of Bengal, Bahar, and Orissa; And that, in the second place, he could not, by any fair construction, be deemed to have forfeited any right by the surrender of the provinces, an act which was in the highest degree involuntary, and therefore not his own. But these considerations were a feeble balance against the calls of want, and the heavy attractions of gold. To secure Allahabad and Corah against the possession of so dangerous a power as the Mahrattas was the acknowledged policy of the British government; and it was alleged, that the Emperor



was unable to protect them. But it is certainly true, that the Emperor was not less able at that time than he was at the time when they were first bestowed upon him; or than he was at any point of the time during which they had been left in his hands. It is equally true, that the inability of the Vizir to secure them was just as certain as that of the Emperor; since there is the confession of the Governor, that he was unable to protect even his own dominions, without the assistance of the English; and that every extension of his frontier rendered him more vulnerable and weak. There was, however, one difference; the Vizir could give money for them, the Emperor could not; and in this, it is probable, the whole advantage will be found to consist. That the English strengthened their barrier by giving to a crude native government a vast frontier to defend, instead of combining against the Mahrattas the forces of the Rohillas, the Emperor, and the Vizir, will hardly be affirmed by those who reflect how easily the balance among those powers

might have been trimmed, or who know the consequences of the arrangement that was formed. For a sum of money, Corah and Allahabad were tendered to the Vizir. That he was delighted with the prospect of regaining a territory, for which, a few years before, we have seen him incurring the infamy and guilt of perfidy and murder, perpetrated against a near kinsman, we need not doubt. About terms there appears to have been no dispute. For the sum of fifty lacs of rupees, of which twenty lacs were to be paid in ready money, and the remainder in two years by payments of fifteen lacs at a time, the provinces in question were added to his dominions.

The acquisition of those provinces made an apparent change with regard to the Rohillas in the views of the Vizir. If we may believe the representation of the President; whose representations, however, upon this subject, are so full of management, and ambiguity, that they are all to be received with caution; the Nabob represented himself unable to meet the pecuniary obligations under which the acquisition of both territories would lay him to the English Company; and desired for that reason to suspend his attack upon the Rohillas. It was agreed, however, between him and the President, that whenever the time convenient for the extirpation of that people should arrive, the assistance of the English should not be wanting. The difficulty of fulfilling his pecuniary engagements with the Company, if they were ever alleged, did not detain him long.



From the meeting at Benares, the Vizir and President parted different ways; the former to the Dooab, and Delhi, to reduce, during the absence of the Mahrattas, some forts and districts which were still held for that people; the latter to lay before his colleagues, and to transmit to his employers, such an account of the transactions at this interview, as was most likely to answer his ends.

In his report to the Council at Fort William, the President confined himself to the agreement respecting Corah and Allahabad, and the allowance for such troops as might hereafter be employed in the service of the Vizir. The agreement respecting the Rohillas, which it had been settled between the President and Vizir might be conveniently kept out of the ostensible treaty, was wholly suppressed. With a view to the future, it was politic however to explain, that the Vizir showed at first a desire to obtain English assistance for the seizure of the Rohilla country; it was politic also to state the pretexts by which the expediency of that assistance might best appear to be established. Adding, that for the present, however, the Vizir had laid aside this design, the President subjoined the following declaration: “I was pleased that he urged the scheme of this expedition no further, as it would have led our troops to a distance.”[1] Yet we have it from his pen, that he “encouraged” the Vizir to the enterprise, as what promised to be of the greatest advantage to the Company.



In the letter of the President dispatched from Benares to the Directors, announcing the result of his arrangements with the Vizir, all intelligence of the project for exterminating the Rohillas is surpressed.

Upon the return of Mr. Hastings to Calcutta, he effected an object, of which, from the important consequences with which it was attended, it is necessary to give some account. The correspondence with the country powers had frequently been carried on through the military officers upon the spot. The power thus conveyed to the military, Mr. Hastings had represented as inconvenient, if not dangerous; and one object of his policy had been to render the head of the civil government the exclusive organ of communication with foreign powers. He now stated to the Council the concurrence in opinion of the Vizir and himself, that an agent, permanently residing with the Vizir for the communication and adjustment of many affairs to which the intercourse of letters could not conveniently apply, would be attended with important advantages: And he urged the propriety of granting to himself the sole nomination of such an agent, the sole power of removing him, and the power of receiving and answering his letters, without communication either to the Committee or Council. To all these conditions the Council gave their assent; and Mr. Nathaniel Middleton, with an extra salary, was sent as private agent to attend the residence of the Vizir, and to communicate secretly with Mr. Hastings.[1]



The Vizir in the mean time had made himself master of several places in the Dooab. He advanced towards Delhi with a show of great friendship to the Emperor; assisted him with money; sent a force to assist his army in wresting Agra from the Jaats; and having thus laid a foundation for confidence, began to intrigue for his sanction to the intended attack upon Rohilcund. A treaty was negociated, and at last solemnly concluded and signed, by which it was agreed that the Emperor should assist with his forces in the reduction of the Rohillas, and in return should receive a share of the plunder, and one half of the conquered country.[2]

On the 18th of November, about two months after their interview, the Vizir wrote to the President, demanding the promised assistance of the English for the destruction of the Rohillas. Mr. Hastings appears to have been thrown into some embarrassment. The suddenness and confidence of the call corresponded but indifferently with the terms on which he had given his colleagues to understand that the communication on this subject rested between him and the Vizir. His abilities in making out a case, though singularly great, were unable to produce unanimity; and it was not till after a long debate, that a decision in favour of the expedition was obtained. The assistance was promised, on the very terms concerted and settled between him and the Vizir; and yet this President had the art to persuade his colleagues, and joined with them in a declaration to their common masters, that these terms were so favourable to the English, and so burdensome to the Vizir, as to render his acceptance of them improbable, and therefore to leave but little chance of their involving the English government in a measure which the principal conductors of that government were desirous to avoid.[1]



In the month of January, 1774, the second of the three brigades into which the Company's army in Bengal was divided, received orders to join the Vizir; and Colonel Champion, now Commander-in-Chief, proceeded about the middle of February to assume the command. On the 24th of February the brigade arrived within

the territory of the Vizir; and on the 17th of April the united forces entered the Rohilla dominions. On the 19th Col. Champion wrote to the Presidency, that the Rohilla leader "had by letter expressed earnest inclinations to come to an accommodation with the Vizir; but that the Nabob claimed no less than *two crore* of rupees." After this extravagant demand, the Rohillas posted themselves on the side of Babul Nulla, with a resolution of standing their ground to the last extremity. And early on the morning of the 23d, the English advanced to the attack. "Hafez," says the English General, with a generous esteem, "and his army, consisting of about 40,000 men, showed great bravery and resolution, annoying us with their artillery and rockets. They made repeated attempts to charge, but our guns, being so much better served than theirs, kept so constant and galling a fire, that
they could not advance; and where they were closest, was the greatest slaughter. They gave proof of a good share of military knowledge, by showing inclinations to force both our flanks at the same time, and endeavouring to call off our attentions by a brisk fire on our centre. It is impossible to describe a more obstinate firmness of resolution than the enemy displayed. Numerous were their gallant men who advanced, and often pitched their colours between both armies, in order to encourage their men to follow them; and it was not till they saw our whole army advancing briskly to charge them, after a severe cannonade of two hours and twenty minutes, and a smart fire of musketry for some minutes on both flanks, that they fairly turned their backs. Of the enemy above 2,000 fell in the field and amongst them many Sirdars. But what renders the victory most decisive is the death of Hafez Rhamet, who was killed whilst bravely rallying his people to battle. One of his sons was also killed, one taken prisoner, and a third returned from flight to day, and is in the hands of Sujah Dowla."



In passing to another character, the General changes his strain. "I wish," says he, "I could pay the Vizir any compliment on this occasion, or that I were not under the indispensable necessity of expressing my highest indignation at his shameful pusillanimity; indispensably, I say, because it is necessary that administration should clearly know how little to be depended on is this their ally. The night before the battle, I applied to him for some particular pieces of cannon, which I thought might prove of great service in the action; but he declined giving the use of them. He promised solemnly to support me with all his force, and particularly engaged to be near at hand with a large body of cavalry, to be used as I should direct. But instead of being nigh me, he
remained beyond the Gurrah, on the ground which I had left in the morning, surrounded by his cavalry and a large train of artillery, and did not move thence till the news of the enemy's defeat reached him." Then, however, his troops began to be active, and effectually plundered the camp; "while the Company's troops, in regular order in their ranks, most justly" (says their commander) "observed, *We have the honour of the day, and these banditti the profit*."[1]



This action, in reality, terminated the war. Though Fyzoolla Khan, with his treasures and the remains of the army, had made good his flight toward the mountains, the whole country, without opposition, lay at the mercy of the Vizir; and never probably were the rights of conquest more savagely abused. Not only was the ferocity of Indian

depredation let loose upon the wretched inhabitants, but as his intention, according to what he had previously and repeatedly declared to the English government, was to exterminate the Rohillas, every one who bore the name of Rohilla was either butchered or found his safety in flight and in exile.2

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Shortly after this decisive affair, the army marched to the city of Bissouly, which was near the centre of the Rohilla country, with the intention of passing in quarters the season of the rains. At this place had arrived before them Nujeef Khan, with the army of the Emperor. In obedience to the treaty between the Emperor and Vizir, they had marched from Delhi to assist in the reduction of the Rohillas; but before they reached the scene of action the rapidity and vigour of the English had terminated the war. Nujeef Khan demanded partition of the country and of the plunder, according to the conditions on which the countenance and co-operation of the Emperor had

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been procured. The Vizir did not dispute the treaty, a copy of which the Emperor had sent to Col. Champion; he alleged, however, that the counterpart, which was in his own possession, expressed a condition that his Majesty should take the field in person; and that the breach of that article annulled the contract. “But when the counterpart,” says Col. Champion, “which he put into the hands of my interpreter, came to be examined, it appeared there was no such stipulation, nor indeed did it ever exist even verbally.”1 The decision of the English government is the next incident in the scene. Instructing on this subject the commander of their troops, when he had as yet sent them only a surmise, and the treaty had not been produced, “our engagements (they say) with the Vizir are to aid him in the conquest of the Rohilla country; and if he is opposed by Nujeef Khan, or the King himself, you are to pay no regard to either. We cannot” (they add) “entertain so bad an opinion of the Vizir as to suppose him capable of acting in avowed breach of a treaty; but if any plea of that kind should be made for contesting our right to occupy any part of the Rohilla country yet unconquered, it will be proper to put to him the question, whether such treaty does exist or not? If he should acknowledge such a treaty, you must undoubtedly abstain from further hostilities in abetment of his breach of faith.” Yet after they were fully satisfied of the existence of such a treaty; and not only of the capability, but the resolution of the Vizir to act in avowed breach of it, they laid their commands upon the English general, to abet and support him, because “it is our intention,” say they, “to persevere in pursuit of the object which originally engaged us in the present enterprise, and to adhere

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strictly to our engagements with the Vizir, without suffering our attention to be diverted by foreign incidents or occurrences,”1 that is, by solemn treaties, or the breach of them.

From Fyzoolla Khan an early application arrived, offering to come to the camp upon the faith of the English, and to hold the district which had belonged to his family as a dependent or renter of the Vizir. His offers, variously modified, were frequently repeated, with great earnestness. But the Vizir persisted in his declaration, that he would allow no Rohilla chief to remain on the further side of the Ganges; and only offered him one of the districts in the Dooab, which had been recently conquered from the Mahrattas. Fyzoolla Khan, with justice, observed, that this the Mahrattas would take from him the first time they returned to the country.

Towards the end of July, the united forces of the English and Vizir marched towards Fyzoolla Khan, who occupied a strong post on the skirts of the mountains, near Pattir Gur. At the beginning of September they came near the enemy, and as the Vizir began to exhibit a strong desire of an accommodation with the Rohillas, an active intercourse of letters and messengers ensued. Whether his mind was operated upon by the approaching arrival of the new counsellors at Calcutta, or the dread which he pretended of assistance to Fyzoolla Khan from the Mahrattas and Afghauns, he now made offer of terms to which a little before he would not so much as listen. He proposed to make Fyzoolla collector of the revenues, or Zemindar, of the whole territory of Rohilcund, allowing six lacs of rupees per annum for his own expenses. But this offer, and even that
of a jaghire of ten lacs of rupees in the Rohilcund country, were rejected. The Rohillas were so advantageously posted, with
works thrown up in their front, that it was necessary to advance by regular approaches, and the army were so discontented, on account of hardship, arrears of pay, and ill-usage, either real or supposed, that the General was doubtful of their steadiness and order. After several days, in which the approaches were carried on, and the scouting parties of both armies were frequently engaged, it was at last agreed that, Fyzoolla Khan should receive a jaghire of fourteen lacs and seventy-five thousand rupees in the Rohilcund territory, and should surrender one half of all his effects to the Vizir. Thus terminated the first Rohilla war.[1]



Before closing the account of the events to which the visit of Mr. Hastings to Benares gave birth, it is necessary to mention its effects with regard to the deserted Emperor. Upon receiving from him the grant of the duannee, or the receipt and management of the revenues of Bengal, Bahar, and Orissa, it was agreed that, as the royal share of those revenues, twenty-six lacs of rupees should be annually paid to him by the Company. His having accepted of the assistance of the Mahrattas to place him on the throne of his ancestors was now made use of as a reason for telling him, that the tribute of these provinces should be paid to him no more. Of the honour or the discredit, however, of this transaction, the principal share belongs not to the Governor, but to the directors themselves;
who, in their letter to Bengal of the 11th of November, 1768, had said, “If the Emperor flings himself into the hands of the
Mahrattas, or any other power, we are disengaged from him, and it may open a fair opportunity of withholding the twenty-six lacs we now pay him.”[1] Upon the whole, indeed, of the measure, dealt out to this unhappy sovereign; depriving him of the territories of Corah and Allahabad; depriving him of the tribute which was due to him from those provinces of his which they possessed; the Directors bestowed unqualified approbation. And though they condemned the use which had been made of their troops in subduing the country of the Rohillas; they declare frankly, “We, upon the maturest deliberation, confirm the treaty of Benares.”[2]



The circumstance upon which, in summing up the account of his administration to his honourable masters, Hastings advanced the strongest claim to applause, was the alleviation of the pecuniary difficulties of the Indian government, and the improvement of the revenues. In the letters from the Bengal administration to the Court of Directors, under date 22d August, and 17th October, 1774, after presenting

the most flattering picture of the financial situation to which the government was happily exalted, they advance a confident prediction, that in the course of the ensuing season, the whole of the bond debt would be discharged.3 And in that representation of the state of Bengal, which was published by Mr. Hastings in 1786, he declares, "When I took charge of the government of Bengal in April 1772, I found it loaded with a debt at interest of nearly the same amount as the present; and in less than two years I saw that debt completely discharged, and a sum in ready cash of the same amount actually accumulated in store in the public treasuries."1 This boasting exhibits some remarkable features, when the facts are sufficiently ascertained. No improvement had been made in the productive powers of the country, which is the only permanent and satisfactory source of an improved revenue. The gross revenues of the year ending in April 1772 were 3,13,63,894 current rupees; the gross revenues of that ending in April 1774 were only 2,76,10,556. Hardly had any improvement been made in the nett receipt. That for the year ending in April 1772, was 2,16,88,538 rupees equal to 2,373,650*l*.; that for the year ending 1774, was 2,20,56,919 rupees, or 2,481,404*l*.2 In the next great department of financial administration, the expense of the civil and military services, instead of any retrenchment there had been an increase. In the year ending in 1772, the civil service is stated at 154,620*l*., the marine at 52,161*l*., the military at 1,164,348*l*., and the total expense, exclusive of buildings and fortifications, at 1,371,129*l*.3 In the year ending in 1774, the civil service is stated at 159,537*l*., the marine at 53,700*l*., the military at 1,304,883*l*., and the total at 1,518,120*l*.4 In the year 1772, the proportion of the military expense, defrayed by the Nabob of Oude, was 20,766*l*.5 In the year 1774, the proportion defrayed by him was 131,430*l*.6 In the following year, that ending in April 1775, there was a slight improvement in the collections, which may in part be ascribed to the measures of the preceding administration; and there was a total cessation of war which produced a reduction of the military expenditure, remarkable only for its minuteness. The gross collections amounted to 2,87,20,760 rupees, the nett receipt to 2,51,02,090, or 2,823,964*l*.; the civil service to 231,722*l*., the marine to 36,510*l*., and the military to 1,080,304*l*.; total, 1,349,836*l*.: and the proportion this year borne by the Nabob of Oude was 240,750*l*.1 It thus abundantly appears that nothing so important as to deserve the name of improvement had arisen in the financial administration of the Company. A pecuniary relief had indeed been procured, but from sources of a temporary and very doubtful description; partly from the produce of the bills drawn in such profusion upon the Company, by the predecessor of Hastings; partly from the reduction of the allowance to the Nabob of Bengal, from thirty-two to sixteen lacs; but chiefly from the plunder of the unhappy Emperor of the Moguls, whose tribute of twenty-six lacs per annum for the duannee of Bengal was with held, and whose two provinces Corah and Allahabad were sold for fifty lacs to the Vizir; from the sale of the Rohillas, the extirpation of whom was purchased at forty of the same eagerly coveted lacs; and from the pay and maintenance of a third part of the troops, which were employed in the wars and dominions of the Vizir. With regard even to the payment of the debt, an inspection of the accounts exhibits other results than those presented by the declarations of the President.



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| Year ending in April | Balances in the Treasuries. | Debts at interest. | Other debts. |
|---|---|---|---|
| 1772..... | C. R. 65,09,041..... | 1,07,84,520... | 52,48,480. |
| 1774..... | 21,62,994..... | 1,17,71,486... | 95,41,795. |
| 1775..... | 1,23,95,598..... | 90,68,584... | 87,05,871.[2] |

[2] Ibid. p. 8, 36, 42.



Upon this statement, if we compare the year in which Mr. Hastings began his administration, with that in which it ended, we see a prodigious deterioration. If we compare it even with that which follows, the total amount of debt in 1772 was 1,60,30,000 rupees; in 1775 it was 1,77,68,584, which is an increase of 17,41,455. The only improvement appears in the balance of cash, which in 1775 exceeded the balance in 1772 by 58,86,557 rupees. Deducting from this a sum equal to the increase of debt, there remains 41,45,102 rupees, by which alone the state of the exchequer, after all the calamity which had been produced to supply it, was better in 1775 than it had been in 1772.

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# CHAP. II.

Commencement of the New Government—Supreme Council divided into two Parties, of which that of the Governor-General in the Minority—Presidency of Bombay espouse the Cause of Ragoba, an ejected Peshwa—Supreme council condemn this Policy, and make Peace with his Opponents—Situation of the Powers in the Upper Country, Nabob of Oude, Emperor, and Nujeef Khan—Pecuniary Corruption, in which Governor-General seemed to be implicated, in the cases of the Ranee of Burdwan, Phousdar of Hoogley, and Munny Begum—Governor-General resists Inquiry—Nuncomar the great Accuser—He is prosecuted by Governor-General—Accused of Forgery, found guilty, and hanged—Mahomed Reza Khan, and the office of Naib Subah restored.



The operation of the new constitution framed by the Parliament of England, was ordained to commence in India after the 1st of August, 1774. The new counsellors, however, General Clavering, Mr. Monson, and Mr. Francis, who, along with Mr. Hastings and Mr. Barwell, were elected to compose the board of administration, did not arrive at Calcutta until the 19th of October. On the following day the existing government was dissolved by proclamation, and the new council took possession of its powers. On the proposal of the Governor-General, who stated the necessity of a few days, to prepare for the council a view of the existing state of affairs, and to enable Mr.



Barwell, who was then absent, to arrive; the meeting of the Board was suspended until the 25th. On the very day on which its deliberations began, some of the discord made its appearance, which so long and so deeply embarrassed and disgraced the government of India. The party who had arrived from England, and the party in India, with whom they were conjoined, met not, it should seem, with minds in the happiest frame for conjunct operations. Mr. Hastings, upon the first appearance of his colleagues, behaved, or was suspected of behaving, coldly. And with jealous feelings this coldness was construed into studied and humiliating neglect. In the representation which the Governor-General presented of the political state of the country, the war against the Rohillas necessarily attracted the principal attention of the new councillors; and, unhappily for the Governor-General, presented too many appearances of a doubtful complexion not to excite the desire of elucidation in the minds of the most candid judges. An obvious objection was, its direct opposition to the frequent and urgent commands of the Court of Directors, not to engage in offensive wars of any description, and to confine the line of defensive operations to the territorial limits of themselves and allies. The reasons, too, upon which the war was grounded; a dispute about the payment of an inconsiderable sum of money, and the benefit of conquest, to which that dispute afforded the only pretext; might well appear a suspicious foundation. When the new government began the exercise of its authority, the intelligence had not arrived of the treaty with Fyzoolla Khan; and an existing war appeared to demand its earliest determinations. To throw light upon the field of deliberation, the new Councillors required that the

correspondence should be laid before them, which had passed between the Governor-General (such is the title by which the President was now distinguished), and the two functionaries, the commander of the troops, and the agent residing with the Vizir. And when they were informed that a part indeed of this correspondence should be submitted to their inspection, but that a part of it would also be withheld, their surprise and dissatisfaction were loudly testified, their indignation and suspicions but little concealed.

As reasons for suppressing a part of the letters Mr. Hastings alleged, that they did not relate to public business, that they were private confidential communications, and not fit to become public.

It is plain that this declaration could satisfy none but men who had the most unbounded confidence in the probity and wisdom of Mr. Hastings; and as the new Councillors neither had that confidence, nor had been in circumstances in which they could possibly have acquired it on satisfactory grounds, they were not only justified in demanding, but their duty called upon them to demand a full disclosure. The pretension erected by Mr. Hastings, if extended into a general rule, would destroy one great source of the evidence by which the guilt of public men can be proved: And it was calculated to rouse a suspicion of his improbity in any breast not fortified against it by the strongest evidence of his habitual virtue.[1] Nothing could be more unfortunate for Mr. Hastings



than his war against the Rohillas, and the suppression of his correspondence with Mr. Middleton. The first branded his administration with a mark, which its many virtues were never able to obliterate, of cruel and unprincipled aggression; and the second stained him with a natural suspicion of personal impurity. Both together gave his rivals those advantages over him which rendered his subsequent administration a source of contention and misery, and involved him in so great a storm of difficulties and dangers at its close.

Of the Council, now composed of five Members, the three who had recently come from England joined together in opposing the Governor-General, who was supported by Mr. Barwell alone. This party constituted, therefore, a majority of the Council, and the powers of government passed in consequence into their hands. The precipitation of their measures called for, and justified, the animadversions of their opponents. Having protested against the suppression of any part of Middleton's correspondence, they were not contented with commanding that, as at least a temporary expedient, his letters should be wholly addressed to themselves: they voted his immediate recall; though Hastings declared that such a measure would dangerously proclaim to the natives the distractions of the government, and confound the imagination of the Vizir, who had no conception of power except in the head of the government, and who would consider the annihilation of that power as a revolution in the state. The governing party, not



withstanding their persuasion of the injustice and cruelty of the Rohilla war, and notwithstanding their ignorance whether or not it was brought to a close, directed the Commander-in-Chief, in the first place, immediately upon receipt of their letter, to demand payment from the Vizir of the forty lacs of rupees promised for the extirpation of the Rohillas,[1] and of all other

sums which might be due upon his other engagements. Provided a real inability was apparent, he might accept not less than twenty lacs, in partial payment, and securities for the remainder, in twelve months. And they directed him in the second place, to conduct the troops within fourteen days out of the Rohilla country, into the ancient territory of Oude; and in case the Vizir should refuse compliance with the prescribed demands, to withdraw the troops entirely from his service, and retire within the limits of the Company's dominions. Before the dispatch of these instructions, intelligence arrived of the treaty with Fyzoolla Khan; of the payment of fifteen lacs by the Vizir, from the share of Fyzoolla Khan's effects; of his return to his capital, for the declared purpose of expediting payment to the Company of the sums which he owed; and of the intention of the English army to march back to Ramgaut, a Rohilla town near the borders of Oude. In consideration of these events the Governor-General proposed to suspend the peremptory demands of money, and the order for the recall of the troops; and to proceed with more leisure and forbearance. But every motion from that quarter in favour of the Vizir was exposed to the suspicion of corrupt and interested motives; and the proposal was rejected. The directions to the Commander were no further modified, than by desiring him to wait upon the Vizir at his capital, and to count the fourteen days from the date of his interview. The Governor-General condemned the precipitation of the pecuniary demand; as harsh, impolitic, and contrary to those rules of delicacy, which were prescribed by the directors for their transaction with the native princes, and which prudence and right feeling prescribed in all transactions: And he arraigned the sudden recall of the troops as a breach of treaty, a violation of the Company's faith, tantamount to a declaration that all engagements with the Vizir were annulled, and affording to him a motive and pretence for eluding payment of the debts, which, if his alliance with the Company continued, it would be his interest to discharge. Both parties wrote the strongest representations of their separate views of these circumstances to the Directors; and the observations of one party called forth replies from the other, to a mischievous consumption of the time and attention, both in England and in India, of those on whose undivided exertions the right conducting of the government depended.[1]



Shortly after his return from the expedition against the Rohillas, Sujah Dowla, the Vizir, whose health was already broken, began to show symptoms of a rapid decay, and expired in the beginning of 1775, when his only legitimate son, who assumed the title of Asoff ul Dowla, succeeded without opposition to the Subahdaree of Oude. Mr. Middleton had already returned, and Mr. Bristow was now sent to supply his place at the residence of the new Nabob. The majority in Council resolved to obtain from the son, with all possible dispatch, the sums of money due by the father, but to consider all engagements by which they were bound to the late Nabob as dissolved by his death, and to make any assistance, which they might hereafter afford his successor, the result of new purchases and payments. A treaty was at last arranged on the 21st of May, by which it was agreed, that the Company should guarantee to Asoff ul Dowla, the provinces of Corah and Allahabad, which had been sold to his father; but that the Nabob in return should cede to the Company the territory of the Rajah Cheyte Sing, Zemindar of Benares, yielding a revenue of 22,10,000 rupees; that he should raise the allowance for the service of the Company's brigade to 2,60,000 rupees per month; and should pay, as they fell due,

the pecuniary balances upon the engagements of the late Vizir. Mr. Hastings refused his sanction to the imposition of these terms, as inconsistent with any equitable construction of the treaty with the late Vizir, extorted from the mere necessities of the young Nabob, and beyond his power to fulfil. The conduct of the Directors was peculiar. In their letter of the 15th December, 1775, remarking upon the resolution of the Council to disregard the treaties concluded with the late Nabob of Oude, they say, "Although the death of Sujah Dowla may render it necessary to make new arrangements with his successor, we cannot agree with our Council, that our treaties with the State of Oude expired with the death of that Nabob." When they were made acquainted however with the new grant of revenue, and the new allowance on account of the troops, they say, in their letter of the 24th of December, 1776, "It is with singular satisfaction we observe at any time the attention paid by our servants to the great interests of their employers; and it is with particular pleasure we here signify our entire approbation of the late treaty concluded with Asoff ul Dowla, successor of Sujah Dowla, by which such terms are procured as seem to promise us solid and permanent advantages."[1]



The new Board of Administration had early announced to the distant Presidencies, that it had assumed the reins of government, and was vested with controuling power over all the British authorities in India. It had also required from each of the Presidencies a representation of its political, financial, and commercial situation; and found a scene opened at Bombay, which it requires a notice of some preceding circumstances rightly to unfold.

The Mahratta Sovereigns, or Rajahs, were assisted, according to the Hindu institution, by a council of eight Brahmens, who shared among them the principal offices of the state. The official name of the chief of this council was *Peshwa*, upon whom the most important parts of the business of government devolved. According as the pleasures, the indolence, or the incapacity of the sovereign withdrew him from the management of affairs, the importance of this principal servant was increased; and a proportionable share of the dignity and power of the sovereign passed into his hands. In a rude state of society it appears not to be difficult for the influence and dignity of the servant to outgrow that of the master, who becomes too weak to resume the power which he has imprudently devolved. The minister leaves his office and ascendancy to his son; the son makes it hereditary; and the sovereign, divested of all but the name of king, sinks into an empty pageant. Such was the course of events in the case of the mayor of the palace in France, in that of the *Chu-vua* in Tunquin,[1] and such it was, besides other cases, in that of the Peshwa, among the Mahrattas. In the reign of the Rajah Sahoo, who was but third in succession from Sevagee, Kishwanath Balajee had raised himself from a low situation in life to the rank of Peshwa. Sahoo was a prince devoted to ease and to pleasure; and the supreme powers were wielded, with little check or limitation, by Kishwanath Balajee. He assumed the name of Row Pundit, that is, chief of the Pundits, or learned Brahmens, and made the Rajah invest him with a *sirpah*, or robe of office, a ceremony which ever since has marked the succession of the Peshwas, and appeared to confer the title. Kishwanath was able to leave his office and power to his son Bajerow, who still further diminished the power of the sovereign;

and finally allowed him not so much as liberty. The Rajah was confined to Satarah, a species of state prisoner; while the Peshwa established his own residence at Poona, which hence-forth became the seat of government. The brother of Bajerow, Jumnajee Anna, though a Brahmen, led the forces of the state; he attacked the Portuguese settlements in the neighbourhood of Bombay; and added Salsette and Bassein to the conquests of the
Mahrattas. The family of the Peshwa prided themselves in these acquisitions; affected to consider them as their own, rather than the property of the state; and showed a violent attachment to them, as often as, either by force or negotiation, the alienation of them was attempted. The vicinity of these territories to the British settlements at Bombay, brought the interests of the Company in contact with those of the Mahrattas; and the terms of a commercial and mari-time intercourse were somewhat inaccurately framed. Bajerow left a son, named Bow, who was slain in the battle of Paniput; and Jumnajee Anna, his brother, left two sons, Nanah, called also Bajee Row, and Ragonaut Row, with the former of whom, as Peshwa, the Presidency of Bombay, in 1756, concluded a treaty. The Mahrattas agreed to exclude the Dutch from all intercourse with their dominions, and to give up fort Vittoria, Hematgur, and Bancote, in exchange for Gheriah, which the English had taken from Angria the pirate. In 1761, Bajee Row, or Nanah, died, of grief, it is said, for the death of Bow, and left two sons, the eldest Madhoo Row, the other Narrain Row, both minors. The hereditary succession of the Peshwas had now so firm an establishment, that the title of Madhoo was not disputed; and the burden of government, during the minority of his nephew, devolved upon Ragonaut Row, more commonly known by the name of Ragoba.



It had fared with the Mahratta government, as it commonly fares with extended dominion under the rude policy of the East. The government of the provinces was confided to the chief military leaders, and the more distant and powerful of them, as the vigour of the central government relaxed, acquired independence. Of these independencies, the most
important by far was that of the Bhonslas, which, together with Cuttack, a part of Orissa, included the whole of the vast province, or region of Berar. The next in point of magnitude, of the separate Mahratta kingdoms, was the province of Guzerat, which had been wrested from the Mogul empire by Pillagee Guicawar, or the herdsman, and its government rendered hereditary in his family. Besides these independent princes, two chiefs, Holkar and Scindia, possessed extensive dominions in the province of Malwa, and in the regions bordering on the territories of the Rajah of Berar and the Nabob-vizir. And there were inferior adventurers, who in other parts had acquired a sort of independence, among whom the most remarkable was Morari Row, who had acted a considerable part in the long struggle between the French and English in Carnatic, and possessed the fort of Gooti with a considerable district on the frontier of the Nizam. All these powers acknowledged a nominal dependence upon the government founded by Sevagee; and a sort of national feeling was apt to unite them against a foreign enemy. But their connection was voluntary, and they scrupled not to draw their swords against one another, and even against the Peshwa, upon any provocation or prospect that would have engaged them in hostilities with a different foe.

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The Brahmen council of eight, known also by the name of Mutseddies, or ministers, had been reduced to a low station in the government, during the vigour of the preceding Peshwas. The weak and divided councils of a minority and regency offered a tempting opportunity to endeavour the recovery of the influence which they had lost. By intriguing with Gopicaboy, the mother of Madhoo, they succeeded in creating jealousies between the nephew and the uncle; and in the end the uncle was stripped of his power. The

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Mutseddies and Gopicaboy ascribed to Ragonaut Row a design to elevate himself to the office of Peshwa, and treacherously to deprive his nephews of their dignity or their lives. The Regent described his opponents as an ambitious confederacy, leagued with a dissolute intriguing woman for the purpose of grasping the powers of the state. The account of the transaction which the ministers themselves drew up for the English government[1] is marked with strong improbabilities. Hitherto, moreover, the members of the Peshwa family, instead of supplanting, had acted with the greatest harmony in supporting, their head. And if Ragonaut Row had aimed at the supremacy, of which no other token appears than the accusation of his enemies, prudence would have taught him, either to usurp the authority from the beginning; or to leave but little time for his nephew to gather strength. After the fall of Ragoba, the power of the Mutseddies, during the nonage of Madhoo, was without control; and they employed it, after the manner of Hindus, for the acquisition of enormous riches. As the years however of the Peshwa increased, he displayed some vigour of mind, and began to restrict the power of this cabal; but died at an early age in 1772. At his death he bore a testimony to the fidelity of Ragoba, or his distrust of the ministerial confederacy, by releasing that relation from confinement; giving him the guardianship of Narrain Row; and vesting him with the regency during the nonage of that prince. A short time elapsed before the intrigues of the Mutseddies with Gopicaboy, and the influence of Gopicaboy with her son, stripped Ragoba a second time of his power and

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his liberty. Dissensions, however, arose among the Mutseddies themselves. Siccaram Baboo, who had been raised by Ragoba from a menial service in his household, to the office of Duan, or financial minister of the state, had taken the lead in all the preceding intrigues against his former master, and had acted as chief of the ministerial combination. Another of the ministers, however, Nanah Furnavese, now attained the foremost place in the favour of Gopicaboy and her son; and the principal share of the power appeared ready to fall from the hands of Siccaram Baboo. In these circumstances a conspiracy was formed against the life of the young Peshwa, who is said to have rendered himself odious by his follies and cruelty. The commander of the guards was gained; who forced his way into the palace with a body of men, and cut down the prince in the apartment of Ragoba to whom he had fled for protection. It was believed in Poona, at the time, according to the report of Mr. Mostyn, the English resident, who was upon the spot; that a party of the ministers were engaged in this transaction; and that Siccaram Baboo was at their head. It is to them that Ragoba himself ascribed both the conception and execution of the plot. But when the party of Siccaram Baboo regained the ascendancy, and chased Ragoba from the throne, they accused him of having alone been the author of his nephew’s murder, and repelled or shifted the accusation from themselves.

Upon the death of Narrain Row, Ragoba was immediately acknowledged Peshwa; received the sirpah, or robe of office, from the pageant Rajah; and was complimented by the ministers of foreign states, among others by the English resident, in the same form as was usually observed on the accession of a Peshwa. From the beginning of his administration, the new Peshwa acted with a visible distrust of the Mutseddies. He forbore appointing Siccaram Baboo to the office of Duan, and performed the duties of it himself. This conduct insured him the hatred of the ministers. An army seemed the best security against their ambition and malice; and under the pretext of avenging the encroachments which the Subahdar of Deccan, the Nizam according to the English phrase, had made upon the Mahratta territories during the confusions of the government, he levied an army against that neighbouring prince. An union however was formed between the two hostile parties of the Mutseddies; his principal officers were debauched from their allegiance; and through their treachery, he sustained, in an engagement with the Subahdar, a total defeat. To supply his pecuniary necessities, which were extremely urgent, he marched towards the south, to exact a long arrear of Chout from Hyder, and from the Nabob of Arcot. With Hyder he had compromised his claim, by accepting twenty-five lacs of rupees, and ceding to him in return the three provinces of Mudgewarry, Hanscootah, and Chunderdroog. But he was recalled from prosecuting his design against Mahomed Ali, by intelligence, that the ministerial confederacy had raised an army; that they were joined by the forces of the Subahdar; that they had proclaimed the widow of Narrain Row to be with child; and under pretence of securing her offspring, had carried her to the fort of Poorunder. Ragoba met, and, by a well-concerted stratagem, gained a decisive victory over his foes. But after he was within a few miles of Poona, he was struck with a panic, upon intelligence, that the two chiefs, Holkar and Scindia, were gained by the ministerial party; and, quitting his army in secret with a small body of men, he fled to Guzerat, where Govind Row Guicawar engaged to support him. His army dispersed; Holkar and Scindia, whether previously engaged, or now led to the determination, joined the Brahmen cabal; the widow of Narrain Row was said to have been delivered of a son; and the confederacy agreed to support the pretensions of the infant.



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The fact of the birth was immediately disputed; and it is evident that the affirmation of the ministers ought to have been for ever disregarded; because, whether or not a child was born of the widow, and whether a male or a female, their conduct and pretences would have still been the same. By withdrawing the pretended mother from the perception of disinterested witnesses; and by shutting up with her, as was generally affirmed and believed, a number of pregnant women in the same fort, they rendered it impossible that evidence of the reality of the pretended birth could ever be obtained; and for that reason it ought never to have been believed.

At the time when Ragoba fled to Guzerat, the country was distracted by the rival pretensions of the two brothers, Futty Sing Guicawar, and Govind Row Guicawar. In the time of the Peshwa, Madhoo Row Futty Sing, by means it was said of bribes, to the ministerial junto, obtained, through the authority of the Peshwa, succession to the Musnud of Guzerat, in prejudice of his elder brother Govind Row. When the office of Peshwa, however, devolved upon Ragoba, he acknowledged the title of Govind Row.

Govind Row proceeded to levy war upon his brother; had gained over him various successes in the field; and was actually besieging him in his capital city of Broderah, when Ragoba came to claim his protection.1

It so happened that a similar contention at the same moment divided the kingdom of Berar, and ranged one of the rivals on the side of Ragoba, the other on that of his adversaries. Jannajee, the late Rajah, died without issue. He had two brothers, Shabajee the elder, Moodajee the younger. Jannajee, before his demise, adopted the son of Moodajee, then a minor, and named him his successor. Shabajee and Moodajee disputed to whom the guardianship of the minor, and the regency of the kingdom, should belong. Shabajee claimed, as the elder brother; Moodajee, as the parent of the Rajah. And to determine their pretensions they involved their country in a violent and destructive war.



In looking therefore to the neighbouring powers, there was none from which Ragoba could expect so much support as from the English at Bombay. To them, accordingly, he offered terms of alliance: And there existed circumstances, in the state of that Presidency, which induced the members of the government to lend a favourable ear to his proposals. Salsette, and Bassein, with their dependencies, had been strongly coveted for some years. In the letter to the President and Council of Bombay, dated the 18th of March, 1768, the Directors said, “We recommend to you, in the strongest manner, to use your endeavours, upon every occasion that may offer, to obtain these places, which we should esteem a valuable acquisition.—We cannot directly point out the mode of doing it, but rather wish they could be obtained by purchase than war.”1 In the following year they expressed high approbation of an attempt to obtain them by negotiation; and add; “Salsette and Bassein, with their dependencies, and the Mahrattas’ proportion of the Surat provinces, were all that we seek for on that side of India. These are the objects you are to have in view, in all your treaties, negotiations, and military operations,—and that you must be ever watchful to obtain.”1 In more earnest prosecution of the same design, Mr. Mostyn arrived from England, in 1772, with instructions from the Court of Directors, that he should be sent immediately to negotiate with Madhoo Row, the Peshwa, for certain advantages to the settlements on the coast of Malabar, and above all for the cession of the island and peninsula of Salsette and Bassein, which added so much to the security and value of Bombay. The result of this negotiation tended only to show that, pacifically at least, the coveted spots were very unlikely to be obtained.



In the mean time the Presidency had engaged themselves in a dispute with the Nabob of Baroach, upon whom they advanced a demand for the phoorza, a species of tribute, formerly yielded by Baroach to the government of Surat;2 and for indemnification of an overcharge in the customs, which for the six preceding years had been levied on the merchants trading under the Company’s protection. The more effectually to enforce the demand, a body of troops was sent to invade the Nabob’s territory; but after proceeding so far as so attack his capital, they were obliged to abandon the enterprise, and return to Surat. This expedition the Directors condemned in the severest terms; as involving the Presidency in expense, when it was under the greatest

pecuniary difficulties; as unskilfully conducted; as disgracing the Company's arms; and, even if successful, promising no proportional advantage. The supreme authority, weakened by its distance, prevented not the subordinate from raising a new expedition out of the first. The Nabob of Baroach, despairing of his power to resist the arms of the Company, repaired to Bombay, and represented his inability to comply with their heavy demand, amounting to thirty-three lacs of rupees. Among the various expedients to which he had recourse for conciliating the favour of the Bombay administration, and obtaining a mitigation of their claims, he recommended with great assiduity the conquest of Guzerat; which he represented as easy, and promised to assist them with all his resources. The Presidency lent him a very favourable ear. After great discussion, an arrangement was concluded at the end of November, 1771. A species of military alliance; a sum of four lacs of rupees to be paid by instalments; the privilege of levying all duties on those who trade under the protection of the Company in the territory of Baroach; the erection of an English factory; and exclusion of all other Europeans excepting the Dutch, who had a previous establishment; were the advantages which the treaty promised to the English. Before the lapse of a year the Presidency began to accuse the Nabob of an intention to elude his agreement. After the question was left undetermined in the Committee, it was decided in the Council, with the censure of the Court of Directors on the former expedition lying before them, to send an armament to chastise the Nabob, and wipe off the former disgrace of their arms. Now indeed the enterprise succeeded; the Nabob was ruined; and the Presidency settled the division of the revenues with Futty Sing on the same terms on which they had formerly been shared between the government of Guzerat and the Nabob.



The assassination of Narrain Row, and the succession of Ragoba, announcing a weak and distracted government, appeared to the Council to present a favourable opportunity for accomplishing an object which their honourable masters had so much at heart, the possession of Salsette and Bassein: In their select consultations, on the 17th of September, 1773, they agreed to instruct Mr. Mostyn, their resident at Poonah, to improve diligently every circumstance favourable to the accomplishment of that event; and on no account whatever to leave the Mahratta capital: Baroach, and several of the recent acquisitions, as Fort Vittoria, and Rajapore, were offered in exchange: But in their letter to the Directors, of the 12th of January, 1774, the Council declare the disappointment of all their endeavours; and their opinion that no inducements would prevail upon the Mahrattas willingly to part with those favourite possessions, so justly the object of the Company's desire. They next represent the violent distractions of the Mahratta government; and the opinion, which they had received from Mr. Mostyn, that Ragoba would be either assassinated, or deposed. With this event, say they, "our treaties with the present government may be deemed at an end." The violent competitions for the throne, and consequent weakness of the state, might afford them, released as they would be from all engagements, an opportunity of acquiring those important possessions by what appeared to be the only means of acquiring them, force of arms; and they signify to the Court of Directors their determination not to let the occasion be lost, provided their pecuniary situation would permit, and the circumstances of Ragoba, which some recent intelligence represented as not yet desperate, should be found to be such as the Resident described.

After the dispatch of this letter, Ragoba had returned upon his enemies; gained the victory, already mentioned,[1] over their forces in the field; fled from his army to Guzerat; and opened a negotiation with the Presidency; when, towards the end of November, 1774, intelligence was received at Bombay from the Company's resident at Goa, that great preparations were making by the Portuguese for the recovery of their lost possessions; and, in particular, of Salsette and Bassein. The accomplishment of this project appeared to the Presidency not only to cut off all chance of making this favourite acquisition for the Company, but to give to the Portuguese the command of the passes into the interior country, and the power of harassing, by what imposts and restrictions they pleased, the trade of the English. They came therefore to the resolution of preventing, at all events, the fall of Salsette and Bassein into the hands of the Portuguese; and for that purpose regarded no expedient so good as taking possession themselves. It was agreed to signify to Ragoba, with whom they were treating, that it was a measure purely of precaution, and in no respect intended to interfere with his rights. To avoid an immediate rupture with the Mutseddies, the Resident was instructed to make to them a similar declaration; and to renounce all intention of holding Salsette and Bassein in opposition to the will of the existing government at Poona. On the 12th of December a considerable force set out from Bombay; it carried by assault the principal fort in Salsette on the 28th; and without further opposition took possession of the island.[2]

The negotiation was not interrupted with Ragoba. The Presidency regarded him as the rightful Peshwa.



They expected, and with good reason, that their assistance would place him, without much difficulty, on his throne; and though he adhered with obstinacy to the possession of Salsette and Bassein, he offered territorial dominion and revenue to a large amount in the neighbourhood of Surat. Amid these proceedings, arrived, on the 7th of December, the letter from the Supreme Council in Bengal, announcing the accession of the new government, and requiring an account of the state of the Presidency of Bombay. It was answered on the 31st, when accounts were rendered of the acquisition of Salsette and Bassein, of the negotiation with Ragoba, the intention of the President and Council to grant him their assistance, and the reasons which guided them in these acts and determinations. In the interval between the adjustment and execution of the treaty with Ragoba, he was brought to an action by the army of the Ministers; deserted in the battle by a body of Arabs, on whom he depended, and obliged to fly from the field with a small body of horse. This disaster the majority of the Bombay Council deemed it an easy matter to retrieve; as Ragoba still had powerful adherents; as the Ministers were neither united, nor strong; and the union of the English troops with his army would render him more than a match for his opponents. They resolved, therefore, "not to give up the great advantages which they were to reap by the treaty, when so fair an opportunity occurred." Ragoba made his way to Surat, and a treaty was concluded on the 6th of March, 1775, by which he now yielded up Salsette and Bassein, with the Mahratta share of the revenues of Baroach and other places in the district of Surat, to the amount, upon the whole, of a revenue of twenty-two and a half lacs of rupees. His army, with that of Govind Row, made good their retreat to the fort of Copperwange, about fifty coss from

Cambay, and were joined by the English, under the command of Colonel Keating, on the 19th of April. The detachment consisted of eighty European artillery, and 160 artillery Lascars, 500 European infantry, and 1,400 Sepoys, with a field train of twelve pieces, besides two mortars and several howitzers. The whole amounted to about 25,000 men in arms.[1]



The army of the Mutseddies had been deserted by Scindia, with 12,000 of the best horse; Shabbajee Bonsla, who favoured their cause in Berar, had been cut off by his brother, who befriended Ragoba; the fidelity of Holkar was held in doubt; and the Nizam, though he received their concessions, and promised assistance, always evaded performance; but they were still superior in numbers to Ragoba and his allies.

As soon after conjunction as possible the English commander proposed to advance toward the enemy, who were encamped on the banks of the Sabermatty. After a few indecisive rencounters, finding they could not bring the enemy to a general action, the English, in concert with their allies, resolved to march toward the south, and, penetrating to the Deccan, arrive at Poona before the setting in of the rains. The enemy, as soon as they discovered their intention, laid waste the country in front and destroyed the wells. At last on the 18th of May, having reached the plain of Arras, on which they had given Ragoba his recent defeat, they advanced and commenced a cannonade upon the rear of the English and their ally. The enemy were received with great gallantry; but an officer of Ragoba having treacherously introduced as partizans a body of hostile cavalry, between the advanced party of the British army and the line, some confusion ensued, and the first company of European grenadiers, by a mistake of the officer commanding them, began to retreat, and were followed in a panic by the rest of the party. Considerable execution was then performed by the enemy's horse; but so destructive a fire of grape and shells was immediately poured upon them from the British line, as compelled them to seek their safety by quitting the field. The loss of Europeans, seven officers and eighty men, mostly grenadiers, beside 200 Sepoys, rendered this an expensive victory; while the want of horse, and the backwardness occasioned or excused by the want of pay of the troops of Ragoba, made it impossible, by an active pursuit, to derive from it the advantages it might otherwise have given. The rear of the enemy was attacked in crossing the Nerbuddah, on the 11th of June, where they lost many lives and were obliged to sink a part of their guns. After this rencounter, they hasted out of the province of Guzerat. And as Ragoba's troops refused to cross the Nerbuddah, till they obtained satisfaction in regard to their long arrears, it was resolved, as the season of the rains was at hand, to suspend the progress of the expedition. Dhuboy, a fortified city about fifty miles from Baroach, convenient for receiving reinforcements and supplies, was selected for quartering the English; while Ragoba encamped with his army at Bellapoor, a pass on the river Dahder at ten miles distance. The favourable complexion of Ragoba's affairs produced among other consequences the alliance of Futty Sing. His overtures were made through the English; and, Govind Row being previously satisfied by the promises of Ragoba, the terms of a treaty were agreed upon in the month of July. To the English, he consented to confirm all the grants within the Guicawar dominions, which had been yielded by Ragoba; and to make further concessions in perpetuity to the annual amount of

about one million seventy-eight thousand rupees: To Ragoba he engaged himself for the usual tribute and aid to the Poona durbar; and what was of unspeakable importance on the present emergency, for the sum of twenty-six lacs of rupees, to be paid in sixty days. The English and Ragoba had thus a prospect of marching to Poona in the next campaign, with a great augmentation of resources, and a friendly country in their rear.[1]

We have seen that the Presidency of Bombay informed the Directors by letter, on the 12th of January, 1774, that the Mahratta government was in a peculiar crisis, and that such an opportunity now occurred of acquiring Salsette and Bassein, as they had very little intention of letting escape. The Directors, as if anxious to allow time for the conquest, replied not till the 12th of April, 1775, when their answer could not be received at Bombay, in much less than two years from the time when the measure was announced as on the verge of execution. Nearly six months after the place was reduced by their arms, and governed by their authority, they sat down to say, "It is with much concern we learn from your records, that we are not likely to obtain Salsette from the Mahrattas by negotiation. We, however, disapprove your resolution to take possession of the island by force, in case of the death or deposition of Ragoba; and hereby positively prohibit you from attempting that measure, under any circumstances whatever,
without our permission first obtained for that purpose."[1]



The letter, containing the account of the capture of Salsette, and the negotiation with Ragoba, written by the Bombay Presidency to the supreme Council, on the 31st of December, was not received at Calcutta till the beginning of March. Before that time, however, intelligence from various quarters had reached them of the fate of Salsette; and they had written letters to Bombay, reprehending the Council, in severe terms, for delaying to send more complete information. Vested with a control over the other presidencies, not well defined, and, by consequence, ill-understood, the Supreme Council were jealous of every appearance of an attempt to originate important measures independently of their authority. This jealousy, and a desire to carry their own importance high, distinguished the party in the new Council, which now, by force of numbers, engrossed the powers of the government. They looked, therefore, with a very evil eye upon the audacity which, in a subordinate Presidency, so near the time when the Supreme Council were to assume the reins of government, ventured upon so great a measure as the conquest of Salsette, without waiting to be authorized by their sanction, or deterred by their prohibition. The letter from Bombay was answered on the 8th of March, with a dry remark, that all observations on the capture of Salsette were rendered useless by the tardiness of the information: The Council, however, declared their express disapprobation of the connexion with Ragoba; and two days after the treaty with that chieftain was signed, commanded that all negotiation with him should be suspended, till further instructions were received. On the 31st of May,
arrived from the President and Council of Bombay a letter dated the 31st of March, with information of the conclusion of the
treaty with Ragoba, and the departure of the troops for his support. On this occasion the Governor-General took the lead in the condemnation of the President and Council of Bombay; denouncing their procedure as "unseasonable, impolitic, unjust, and

unauthorized;" and he proposed, that they should be peremptorily enjoined to cancel the treaty, and to withdraw the troops immediately from assisting Ragoba, except in the three following cases: "1. That they should have obtained any decisive advantages over the enemy; 2. That they should be in such a situation as might render it dangerous to retreat; 3. That a negotiation should have taken place between Ragoba and his opponents." The Governor-General afterwards professed that he had gone beyond his real sentiments in these terms of condemnation, in hopes to moderate by that means the violence of the opposite party. In this expectation, if ever formed, he found himself deceived. The majority passed two resolutions, which form as singular a combination as the history of practical politics presents. They voted the condemnation of the treaty with Ragoba, and the immediate recall of the troops, subject to no consideration whatever but that of their safety: And they voted that a negotiation should be immediately opened with the Mutseddies, to arrange a treaty of peace, and obtain confirmation of Salsette and Bassein. They condemned the President and Council of Bombay, for taking part in the quarrels of the Mahrattas, and declaring for one party in opposition to another: They themselves performed what they themselves condemned, and were most effectually and irresistibly declaring in favour of the ministers
against Ragoba. Other negotiators proceed to discussion with as fair a colour on their pretensions as they can, and as much power in their hands as they are able to retain; not that honourable men will aim at advantages which are unreasonable and unjust; but that they may be secure from the necessity of submitting to any thing which is unreasonable and unjust. The English rulers began with declaring themselves to be in the wrong, and stripping their hands of power; as preliminaries to a negotiation with a people, uniformly insolent and rapacious in proportion to their strength; who never heard the proposal of a concession but as an avowal of weakness; and could not conceive that any government ever yielded any thing which it was able to retain. Of all the courses which it was in the power of the Supreme Council to pursue, they made choice of that which was decidedly the worst. By fulfilling the treaty with Ragoba, they would have easily established his authority, and obtained the important concessions to which he had agreed: If they resolved, as they did, to countenance the ministers, they might, at any rate, have made their terms, before they exalted their pretensions by the annihilation of the power which would have made them compliant: And if they had inclined to act the part of really useful and pacific neighbours, they might have arbitrated between the parties with decisive and happy effect.



The Supreme Council resolved to treat with the ministers at Poona by an agent of their own, without the intervention of the Presidency of Bombay, in whose department the Mahratta country was situated, and who were best acquainted with the character and circumstances of the people.[1] Colonel Upton, who was selected for the service, departed on the 17th of
July, with letters to Siccaram Baboo, as head of the ministerial party; and with instructions to insist upon Salsette and Bassein, as indispensable conditions in the agreement which was proposed. It is worthy of remark, that he was furnished also with a letter to Ragoba, which was to be presented to that Prince, in case of his success; and then to form an introduction to a negotiation.

A letter from the Governor and Council of Bombay, dated the 22d of August, reached the Supreme Council in the beginning of October. These rulers complained severely of the disgrace which was thrown upon their Presidency, by compelling them to violate a solemn treaty, and depriving them of the power of negotiating with the neighbouring states. Such a loss of dignity in a great branch of the government could not fail, they said, to affect injuriously the interests of the Company. They denied, that they had been guilty of any wilful disrespect to the Supreme Council. The nature of the circumstances required that they should act without delay; the possession of Salsette and Bassein, required that they should declare in favour of one of the Mahratta parties; and many considerations induced them to give the preference to Ragoba. They pointed out the unhappy effects, even upon the negotiation with the ministers, which would result from the recall of the troops, and the ruin of Ragoba; and stated that they had deputed to Calcutta a member of their board, upon whose representations they still hoped, that their treaty would be executed, and that the great advantages of the connexion with Ragoba would not be thrown away. Their deputy displayed both zeal
and ability, in his endeavours to make an impression upon the Council. But the majority adhered to their first determinations. Colonel Upton was, however, instructed to make some stipulations in favour of Ragoba; and the Presidency at Bombay was authorized to afford a sanctuary, in case of personal danger, to himself, his family and attendants. That Presidency was also directed, notwithstanding the breach of the treaty with Ragoba, to retain possession of the districts which had been yielded by Futty Sing, till the conclusion of a definitive treaty of peace.



The Council had for some time been waiting with impatience for the account of the arrival of their negotiator at Poona. In the beginning of January, 1776, they received letters from the ministers, which contained a commentary on the policy of annihilating Ragoba, at the moment of commencing a negotiation with his enemies. These letters displayed a high tone of complaint, and even of menace. They expressed a disinclination, on the part of the ministers, to submit their pretensions to discussion; and threatened a renewal of hostility, unless the places which had been taken were immediately restored.

Letters, dated the 5th of January, received from Colonel Upton on the 12th of February, announced his arrival at Poona, and a favourable reception. Other letters received on the 6th of March, and dated on the 2d of February, brought information of difficulties impeding the negotiation. The ministers imagine, says Colonel Upton, “that I must treat with them at any rate:—And that I have vastly exceeded my instructions, by asking a surrender of Salsette and Bassein.” “They ask me,” says he, “a thousand times, Why we make such professions of honour? How disprove the war entered into by the Bombay government; when we are so desirous of availing ourselves of the advantages of it?” Despairing
of compliance with all his demands, the Colonel proposed to relax in the affair of Bassein, and to ask for something else in its stead.[1]

On the 7th of March, a letter dated the 7th of February arrived; and announced that the negotiation was broken off. The ministers insisted upon an immediate renunciation of Salsette, and would not allow so much as time for consulting the government. “In five or six days more,” says the Colonel, “I am to leave Poona Dhur, and they will then fix the time for the expiration of the cessation of arms. I told them, I expected time to advise all our settlements before the renewal of the war; but I suspect them of taking every advantage.” He added, which confirmed the representations made in defence of the connexion with Ragoba, “If three or four companies of Europeans, a small detachment from the corps of artillery, and two or three battalions of Sepoys, were embarked from Bengal to join the army from Bombay, we might soon command peace on our own terms. For the chiefs of this country are quite at a loss which side to take; and are waiting to see what the English do.”2

Upon this intelligence the Council hastened to prepare for war on the largest scale. They resolved, “to support the cause of Ragoba with the utmost vigour; and with a general exertion of the whole power of the English arms in India; to act in all quarters at once; and, by the decision and rapidity of their proceedings, to bring the war, if possible, to a speedy conclusion:” And all this, (namely, a war with the ministers, and alliance with Ragoba, the very measures for which they condemned the Presidency at Bombay), rather than restore Salsette, the capture of which, and the alliance for its support, they had denounced as both impolitic and unjust!



At the conclusion, however, of the month, another letter from Colonel Upton was received. This letter brought intelligence of the final compliance of the ministers on the subject of Salsette. Warlike preparations were then suspended, and a treaty was at last arranged. The English renounced Bassein, and agreed to renounce the cessions in Guzerat, provided it appeared, as the ministers maintained, that Futty Sing was not entitled to make them. The Mahrattas yielded Salsette, and the small adjacent islands, of 3,500,000 rupees revenue; the Mahratta chout, or share of the revenues of Broach, amounting to an equal sum; and a country of three lacs in the neighbourhood of Broach. The members of the Bombay government compared these with the terms which *they* had obtained from Ragoba; and proclaimed their disapprobation. The concession with respect to Broach, they said, was pretended and delusive, as the Mahrattas had no right to any share of its revenues: The ceded territory, not being jaghire, or free from Mahratta burthens, would be a source of continual disturbance: The relinquishment of the cessions in Guzerat was weakly made upon an unfounded pretence, which actually gave the Guicawars an interest to disclaim the right in dispute: And, upon the whole, the treaty was highly injurious to the reputation, honour, and interests of the Company. The majority in the Supreme Council grounded the defence of their measures upon the utility of peace; and the frequent commands of the Directors to abstain from aggressive war.1

It had been stipulated that Ragoba should disband his army within one month; receive an establishment of 1,000 horse, to be paid and relieved at the pleasure of government, and, of course, to act as his gaolers and guards; enjoy a pension of three lacs of rupees per

annum, and reside at an appointed place of abode. With these terms, which he represented as placing him in the hands of his enemies, Ragoba declared his resolution not to comply; and having requested an asylum in one of the Company's settlements, he was promised, under the licence formerly granted, a sanctuary for himself and his attendants, by the Governor and Council of Bombay. The Mutseddies complained of this act of protection to Ragoba; and alarmed the ruling party in the Supreme Council with menaces that they would renounce the treaty, and betake themselves to war. After violent debates in the Supreme Council, and great diversity of opinion, it was decided by the majority, to condemn the offer made by the President and Council of Bombay of their protection to Ragoba; and to forbid them to receive that chieftain at any of the settlements within the limits of their government. The apprehensions of his enemies were soon after allayed by the defection of his troops. And he retired to Surat with only 200 attendants.

After considerable delay, and a variety of mutual complaints on the part of the Bombay Presidency and the ministers at Poona, the treaty was signed, and transmitted by Colonel Upton to Calcutta, on the 3d of June, 1776. It is peculiarly worthy of notice and remembrance, that intelligence of the conclusion of this affair had not reached the Supreme Council, when letters arrived from the Court of Directors applauding the treaty which the Presidency of Bombay had formed with Ragoba; and commanding their government of Bengal to co-operate for its fulfilment and confirmation. "We approve," they say, "under every circumstance, of the keeping of all the territories and possessions ceded to the Company by the treaty concluded with Ragoba; and direct that you forthwith adopt such measures as may be necessary for their preservation and defence."[1]



During these transactions, the attention of the Supreme Council was not attracted by any great event, towards the powers on the north-western frontier of the Company's empire. In Oude, Asoff ul Dowla, the New Nabob, had entered upon his government with an exhausted treasury; he was oppressed by the debts due to the Company, and by their importunate demands of payment; his troops were mutinous for want of pay; his inability to maintain them had produced a reduction of his army; he had dismissed the ministers of his father, and surrounded himself with favourites; distraction prevailed in his family and his government; his character was vicious and weak; and every commotion on his frontier alarmed the Supreme Council for the safety of his dominions. Flying parties of the Mahrattas harrassed the neighbouring countries; and reports of more formidable enterprises excited the apprehensions of both the Nabob and his English friends. During the summer of 1776 it was rumoured, that a league had been formed by the Emperor, the Mahrattas, the Seiks, and the Rohillas, to invade the dominions of Asoff ul Dowla. And the Governor General urged the expediency of forming an alliance with Nujeef Khan, to lessen the danger of such an association. After the expedition against Zabita Khan, and the admission of the Mahrattas into Delhi, this leader, through the artifice of a favourite, had fallen into disgrace with his master, and been reduced to the brink of ruin. The necessity of the Emperor's affairs, and even the recommendation of Sujah Dowla and the English, again restored him to favour; and, in 1773, he engaged in a war with the Jaats, under an understanding that

he should retain one half of the territory he should conquer, and resign the other to the Emperor. He had prevailed over the Jaats in the field, and recovered the fort and city of Agra, at the time when the agreement was made, between the Emperor and Vizir, to join in the war against the Rohillas. After his return from Rohilcund, he prosecuted his war with the Jaats; and having driven them, though he was exceedingly distressed for pecuniary means, from the open country, he was besieging the strong fortress of Deig; which, after an obstinate resistance, yielded to his arms; at the time when the situation of the neighbouring powers recommended a connexion with him to the English rulers. The discharge, however, of Sumroo, and a few Frenchmen, from his service, was made an indispensable preliminary; and as he alleged the danger at that moment of sending them to increase the power of his enemies, though he professed the strongest desire to comply with the wishes of the Company, the alliance was for the present obstructed and postponed. The anxiety of Asoff ul Dowla to receive from the Emperor, what still, it seems, was a source of illustration and an object of ambition; the office, though now only nominal, of Vizir; was kept on the rack by various interruptions, by competitors strongly supported, particularly the Nizam, and by the disinclination of the imperial mind. The pescush, however, or appropriate offering, with five thousand men and some artillery, which the Nabob sent to attend the Emperor, arrived at a critical moment, when Zabita Khan had not only evaded payment of the revenue for the country which he possessed, but had taken up arms to support his disobedience; had gained a victory over the Emperor's forces; and was upon the point of becoming master of Delhi, and of the fate of its lord. The troops of Asoff ad Dowla appeared in time to save this catastrophe; and an imperial representative, in requital of this service, was soon after dispatched to invest the Nabob with the Kelât. By interference, however, of the commander of the Nabob's detachment, whom Zabita Khan had duly bribed, the helpless Emperor was obliged to confirm that disobedient chief in the territory which he held, and even to remit those arrears of tribute which formed the subject of dispute.[1]



During the period of those transactions, affairs of a different description had deeply engaged the attention of the Supreme Council, and excited the most violent dissensions. So early as the month of December, 1774, a petition had been presented by the Ranee of Burdwan. This was the title of the widow of Tillook Chund, lately deceased, who, under the title of Rajah, had enjoyed the Zemindary of the district, and whose ancestors, as the representatives of its ancient Rajahs, had enjoyed it in succession through the whole period of Mahomedan sway. Her son, a minor of only nine years of age, had been nominated to the office upon the death of his father; and a considerable share of the power had at first passed into her hands. Afterwards, by the authority of the English government, the young Rajah was withdrawn from the guardianship of the Ranee, and the affairs of the Zemindary were entrusted to administrators of English appointment. She now complained of corrupt administration on the part of the Duan, or chief agent of the Zemindary, and accused the English Resident of supporting him in his iniquity, for the sake of the bribes with which the Duan took care to engage him. The more numerous party in the Council decreed that the Duan should be compelled to render an account of his administration; that the Ranee, agreeably to her petition, should be allowed to repair to Calcutta with her son; and as no inquiry into

the conduct of the Duan could be successfully performed, while he retained power over the persons and papers of his office, that a temporary substitute should occupy his place. These resolutions the Governor-General, accompanied by Mr. Barwell, opposed. The Governor-General said, that the presence of the Ranee at Calcutta, whom he described as a troublesome, violent woman, would be not only unnecessary, but inconvenient; that the removal of the Duan from his office before any guilt was proved, would be a violation of justice;1 and the appointment to that office of persons whose qualifications had not been tried, a total departure from policy and prudence. On the 6th of January, 1775, a letter was received from the Resident, against whom the accusations of the Ranee were directed. It was drawn up in a very lofty style; the writer celebrated his own virtues; ascribed a bad character to the Ranee; and expressed the highest indignation, that she had the audacity to prefer an accusation against him. He professed his readiness to submit his conduct to examination; but required, that security should first be demanded of the Ranee to pay an equivalent penalty, in case she failed in the proof of her charges. The pretext for this condition was, its alleged conformity to the laws of the country. To stifle complaint, and to screen misrule, was its natural effect; and upon this consideration the majority of the Council refused to impose it. A variety of accounts were presented to the Board, in which were entered several sums of considerable amount, as paid by the Duan to the servants of the Company and their dependants, not only upon the appointment of the young Rajah, but also upon that of his Duan. Not less than 3,20,975 rupees were charged to the account of the Resident, his banyan, and cash-keeper. Mr. Hastings himself was accused of receiving 15,000 rupees, and his banyan, or native secretary, 4,500; and the whole of the sums represented as thus distributed among the Company's servants, since the death of the deceased Rajah, amounted to 9,36,497 rupees. The authenticity of these accounts was called in question by the parties whom they affected; and every thing is doubtful which rests upon the authority of Indian witnesses, under strong temptations to depart from truth. Enough does not appear to condemn any individual. Enough appears to render it not doubtful that money was upon this occasion received by the Company's servants; and enough does not appear to exculpate any individual against whom the charge was advanced. Mr. Hastings now lost his tone of calmness and forbearance. He accused the party in the council, by whom he was opposed, of a design to supersede him in his authority, and to drive him from his office. He pronounced them to be his accusers, parties to the cause against him; and therefore disqualified to sit as judges upon his conduct. He declared that he would not summon or hold councils for "a triumph over himself." He proposed that whatever inquisition they might choose to make into his conduct, they should make it in a committee; where his absence would save his station and character from degradation and insult; and he declared it to be his resolution to dissolve the council, as often as they should enter upon any criminating inquiry against himself. An occasion soon presented itself for putting his threat in execution. The resolution to compliment the Ranee with the usual insignia of office, he pronounced an insult to himself; declared the Council dissolved, and quitted the chair. The majority resolved that a vote of adjournment could, as all other votes, be passed only by a plurality of the voices present; that if this was not the law, the Governor-General was despotic; and that the right which he claimed was a right of impunity. They voted the first member of the Council into the chair, and continued their proceedings.



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On the 30th of March, 1775, another accusation occupied the attention of the Board. In a representation received from one of the natives, it was set fourth, that the Phouzdar of Hoogly was paid by the Company 72,000 rupees as the annual salary of his office; that out of this sum, however, he paid annually to Mr. Hastings 36,000 rupees, together with 4,000 to Mr. Hastings' native secretary, reserving only 32,000 rupees to himself; and that the author of this representation would undertake the duties of the office for this reduced allowance, producing an annual saving to the Company of 40,000 rupees, now corruptly received by Mr. Hastings and his banyan. The first debate which rose upon this information regarded the competence of the board to entertain such complaints. Mr. Hastings' party, consisting of Mr. Barwell and himself, opposed the reception of any accusations against any individual of the board; and referred to the courts of justice. The major party deemed it an important article of the duty of the Supreme Council to control abuses, and not least in the hands of those who had the greatest power to commit them. It is no sufficient check, upon those who are entrusted with power, to be amenable for legal crimes in a court of justice. The analogies of the most vulgar trust shed light upon the highest. Who would endure a servant, pretending that his conduct ought not to be challenged but in a court of justice; his trust modified, or withdrawn, till after the judicial proof of a legal crime? When this plea was over-ruled, and the council were about to enter upon the investigation, Mr. Hastings declared that "he would not sit to be confronted with such accusers, nor to *suffer* a judicial inquiry into this conduct, at the board of which he is President." As formerly, he pronounced the Council dissolved; and the majority continued their proceedings in his absence. Two letters of the Phouzdar in question were produced in evidence; and two witnesses were examined. The Phouzdar himself was summoned to answer. At first he alleged excuses for delay. When he did appear, he declined examination upon oath; on the pretence that to persons of his rank it was a degradation to confirm their testimony by that religious ceremony. In this scrupulosity, he was strongly supported by Mr. Hastings; but the majority construed it into a contempt of the Board; and dismissed the Phouzdar from his office, which they conferred, not upon the accusing petitioner, but another individual, at one half of the preceding salary, 36,000 rupees. The majority of the Council esteemed the evidence of the charge complete. The party of the Governor-General, representing the testimony of the natives of India when they have any motive to falsify, as little worthy of trust, and the known disposition of the leading party in the Council as holding forth inducement to accuse, affirmed that the evidence had no title to regard. The eagerness of the Governor-General to stifle, and his exertions to obstruct inquiry, on all occasions where his conduct came under complaint, constituted in itself an article of proof, which added materially to the weight of whatever came against him from any other source.



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Another ground of charge presented itself in the following manner. On the 2d of May, 1775, Mr. Grant, accountant to the provincial council of Moorshedabad, produced to the board a set of accounts, relating to the affairs of the Nabob; and stated that he had received them from a native, now in his own service, who had till lately been a clerk in the treasury office of the Nabob. From these accounts it appeared that Munny Begum, since her appointment to the superintendence of the Nabob's person and

affairs, had received 9,67,693 rupees, over and above what she appeared to have disbursed or had accounted for. Upon examination of Mr. Grant, and of the clerk from whom the accounts were received, the majority of the council were induced to regard them as authentic. Among other circumstances it was stated by the clerk, that the head eunuch of the Begum, the person who stood highest in her confidence, had endeavoured, upon hearing of such accounts in the hands of the clerk, to prevail upon him, by the prospect of rewards and advantages, to restore the papers, and return to the service of the



Begum; and Mr. Grant was ready to state upon his oath that similar attempts had been made upon himself. The party opposed to the Governor-General thought the circumstances sufficiently strong to render inquiry necessary, and to authorise the steps which inquiry demanded. They proposed, that a servant of the Company should immediately be sent to Moorshedabad, invested with a proper commission and powers; and that the Begum, for the investigation of whose conduct no satisfactory evidence could be procured, while she retained authority over the officers and servants of the Nabob, should be divested of her power. The Governor-General, on the other hand, questioned the authority of the papers, resisted the proposal to inquire into the accounts of the Begum, and protested against removing her from her office, while no proof of her misconduct was adduced.1 By decision however of the majority, Mr. Goring was dispatched for the investigation; the power of the Begum was withdrawn; and Rajah Gourdass, the son of Nuncomar, Duan, or principal Minister of the Begum, received the temporary charge of the Nabob's affairs. Inquiry seemed to establish the authenticity of the papers. The Begum, when pressed to account for the balance with which she was charged, stated, among other circumstances, that 1,50,000 rupees had been given to Mr. Hastings, under the name of entertainment money, when he went to Moorshedabad in 1772, and placed her at the head of the Nabob's establishment. She also represented that on the same occasion 1,50,000 rupees had been given by her as a present to Mr. Middleton. Of the sum thus delivered to Mr. Middleton (for the receipt of it was never denied), no account was ever rendered, and no defence was ever set up. Mr. Hastings



justified the receipt of what was bestowed upon himself, on the several pleas, that the act of parliament which prohibited presents was not then passed, that such allowances were the common custom of the country, that a Nabob of Bengal received on the same account 1000 rupees a day as often as he visited the Governor in Calcutta, that he added nothing to his fortune by this allowance, and must have charged to the company a sum as large, if this had not been received.1 Upon part of this it is necessary to remark, that custom, the custom of a country, where almost every thing was corrupt, affords but a sorry defence; that if a visit to the Nabob was a thing of so much expense it ought not to have been made without an adequate cause; that no adequate cause, if the receipt of the present be excluded, can any where be found; that for the necessity of a great expense on such a visit, or indeed of any extraordinary expense at all, we have barely the assertion of the Governor-General, which being the assertion of a party making out a case in his own defence, and an assertion opposed to probability, possesses but little of the force of proof. Besides, the amount is enormous; 2000 rupees per day; 7,30,000 rupees, or 73,000*l*. per annum. What should have made living at Moorshedabad cost the Governor-General at the rate of 73,000*l*. per annum? And why should the Nabob,

whose allowance was understood to be cut down to the lowest point, have been oppressed by so enormous a burden? Another consideration of importance is, that when Mr. Hastings received the sum of one lac and a half of rupees for entertainment money, he at the same time charged to the Company a large sum, 30,000 rupees and upwards, as travelling charges, and a great additional amount for his colleagues and attendants.[1] The complaints of severe usage to the Begum, advanced both by herself and by Hastings, appear to have had no other foundation than the loss of her office; an office which the majority considered her sex as disqualifying her to fill; and to which they treated her appointment as one of the errors or crimes of the preceding administration.



Of the different charges, however, brought against the Governor-General, those which were produced by the Rajah Nuncomar were attended with the most remarkable circumstances. From this personage, whom we have seen Phouzdar of Hoogly, minister of the Nabob Jaffier Khan, the agent of Mr. Hastings in the prosecution of Mahomed Reza Khan, and whose son was appointed Duan of the household to the Nabob, which son it was regulated and ordained that he should guide, a paper was delivered on the 11th of March, which, beides accusing the Governor-General of overlooking the proof of vast embezzlements committed by Mahomed Reza Khan and Shitabroy, and of acquitting them in consideration of large sums of money by which he was bribed, exhibited the particulars of a sum amounting to 3,54,105 rupees, which, it affirmed, the Governor-General accepted, for the appointment of Munny Begum, and Goordass, to their respective dignities and powers. In prosecution of the opinion of the majority that it was the duty of the Supreme Council to inquire into the charges which were brought against the members of the government, and to control the conduct even of the highest officers of state, it was on the 13th proposed, that Nuncomar should be summoned to appear before them, and called upon to produce the grounds of his accusation. Mr. Hastings, instead of choosing to confront his accuser, and to avail himself of the advantage of innocence, in hearing and challenging the pretences of a false accusation, resisted inquiry. “Before the question is put,” says his Minute, “I declare that I will not suffer Nuncomar to appear before the Board as my accuser. I know what belongs to the dignity and character of the first member of this administration. I will not sit at this Board in the character of a criminal. Nor do I acknowledge the members of this Board to be my judges. I am reduced on this occasion to make the declaration that I regard General Clavering, Colonel Monson, and Mr. Francis, as my accusers.” The Governor-General, with Mr. Barwell, again recommended prosecution at law, not inquiry before the Council, as the mode of investigating his conduct. Again he pronounced the Council dissolved, and, together with Mr. Barwell, quitted the Board. Again the majority voted this form of dissolution void, and continued the inquiry. Nuncomar made positive declaration as to the sums which he himself had paid to the Governor; gave in the names of several persons who were privy to the transactions; and presented a letter, in purport from Munny Begum to himself, of which the seal, upon comparison, by the Persian translator and his moonshee, was declared to be authentic; and in which a gift was stated of two lacs to the Governor from himself. Upon this evidence the Governor was called upon to refund to the Company the money which he had thus illegally received. But he refused to acknowledge the majority as a council, and returned no answer.

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Nothing surely can be more inadmissible than the pretences of the Governor-General for stifling inquiry

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What he alleged was, the dignity of the accused, and the baseness of the accuser. If dignity in the accused be a sufficient objection to inquiry, the responsibility of the leading members of every government is immediately destroyed; all limitation of their power is ended; and all restraint upon misconduct is renounced. If the character of the accuser is bad, so much the greater is the advantage of the accused; because so much the more easy it is to counterbalance the evidence of his testimony. So great may be the improbability of a charge, and so little the value of an accuser's testimony, that the first may outweigh the latter, and preclude the propriety of any further research. But where the case is in any degree different from this, the character of the informer is not a sufficient objection to inquiry. It is often from men of the worst character that the most important intelligence is most likely to be received; and it is only necessary in receiving it to make those abatements of belief which the character of the informant may appear to require. Perpetual reference to the courts of law, as the only place where inquiry into the conduct of an officer of government could fitly be made, merits the highest condemnation; because the conduct of a member of government may be evil to almost any degree, may involve his country in ruin, and yet may be incapable of being touched by courts of law, constituted and conducted as those of England. It is another species of superintendance and control which must ensure good conduct in those who are vested with great public trusts. In disclaiming the majority for his judges, the Governor availed himself of an ambiguity in the word. They did not undertake the office of judgment. They only held it their duty to inquire, for the benefit of those who might afterwards judge.

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In this case, the Governor-General was not satisfied with crying out against inquiry. He took the extraordinary resolution of prosecuting with all the weight of his authority the man by whom he was accused. An indictment, at the instance of the Governor-General, of Mr. Barwell, of Mr. Vansittart, of Mr. Hastings' Banyan, and of the Roy Royan or head native agent of finance, was preferred against Nuncomar, together with Messrs. Joseph and Francis Fowke, for a conspiracy to force a man named Commaul ad dien Khan, to write a petition against the parties to the prosecution. After an examination before the judges, Mr. Francis Fowke was discharged; and Mr. Barwell, the Roy Royan, and the Governor's Banyan, withdrew their names from the prosecution. The Governor and Mr. Vansittart persevered; and Nuncomar and Mr. Joseph Fowke were held to bail at their instance. "The truth is, as we," says the minute of Clavering, Monson, and Francis, on the 16th of May, "have reason to believe, that there never existed such a paper as has been sworn to; and that every particular said to be contained in it is an imposition invented by Commaul ad Dien." A few days after this suspicious, but ineffectual proceeding, a new prosecution was instituted against Nuncomar. At the suit of a native, he was taken up on a charge of forgery, and committed to the common gaol. He was tried before the Supreme Court, by a jury of Englishmen, convicted, and hanged. No transaction perhaps of this whole administration more deeply tainted the reputation of Hastings than the tragedy of Nuncomar. At the moment when he stood forth as the accuser of the Governor-

General, he was charged with a crime, alledged to have been committed five years before; tried, and executed; a proceeding which could not fail to generate the suspicion of guilt, and of an inability to encounter the weight of his testimony, in the man whose power to have prevented, or to have stopped (if he did not cause) the prosecution, it is not easy to deny. As Hastings, aware of the sinister interpretations to which the destruction of an accuser, in circumstances so extraordinary, would assuredly expose him, chose rather to sustain the weight of those suspicions, than to meet the charges by preventing or suspending the fate of the accuser; it is a fair inference, though mere resentment and spite might hurry some men to as great an indiscretion, that from the accusations he dreaded something worse than those suspicions. Mr. Francis, in his examination before the House of Commons, on the 16th of April, 1788, declared that the effect of this transaction upon the inquiries carried on by the Board into the accusations against the Governor, was, "to defeat them; that it impressed a general terror on the natives with respect to preferring accusations against men in great power; and that he and his coadjutors were unwilling to expose them to what appeared to him and these coadjutors, as well as themselves, a manifest danger."



The severest censures were very generally passed upon this trial and execution; and it was afterwards exhibited as matter of impeachment against both Mr. Hastings, and the Judge who presided in the tribunal. The crime for which Nuncomar was made to suffer, was not a capital offence, by the laws of Hindustan, either Moslem or Hindu; and it was represented as a procedure full of cruelty and injustice, to render a people amenable to the most grievous severities of a law with which they were unacquainted, and from which, by their habits and associations, their minds were totally estranged. It was affirmed; That this atrocious condemnation and execution were upon an *ex post facto* law, as the statute which created the Supreme Court and its powers was not published till 1774, and the date of the supposed forgery was in 1770: That the law which rendered forgery capital did not extend to India, as no English statute included the colonies, unless where it was expressly stated in the law: That Nuncomar, as a native Indian, for a crime committed against another Indian, not an Englishman, or even a European, was amenable to the native, not the English tribunals: That the evidence adduced was not sufficient to warrant condemnation: And that although the situation in which the prisoner was placed with regard to a man of so much power as the Governor-General should have suggested to the Judge peculiar circumspection and tenderness, there was every appearance of precipitation, and of a predetermination to find him guilty, and to cut him off. In the defence which was set up by Sir Elijah Impey, the Chief Judge, in his answer at the bar of the House of Commons on the 12th of December, 1787, he admitted that a native inhabitant of the provinces at large was not amenable to the English laws, or to the English tribunals: and it was not as such, he affirmed, that Nuncomar was tried. But he maintained that a native inhabitant of the English town of Calcutta, which was English property, which had long been governed by Englishmen, and English laws, was amenable to the English tribunals, and justly, because he made it his voluntary choice to live under their protection; and that it was in this capacity, namely that of an inhabitant of Calcutta, that Nuncomar suffered the penalties of the English laws. If the competency of the jurisdiction was admitted, the question of evidence, where evidence was complicated and contradictory, could not

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admit of any very clear and certain decision; and the Judge opposed the affirmation of its insufficiency by that of the contrary. He denied the doctrine that an English penal statute extended to the colonies, only when that extension was expressed. The allegation of precipitation and unfairness, still further of corruption, in the treatment of the accused, he not only denied with strong expressions of abhorrence, but by a specification of circumstances endeavoured to disprove. It was, however, affirmed, that Nuncomar was not an inhabitant of Calcutta at the time when the offence was said to have been committed; but a prisoner brought and detained there by constraint. The Chief Justice, on the other hand, maintained that not only was no evidence to this fact exhibited on the trial, but evidence to the contrary, and that not opposed. It does indeed appear that an omission, contrary to the intent of the framers, in the Charter of Justice granted the Company in 1753, had afforded a pretext for that extension of jurisdiction over the inhabitants of Calcutta, under which Impey sheltered himself. In establishing the *civil* court for the administration of the English laws, this charter expressly excepted "such suits as shall be between Indian natives, which shall be determined among themselves, unless both parties consent." In establishing the *penal* court, the reservation of the natives, having once been expressed, was not repeated; and of this opening the servants of the Company had availed themselves, whenever they chose, to extend over the natives the penalties of English law. That the intention of the charter was contrary, appeared by its sanctioning a separate court, called the Phousdary, for the trial of all offences of the native inhabitants; a court which, under the intention of rendering natives as well as English amenable to the English criminal laws, would have been totally without a purpose.[1] Of the evidence it may fairly be observed, that though the forgery was completely proved by the oaths of the witnesses to the prosecution, it was as completely disproved by the oaths of the witnesses to the defence; that there was no such difference in the character of the parties or their witnesses as to throw the balance greatly to either of the sides; and that the preponderance, if any, was too weak, to support an act of so much importance and delicacy, as the condemnation of Nuncomar. Even after the judgment, the case was not without a remedy; the execution might have been staid till the pleasure of the King was known, and a pardon might have been obtained. This too the Court absolutely refused; and proceeded with unrelenting determination to the execution of Nuncomar; who, on the 5th of August, with a tranquillity and firmness that never were surpassed, submitted to his fate, not only amid the tears and lamentations, but the cries and shrieks of an extraordinary assemblage of his countrymen.





There was, perhaps, enough to save the authors of this transaction, on the rigid interpretation of naked law. But that all regard to decorum, to the character of the English government, to substantial justice, to the prevention of misrule, and the detection of ministerial crimes, was sacrificed to personal interests, and personal passions, the impartial inquirer cannot hesitate to pronounce.[2]

Among the regulations of the financial system, formed and adopted in 1772, under the authority of Mr. Hastings, the seventeenth article was expressed in the following words; "That no Peshcar, Banyan, or other servant of whatever denomination, of the collector, or relation or dependant

of any such servant, be allowed to farm lands, nor directly or indirectly to hold a concern in any farm, nor to be security for any farmer; and if it shall appear, that the collector shall have countenanced, approved, or connived at a breach of this regulation, he shall stand *ipso facto* dismissed from his collectorship." These regulations had the advantage of being accompanied with a running commentary, in a corresponding column of the very page which contained the text of the law; the commentary proceeding from the same authority as the law, and exhibiting the reasons on which it was founded. The commentary on the article in question, stated, that, "If the collector or any persons who partake of his authority, are permitted to be farmers of the country, no other persons will dare to be their competitors. Of course they will obtain the farms on their own terms. It is not fit that the servants of the Company should be dealers with their masters. The collectors are checks on the farmers. If they themselves turn farmers, what checks can be found for them? What security will the Company have for their property? Or where are the ryots to look for protection?"[1] Notwithstanding this law, it appeared that Mr. Hastings's own Banyan had, in the year 1773, possessed, or was concerned in the farm of no less than nineteen pergunnahs, or districts, in different parts of Bengal, the united rent-roll of which was 13,33,664 rupees; that in 1774, the rent-roll of the territory so farmed was 13,46,152 rupees; in 1775, 13,67,796 rupees; that in 1776, it was 13,88,346 rupees; and in 1777, the last year of the existing or quinquennial settlement, it was 14,11,885 rupees. It also appeared that, at the end of the second year, he was allowed to relinquish three of the farms, on which there was an increasing rent. This proceeding was severely condemned by the Directors; and Mr. Hastings himself, beyond affirming that he had no share in the profits, and that little or none were made, alleged but little in its defence.[2]



For the affairs of the Nabob, and that part of the business of government, still transacted in his name, a substitute to Munny Begum, and to the plan superseded by her removal, was urgently required. In their letter of the 3d of March, 1775, the Directors had declared Mahomed Reza Khan to be so honourably cleared of the suspicions and charges with which he had been clouded, and Nuncomar to be so disgraced by his attempts to destroy him, that they directed his son, who was no more than the tool of the father, to be removed from his office; and Mahomed Reza Khan to be appointed in his stead. It is remarkable, that the Directors were so ignorant of the government of India, which it belonged to them to conduct, that they mistook the name of the office of Gourdass, who was the agent for paying the Nabob's servants, and the substitute for Munny Begum, when any of the affairs was to be transacted to which the fiction of the Nabob's authority was still applied, for that of the officer who was no more than the head of the native clerks in the office of revenue at Calcutta. When they directed Gourdass to be replaced by Mahomed Reza, they distinguished him by the title of Roy Royan; and thence enlarged the ground of cavil and dispute between the contending parties in the Council. Clavering, Francis, and Monson, decided for uniting in the hands of Mahomed Reza Khan the functions which had been divided between Munny Begum and Rajah Gourdass; and as Rajah Gourdass, notwithstanding the prejudices against his father, was recommended by the Directors to some inferior

office, the same party proposed to make him Roy Royan, and to remove Rajah Bullub, the son of Dooloob Ram, by whom that office had hitherto been held.

As the penal department of justice was ill administered in the present Fousdary courts (that branch of the late arrangements had totally failed); and as the superintendance of criminal justice, entrusted to the Governor-General, as head of the Nizamut Adaulut, or Supreme Penal Court of Calcutta, loaded him with a weight of business, and of responsibility, from which he sought to be relieved, the majority agreed to restore to Mahomed Reza Khan, the superintendence of penal justice, and of the native penal courts throughout the country; and for that purpose to remove the seat of the Nizamut Adaulut from Calcutta back to Moorshedabad. The Governor-General agreed that the orders of the Directors required the removal of Gourdass from the office which he held under Munny Begum, and the appointment to that office of Mahomed Reza Khan; but he dissented from all the other parts of the proposed arrangement; and treated the renewal of the title of Naib Subah, and the affectation of still recognizing the Nabob's government, as idle grimace. "All the arts of policy cannot," he said, "conceal the power by which these provinces are ruled, nor can all the arts of sophistry avail to transfer the responsibility to the Nabob; when it is as visible as the light of the sun, that every act originates from our own government, that the Nabob is a mere pageant without the shadow of authority, and even his most consequential agents receive their express nomination from the servants of the Company."[1] The opposing party, however, thought it would be still political, to uphold the pretext of "a country government," for managing all discussions with foreign factories. And if ultimately it should, they say, "be necessary to maintain the authority of the country government by force, the Nabob will call upon us for that assistance, which we are bound by treaty to afford him, and which may be effectually employed in his name." That party possessed the majority of votes, and their schemes, of course, were carried into execution.[2]



end of vol. iii.

[1]*Committees;* i. e. Persons to whom something is committed, or entrusted.

[1]Letters Patent, 10 Will. III., Collection of Charters, &c.

[1]Not in the East India Company alone; in the Bank of England also, the constitution of which is similar, oligarchy has always prevailed. Nor will the circumstances be found to differ in any joint stock association in the history of British Commerce. So little does experience countenance the dangerous maxim, of the people's being always eager to grasp at too much power, that the great difficulty, in regard to good government, is, to get them really to exercise that degree of power, their own exercise of which good government absolutely requires.

[2]The following account is derived from an official report on the business of the Committees, called for by the Board of Control, and transmitted officially by the Court of Directors, of which the substance is given in Mr. Bruce's Historical View of Plans for the Government of British India, p. 600.

[1]Custom House accounts. See Sir Charles Whitworth's Tables, p. 9.

[2]Try, for example, the sum of the exports for twenty years from 1710, in Sir Charles Whitworth's Tables, and that in the Company's accounts; the table, for instance, No. 7, in the Appendix to Mr. Macpherson's History of European Commerce with India. See too, the averages in Bruce's Historical View of Plans for British India, p. 295.

[1]Ninth bye-law of the Company, in Russel's Collection of Statutes.

[1]The obstinate adherence of the natives to their established customs, renders it not easy to quit the track which on any occasion they have formed; and under the ignorance of their manners and character which distinguishes the greater proportion of the Company's servants, it would be mischievous to attempt it. Where the agent however is intelligent, and acquainted with the language and manners of the people, he does simplify and improve the business to a certain degree; and were it performed by men who had an interest to establish themselves in the country, and who would make it a business, it would gradually acquire that rational form which the interests of a rational people would recommend.

[1]Seventh Report from the Committee of Secresy on the State of the East India Company, in 1773.

[1]See Ninth Report, Select Committee, 1783, p. 11.

[1]Anderson s History of Commerce, Anno 1727.

[1]Anderson's History of Commerce, A. D. 1719.

[2]Sir Charles Whitworth's Tables, part i. p. 78.

[1]Third Report from the Secret Committee of the House of Commons, on the State of the East India Company, in 1773, p. 73.

[2]10 Ann c 28. See Collection of Statutes, p. 42.

[3]Anderson's Hist. of Commerce, A. D. 1716 and 1718, and Collection of Statutes.

[1]See Coxe's Memoirs of Sir Robert, and Lord Walpole, and Hist. of the House of Austria, *ad annos*.

[1]5 Geo. I. c. 24; 7 Geo. I. c. 21; 9 Geo. I. c. 26.

[1]Collection of Statutes, p. 50.

[1]Orme's History of the Military Transactions of the British Nation in India, i. 17–19. Seer Mutakhareen, i. 17 and 296.

[1]He is named Caundorah by Mr. Orme (Ibid. p. 20), who erroneously makes Houssein, instead of Abdoolah Khan, vizir.

[2]This incident is related with some additional circumstances by Scott, History of Aurungzebe's Successors, p. 139. From the manner in which he speaks of the Emperor's disease (he speaks very vaguely), he appears not to have thought it of the sort which is generally represented; the question is of small importance.

[1]Orme, Hist. ut supra, ii. 20–25.

[1]See a distinct summary of the proposals, and of the arguments *pro* and *con*. in Anderson's Hist. of Commerce, A. D. 1730. For the proceedings in parliament, consult the Journals, with Boyer's Political State, and Hansard's Parliamentary Hist.

[1]It was asserted by the merchants, and, as far as appears, without contradiction, that foreigners possessed at least a third part of the stock of the East India Company; and one third of their gain was thus made for the benefit of other countries. Political State, A. D. 1730, xxxix. 240.

[1]As a corporate body is seldom hurt by its modesty, the Company alleged that they had a right, by a preceding act of parliament, to the *monopoly* in perpetuity; but to avoid disputes, they consented to wave this claim, for a certainty of thirty-six years. 3 Geo. II. c. 14. Collection of Statutes, p. 73. Anderson, ad an. 1730. Political State. xxxix. 258.

[1]Sir Charles Whitworth's Tables, part ii. p. 9.

[1]Third Report of the Committee of Secrecy, on the State of the East India Company, (House of Commons, 1773,) p. 75.

[2]Ibid. p. 73.

[3]Histoire Philosoph. et Polit. des Establissemens, &c. dans les Deux Indes, par Guillaume Thomas Raynal, liv. ii. sect. 21. Table at the end of the vol.

[1]Anderson's Hist. of Commerce, ad an. 1744; Collection of Statutes, p. 84, 17 Geo. II. c. 17.

[2]Memoire pour Labourdonnais, i. 124. Mr. Orme, i. 67, says the third, the difference being that of the stiles: The old stile, it appears, was used by the English historian.

[1]Memoire, ut supra, p. 125. Orme, p. 67.

[1]Memoire pour Labourdonnais, i. 126–142. Orme, i. 64–69.

[1]Raynal, ii. 271. Memoire pour Labourdonnais, i. 88, 95. Orme, i. 92.

[1]Memoire, ut supra, p. 94. Raynal, ut supra, p. 217.

[2]Memoire pour Labourdonnais, i. 95. Memoire contre Dupleix, p. 8.

[1]Raynal, liv. iv. sect. 20.

[1]This seems to be the same invention exactly with that of Captain Manby, for throwing a rope on board a vessel threatened with shipwreck. See an essay on the Preservation of Shipwrecked Persons by G. W. Manby, Esq. and Memoire pour Labourdonnais, i. 80. The obvious expedient of training the sailors for land operations is of high importance; and it argues little for the heads of those who have conducted enterprises in which the mariners might have been, or were to be, employed for laud operations, that such training has so rarely been resorted to. How much more instructive, than that of the vulgar details of war, is the contemplation of the ingenuity, the industry, and the perseverance of such a man as Labourdonnais, in the various critical situations in which he was placed!

[1]For the above details respecting Labourdonnais, see Memoire, ut supra, pp. 10–92.

[1]Orme, i. 60–63.

[2]Orme, i. pp. 62, 63. Memoire, ut supra, pp. 88–90. Mr Orme says, the challenge of Labourdonuais was only a feint, and that he was in no condition to renew the engagement; he himself in the Memoire, says, that it was not a feint, and that *ce fut avec un extreme regret qu'il vit les Anglots lui échapper*.

[1]The character he manifested at school bears a resemblance to what is reported of Napoleon Bonaparté "La passion avec laquelle il se livra à l'etude des mathematiques, le degout qu'elle lui inspira pour tous les arts aimables qui ne lui paroissoient que frivoles, le charactere taciturne, distrait, et meditatif, qu'elle parut lui donner, et la retraite qu'elle lui faisoit toujours preferer aux amusemens ordinaires de la société." Memoire pour Dupleix, p. 9. The coincidence in character with these men of another remarkable personage, Frederick the Great of Prussia, while a boy, is perhaps worth the remarking. His sister says, "Il avoit de l'esprit; son humeur etoit sombre et taciturne; il pensoit long temps, avant que de repondre, mais, en recompense, il repondoit juste." Memoires de Frederique Sophie Wilhelmine de Prusse, Margrave de Bareith, i. 8–22.

[1]Memoire pour Dupleix, pp. 9–26.

[2]Labourdonnais (Memoire, i. 109) does not state the number of the guns from Pondicherry with which he was obliged to content himself. Orme, i. 64. says he obtained thirty or forty pieces; but it is a grievous defect of Mr. Orme's history, that he never gives his authorities.

[1]Memoire pour Labourdonnais, ut supra, p. 110, and Orme, p. 64, who here adopts the account of Labourdonnais.

[2]Il est expressément défendu au sieur de la Bourdonnais de s'emparer d'aucun etablissement ou comptoir des ennemis pour le conserver. Mem. p. 105. This was signed by M. Orry, Controuleur General. It appears, by the orders both to Labourdonnais and Dupleix, that the French government, and East India Company, shrunk from all idea of conquest in India.

[1]Memoire, ut supra, pp. 142–220. Orme, i. 69–72. Dupleix, in his apology, involves the cause of his opposition to Labourdonnais in mystery. It was a secret, forsooth! And a secret, too, of the ministry and the company! The disgrace, then, was tripartite; Great consolation to Labourdonnais! And great satisfaction to the nation! "Le Sieur Dupleix," says the Memoire, "respecte trop les ordres du ministere et ceux de la Compagnie pour oser publier ici ce qu'il lui a été enjoint d'ensevelir dans le plus profond secret:" p. 27. In the usual style of subterfuge and mystery, this is ambiguous and equivooal. The word *ordres* may signify orders given him to behave as he did to Labourdonnais; and this is the sense in which it is understood by Voltaire, who says, "Le gouverneur Dupleix s'excusa daus ses Memoires sur des ordres secrets du ministère. Mais il n'avait pu recevoir à six mille lieues des ordres concernant une conquête qu'on venait de faire, et que le ministère de France n'avait jamais pu prevoir. Si ces ordres funestes avaient été donnés par prevoyance, ils etorent formellement contradictoires avec ceux que la Bourdonnais avait apportés. Le ministère aurart eu à se reprocher la perte de neuf millions dont on priva la France en violant la capitulation, mais sur-tout le cruel traitement dont il paya le genie, la valeur, et la magnanimité de la Bourdonnais." Fragm. Histor. sur l' Inde, Art. 3. But the word *ordres* may also signify orders merely not to disclose the pretended secret. This is a species of defence which ought ever to be suspected; for it may as easily be applied to the greatest villainy as to the greatest worth, and is far more likely to be so.

[1]Orme, i. 69, 73.

[1]Memoire, ut supra, pp. 221–280. Orme, i. 72, Raynal, liv. iv. sect. 20. Voltaire, amid other praises, says of him, "Il fit plus; il dispersa une escadre Angloise dans la mer de l'Inde, ce qui n'etoit jamais arrivé qu' à lui, et ce qu'on n'a pas revu depuis" Fragm. Histor. sur l'Inde, Art. 3.

[1]Memoire pour Dupleix, p. 28; Mem. pour Labourdonnais, i. 243. "It was now more than a century," (says Mr. Orme, i. 76) "since any of the European nations had gained a decisive advantage in war against the officers of the Great Mogul. The experience of former unsuccessful wars, and the scantiness of military abilities which prevailed in all the colonies From a long disuse of arms, had persuaded them that the Moors were a brave and formidable enemy; when the French at once broke through the charm of this timorous opinion, by defeating a whole army with a single battalion."

[1]Mem. pour Labourdonnais, i. 252. Orme, i. 77. Dupleix, in his Apology, (Mem. p. 27) declines defending this breach of faith, repeating the former pretence of secrecy—to which, he says, the Ministry and the Company enjoined him. Experience justifies three inferences; 1. That the disgrace was such as explanation would enhance; 2. that the Ministry and the Company were sharers in it; 3. that having such partners, his safety did not depend upon his justification. He adds, that it is certain he was innocent, because the Ministry and the Company continued to employ him. It was certain, either that he was innocent, or that the Ministry and the Company were sharers in his guilt. And it was a maxim at that time in France, that a Ministry never can have guilt: If so, the inference was logical.

[1]Orme, i. 78.

[2]The two important discoveries for conquering India were; 1st, the weakness of the native armies against European discipline; 2dly, the facility of imparting that discipline to natives in the European service. Both discoveries were made by the French.

[1]Orme, i. 79–83.

[1]Memoire pour Labourdonnais, i. 259. Memoire pour Dupleix, p. 29. Orme, i. 84, 85.

[2]So says Dupleix himself, Mem. p. 29.

[3]Orme, i. 87. Mem. pour Dupleix, p. 29.

[1]Orme, i. 66, 87, 88.

[1]Orme, i. 88–91. Orme says that 200 soldiers only were landed by the French at Madras. Dupleix himself says, *Trois cens hommes, tant sains que malades*. Mem. p. 32.

[2]Orme, i. 91–98.

[1]Memoire pour Dupleix, p. 31, 32.

[1]Orme, i. 80, 98–106. Dupleix (Mem. p. 32) says that the trenches were open forty-two days, and that the siege altogether lasted fifty-eight. The memoir drawn up by the French East India Company, in answer to Dupleix, alleges more than once that Dupleix was defective in personal courage; and says he apologized for the care with which he kept at a distance from shot, by acknowledging *que le bruit des armes suspendoit ses reflexions, et que le calme seul convenoit à son genie*: p. 18.

[2]Orme, i. 107, 75, 131.

[1]Orme, ii. 45.

[2]Report, ut supra, p. 74.

[3]Whitworth's Tables, part i. p. 78.

[1]Vide supra. Also Aurungzebe's Operations in Deccan, by Scott, p. 6.

[2]History and Management of the East India Company, from an authentic MS. account of Tanjore. See also Orme, i. 108, who in some particulars was misinformed.

[1]"The meaning of this letter is to let your Majesty know, I shall esteem it a great honour to be upon such terms with your Majesty, as may be convenient to both; for which reason, I hope, this will meet with a gracious acceptance, as likewise the few things I send with it." Letter from Governor Floyer to Pretaupa Sing, King of Tanjore, dated 30th Nov. 1746.—"I received your letter, and am glad to hear of the King of

Tanjore's regard and civility towards the English: You may be assured, that after the arrival of our ships, which will be very soon, I will serve the King, and all the people that will do us good against the French, who are enemies to all the world." Letter from Governor Floyer to Maccajeeniko, officer of the King of Tanjore, dated 3d Jan. 1747.—"This is to acquaint your Majesty of the good news we have received from Europe two days past. The French nation (enemies both to your Majesty and the English) had fitted out a force with design to drive the English out of India; and had they been successful, they would never have stopped there; but would have made settlements in whatever parts of your country they liked best; as they have already done at Carical. But it pleased God, that their vile designs have been prevented; for our ships met them at sea, and took and destroyed the whole of them. …I do not at all doubt, but that in a short time we shall be able to put you in possession of Carical, which I hear you so much wish for." Letter from Governor Floyer to the King of Tanjore dated 19th Jan. 1748. See i. 25, 26, of a Collection of Papers, entitled Tanjore Papers, published by the East India Company in three 4to. volumes, in 1777, as an Appendix to a vindication of the Company, drawn up by their counsel Mr. Rous, in answer to two pamphlets; one entitled "State of Facts relative to Tanjore;" the other, "Original Papers relative to Tanjore." This collection of papers, I shall commonly quote, under the short title of Rous's Appendix.

[1]Orme, i. 109–119. History and Management of the East India Company, p. 68–70.

[2]History and Management, p. 69.

[3]This is stated by Orme, (ii. 318) who tells us not who this uncle was (he must have been maternal), but only that he was the guide of his nephew, and the head of his party.

[1]According to Colonel Wilks, (p. 5) the ancient name was Canara, and the Canara language is only found within a district bounded by a line, beginning near the town of Beder, about sixty miles N. W. from Hyderabad, waving S. E. by the town of Adoni, then to the west of Gooti, next by the town of Anantpoor, next Nundidroog, next to the eastern Ghauts, thence along the range of the eastern Ghauts southwards to the pass of Gujjelhutty, thence by the chasm of the western hills, between the towns of Coimbetoor, Palatchi, and Palgaut, thence northwards along the skirts of the western Ghauts, nearly as far as the sources of the Kistna, thence in an eastern and afterwards north eastern direction to Beder. He adds, p. 6, that the Tamul language was spoken in the tract extending from Pullicat, (the boundary of the Talinga language on the south) to Cape Comorin, and from the sea to the eastern Ghauts. This tract bore, anciently, the name of Drauveda, "although," says the Colonel, "the greater part of it is known to Europeans exclusively by the name of Carnatic." It was called by the Mahomedans Carnatic below the Ghauts, as Canara proper was called Carnatic above the Ghauts.

[1]By Mr. Orme, i. 41. Col. Wilks, states on verbal authority, that the Mahrattas were invited by the eldest son of the Nabob, jealous of Chunda Saheb, ubi supra, p. 251.

[1]For this part of the History of Deccan in detail, see Orme, i. 36–62; Cambridge's War in India, p. 1–6; History and Management of the East India Company, p. 50–72;

Memoire pour Dupleix, p. 35–43; Memoire contre Dupleix, p. 19–59; Revolution des Indes, i. 67–289. This last work was published anonymously in two volumes 12mo. in 1757. It is written with partiality to Dupleix; but the author is well informed, and a man of talents. The leading facts are shortly noticed by Wilks, ch. vii.

[1]Seer Mutakhareen, iii. 115. Wilks says he was Governor of the strong fort of Adoni, ch. vii.

[1]Memoire pour la Compagnie des Indes contre le Sieur Dupleix, p. 39.

[2]Orme, i. 127; Memoire, ut supra, p. 40; Memoire pour le Sieur Dupleix, p. 45.

[1]Memoire pour Dupleix, p. 47. The French Company assert, in their Memoir against Dupleix, (p. 44), that it was to gratify his vanity by this display, that the chiefs delayed the march to Trichinopoly: which seems the invention of malignity. Orme says, with better reasons, that to keep the army in obedience, it was necessary to obtain money, which they levied by contribution in the province.

[2]Orme, i. 133–136; Mem. pour Dupleix, p. 51. The French Company accuse Dupleix again falsely of being the author of the ill-timed invasion of Tanjore: Mem. contre Dupleix, p. 45.

[1]Seer Mutakhareen, iii. 115. Mr. Orme (i. 136) is mistaken when he says that Nazir Jung had marched toward Delhi, to oppose his elder brother: it was at a subsequent date that Ghazee ad dien marched for Deccan.

[2]Orme, i. 136, 137.

[3]Memoire pour Dupleix, p. 53.

[4]Ibid. p. 54.

[1]Rous's Appendix, i. 8–22.

[2]Orme, i. 130, 133, 138.

[1]Cambridge's War in India, p. 6–11; Orme, i. 138–142; History and Management of the East India Company, p. 73; Memoire pour Dupleix, p. 54; Memoire contre Dupleix, p. 47; Revolution des Indes, i. 232–238.

[1]For the above details see Orme, i. 142–166. History and Management of the East India Company, p. 74–79; Cambridge's War in India, p. 10–16; Seer Mutakhareen, iii. 116–118, the author of which says that Mirzapha Jung had a plot against the Patans, who on this occasion were not the aggressors; Memoire pour Dupleix, p. 55–68, who says he entered into the conspiracy against Nazir Jung, because he would not listen to peace; Memoire contre Dupleix, p. 47–61; Wilks, chap. vii. with whom Dupleix is a favourite.

[1]Memoire contre Dupleix.

[1]Laurence's Narrative in Cambridge's War in India, p. 28. "In the middle of July," says Orme, i. 182, "the discontent which prevailed among the officers made it necessary to remove several of them at a time when there were very few fit to succeed to their posts.

[2]Law, the commander of the French forces, whom I am much more inclined to believe than Dupleix, one of the most audacious contemners of truth that ever engaged in crooked politics, asserts his want of strength for any efficient operation; as Dupleix, who had entered into a correspondence with Mahomed Ali, and relied upon his promise to open to the French the gates of Trichinopoly, sent him not to attack Trichinopoly, but to receive possession of it; he adds, that when they were surprised by Mahomed Ali's firing upon them from the walls, they had not a single piece of battering or heavy canon in the camp; that it was three months before they were supplied with any; that at first the whole army consisted of 11,860, but after the detachment sent for the recovery of Arcot, it consisted only of 6,680, of whom 600 only were Europeans. See Plainte du Chevalier Law contre le Sieur Dupleix, p. 21–23. Dupleix, on the other hand (Memoire, p. 74), speaking in round humbers, says that the natives, who had joined Chunda Saheb, raised the army to 30,000 men. So widely asunder are the statements of these two men, at the head of the departments, civil and military.

[1]See a panegyrical life of him, for which his family furnished materials, in Kippis's Biographia Britannica, vol. iii. art. Clive.

[1]Dupleix accuses Law with great violence, for not intercepting this convoy, and the English writers have very readily joined with him. But if the facts asserted by Law are true, it was from want of means, not of capacity or inclination, that he failed. He says that the whole army, even after it was joined by the remains of the detachment sent to Arcot, and by the body under Aulum Khan, did not amount to 15,000, while the enemy were three times the number: That the cavalry of Chunda Saheb, who had long been without pay, refused to act; and were joined by several other corps of the native army: That from the importunate commands of Dupleix to blockade and starve Trichinopoly, he had extended his posts much beyond what the smallness of his means rendered advisable; and was weak at every point: That he made every effort to intercept the convoy at a distance; but the cavalry of Chunda Saheb refused to act; and Aulum Khan, after promising to support the detachment, failed, on the pretext that there was not a farthing to give him. See the details as stated by Law, *Plainte*, p. 23–28. The Company, in their reply to Dupleix, defend the conduct of Law. Mem. contre Dupleix, p. 74.

[1]This movement has been violently condemned, and Dupleix ascribes to it the defeat of his schemes; but Major Laurence (Narrative, p. 31) says that "they (the English officers) reckoned it a prudent measure at the time." From the weakness of the French a retreat was unavoidable. Law asserts that had they permitted the English to take possession of Seringham, they were taken in Caudine forks. He asserts also that they were already suffering for want of provisions; and that between abandoning Trichinopoly altogether, and the resolution which he adopted, there was no middle course. The wise course would have been, no doubt, to abandon Trichinopoly; and of

this, Law says, he was abundantly aware. But this the reiterated and pressing commands of Dupleix absolutely forbad. I confess the defence of Law seems to me satisfactory. Plainte du Chev. Law, p. 29–31. Orme says that the enemy burned a great store of provisions, when they passed over into Seringham; but what Law says is much more probable, that the army was already beginning to be in want.

[1]This is directly affirmed by the French East India Company (Memoire contre Dupleix, p. 70), and evidenced by extracts which they produce from the letters to Dupleix written by his own agent, at the court of the Subahdar. Mr. Orme says (i. 252) that the patent of Nabob was actually procured before Chunda Saheb's death. The truth is, that each of them, Chunda Saheb, and himself, wished to get rid of the other, and to be Nabob alone; and they were endeavouring, by mutual treachery, to disappoint each other's designs. Mem. ut supra, and its Appendix No. vi. For the above details, from the death of Mirzapha Jung, see Orme, i. 186–242; History and Management of the East India Company, p. 80–82; Cambridge's War in India, 16–37; Memoire pour Dupleix, p. 71–77; Memoire contre Dupleix, p. 70–74; Plainte du Chevalier Law, p. 19–35. Law says, p. 33, that they made some attempts for the escape of Chunda Saheb, by water; but the river was too shallow at the time to float the boat.

[2]Laurence's Narrative, p. 38.

[1]Colonel Wilks is very severe on the treachery of the Nabob, and on the English for abetting it. Historical Sketches, ut supra, p. 285–291.

[1]Laurence's Narrative, p. 42.

[1]Laurence's Narrative, p. 52.

[1]In his letter to the French minister, dated 16th October, 1753, he says the recruits whom the Company sent him were, enfans, décroteurs, et bandits. He says, "L'examplé que vous a présenté l'Angleterre en n'envoyant que des troupes aguerries auroit du engager la Compagnie à avoir la mème attention dans le choix." He adds, "Je ne sais que penser de celui qui est chargé des recrues, mais je crois qu'il n'y employe pas la somme que la Compagnic lui passe pour chaque homme: c'est n'est sans doute pas votre intention m la sienne, mais il n'en est pas moins vrai que tout se qui nous parvient n'est qu'un ramassis de la plus vile cauaille.—Permettez moi, monseigneur, de vous supplier de donner à ce sujet les ordres les plus precis; la gloire du roi y est interessée, ce motif vous paroîtra plus que suffisant pour exiger toute votre attention. Je n'ose voùs dire tous les mauvais propos qui se tiennent sur l'envois de ces malheureuses troupes; l'Anglois en fait de gorges chaudes, il n'a eu que trop d'occasions de les mepriser; les Maures et les Indiens commencent à perdre la haute idée qu'ils avoient conçue de nous, et nos officiers ne se mettent que malgré eux à leur tête; ce n'est qu'un cri à ce sujet." Memoire pour Dupleix, Pieces Justific. Lett. de M. Dupleix, à M. de Machault, p. 50. In the same letter he says, "Pour les officiers il y en a peu, ou pour mieux dire point du tout qui soient en etat de commander; la bravoure ne leur manque point, mais les talens n'y repondent pas: dans le nombre sur-tout de ceux arrivés l'année derniere, la plupart n'etoient que des enfans, sans la

moindre teinture du service; le soldat s'en moque, et souvent avec juste raison." Ibid. p. 51. Speaking in the same letter of the services of Bussy, along with Salabut Jung, he says, "Si j'en avois un second ici, je vous proteste, monseigneur, que toutes les affaires de cette partie seroient terminées, il y a plus de deux ans." Ibid. p. 57. Nor was this an empty boast: So near was he to the accomplishment of his object, without any such important assistance, that the talents of a man like Bussy, in the Carnatic, would soon have placed him at its head.

[1]This fact is stated on the satisfactory authority of Col. Wilks, who had an opportunity of perusing the correspondence of Laurence with the Presidency. Historical Sketches, ut supra, p. 342.

[1]For this war, Laurence's Narrative, in Cambridge's War, p. 38–95; Orme, i. 245–249, 253–322, 337–365; Mem. pour Dupleix, p. 78–111; Wilks, ut supra, p. 285–340, yield the most important materials.

[1]Orme, i. 337; Laurence's Narrative, p. 81; Mem. pour Dupleix, p. 83; Wilks, p. 338. The English writers, with the exception of Wilks, make no allusion to any pretence of a patent held out by the English. But it is so distinctly asserted by Dupleix, who appeals to the letters of Saunders, to which his opponents had access, that I doubt not the fact. The English writers, who are very severe upon the French forgeries, say, that the conferences were broken off when the French, who had permitted their papers to be so far copied by the English, withdrew them upon the English allegations that they were forged. Dupleix on the other hand says, that he refused to permit the French papers any longer to be copied, when the English failed to produce any on their side which might undergo the same operation.

[1]Mem. pour Dupleix, p. 89. As this assertion (made before persons highly competent to contradict it, and for which an appeal is made to the Journal of Duvelaer) is not denied in the Answer of the Company to the Memoire of Dupleix, it is entitled to credit.

[1]Col. Wilks (p. 345) must have read the treaty very carelessly, to imagine that "the substantial Moorish government and dignity of the extensive and valuable provinces of the Northern Circars were not noticed in the treaty," when the very first article of the treaty says, "The two Companies, English and French, shall renounce for ever *all* Moorish government and dignity, and shall never interfere in any differences that arise between the princes of the country." Mr. Orme too (so easily is the judgment warped of the best of men when their passions are engaged) imagined it would have been no infringement of the treaty, to assist the Mahrattas with English troops from Bombay, for the purpose of compelling Salabut Jung to dismiss Bussy and the French, and deprive them of the Northern Circars. Orme, i. 406.

[1]This is the number stated by Laurence, Narrative, p. 95; Orme, i. 371, calls it 1,200; Godheu, in his letter to Dupleix, received two days before his landing, calls it 2,000 (Mem. pour Dupleix, p. 101). And Dupleix himself asserts (Ibid. p. 111), that by the troops newly arrived his force was rendered superior to that of the English.

[2]Memoir pour Dupleix, p. 111.

[1]Orme, i. 249.

[1]The author of the Seer Mutakhareen, whom as better informed I follow in all affairs relating at this period to the court of Delhi, says, (iii. 19) that he died suddenly, without any mention of poison. The story of the poison is, indeed, presented in a note by the translator; who does not however impute the fact to the mother of Ghazee ad dien, but to the ladies of his harem in general.

[2]The oriental historian describes the efficacy of the French operations in battle in such expressions as these: “At which time the French, with their quick musketry and their expeditions artillery, drew smoke from the Mahratta breasts:” “they lost a vast number of men, whom the French consumed in shoals at the fire-altars of their artillery.” Seer Mutakhareen, ii. 118.

[1]Orme, i. 334.

[2]Wilks, ut supra, p. 338.

[1]Orme, i. 377. Voltaire says, (Precis du Siecle de Louis XV. ch. xxxix.) Dupleix fut reduit à disputer à Paris les tristes restes de sa fortune contre la Compagnie des Indes, et à solliciter des audiences dans I’antichambre de ses juges. Il en mourut bientôt de chagrin.

[1]Orme, i. 380–387; Cambridge’s War in India, p. 109–113.

[1]Orme, i. 388, 398, 419; Cambridge, p. 111, 117, 119.

[1]Orme, i. 399, 420; Cambridge, p. 188.

[1]Orme, i. 429–436, and ii. 89–104; Wilks, p. 380–388. It is amusing to compare the account of Bussy’s transactions on this trying occasion, in the pages of Owen Cambridge (War in India, p. 132–135,) written under halt information, and fulness of national prejudice, with the well informed and liberal narratives of Orme and of Wilks.

[1]Seer Mutakhareen, i. 17, 43, 296.

[1]Holwell (Interesting Historical Events, i. 70) represents his conduct as highly cruel and unjust, and gives an account of five baskets of human heads, which he saw conveying to him in a boat.

[1]Seer Mutakhareen, i. 298—382; Orme, ii. 26—32.

[1]Holwell, who was in the province, and must have had opportunities of learning many of the particulars, gives (Interesting Historical Events, i. 118) a detailed account of this retreat, which he celebrates as one of the most brilliant exploits in the annals of warfare.

[2]Seer Mutakhareen, i. 407—438; Orme, ii. 35. Both Orme and the author of the Seer Mutakhareen mention the instigation of Nizam al Mulk, but after all it seems to have been only a vague conjecture; and there were motives enough to Ragogee Bonsla without prompting. Holwell (Interesting Historical Events, i. 108) says they were instigated by the Court of Delhi.

[1]The author of the Seer Mutakhareen, who had the best opportunities of knowing, says, (i. 450,) that the Emperor claimed, as due on account of the payment of the chout, the assistance, for the province of Bengal, of the government of Satarah, against Ragogee Bonsla; and that it was in compliance with this request, that the army of Balagee Row came into Bengal. Holwell, i. 140, and Orme, ii. 37, say, that the two armies came in concert, and only differed about the division of the plunder.

[1]For a minute and very interesting account of the government of Aliverdi, see Seer Mutakhareen, i. 355—681. The narrative of Orme, (ii. 28—52,) and that of Holwell (Interesting Historical Events, i. 85—176), do not exactly agree either with Gholam or with one another. Scrafton's account (Reflections, &c.) Holwell says was stolen from him.

[2]Orme, ii. 34, says that Aliverdi had only one daughter. The author of the Seer Mutakhareen, who was his near relation, says he had three, i. 304.

[3]Orme, ii. 47, says that Aliverdi had declared Suraja Dowla his successor, before the death of his uncle. But the author of the Seer Mutakhareen, who was in the confidential service of Seid Hamet, the surviving nephew, tells us that he regarded himself as the successor of Aliverdi till the time of his death; which was during the last illness of Aliverdi.

[1]Evidence of John Cooke, Esq. (who at that time was Secretary to the Governor and Council of Calcutta), in the First Report of the Committee of the House of Commons, appointed "to inquire into the Nature, State, and Condition of the East India Company," in 1772.

[2]Report, ut supra. Mr. Cooke, from notes, written immediately after the transactions, gives a very interesting narrative, from the death of Aliverdi, till the morning after the night of the *Black Hole*.

[3]Orme, ii. 78.

[1]The atrocities of English imprisonment at home, not then exposed to detestation by the labours of Howard, too naturally reconciled Englishmen abroad to the use of dungeons; of *Black Holes*. What had they to do with a *black hole?* Had no *black hole* existed, (as none ought to exist any where, least of all in the sultry and unwholesome climate of Bengal,) those who perished in the Black Hole of Calcutta would have experienced a different fate. Even so late as 1782, the common gaol of Calcutta is described by the Select Committee, "a miserable and pestilential place." That Committee examined two witnesses on the state of the common gaol of Calcutta. One said, "The gaol is an old ruin of a house; there were very few windows to admit air,

and those very small. He asked the gaoler how many souls were then confined in the prison? Who answered, upwards of 170, blacks and whites included—that there was no gaol allowance, that many persons had died for want of the necessaries of life. The nauseous smells, arising from such a crowded place, were beyond expression. Besides the prisoners, the number of women and attendants, to carry in provisions and dress victuals, was so great, that it was astomshing that any person could long survive such a situation. It was the most horrible place he ever saw, take it altogether." The other witness said, "It is divided into small apartments, and those very bad; the stench dreadful, and more offensive than he ever experienced in this country—that there is no thorough draft of air—the windows are neither large nor numerous—the rooms low—that it would be impossible for any European to exist any length of time in the prison—that debtors and criminals were not separated—nor Hindoos, Mahomedans, and Europeans." First Report, Appendix, No. xi.

[1]The account of the capture of Calcutta has been taken from the Report above quoted; from the accounts of Mr. Holwell and Mr. Watts; from Scrafton, p. 52—62; Orme, ii. 49—80; and Seer Mutakhareen, i. 716—721. The translator of this last work, says in a note, "There is not a word here of those English shut up in the Black Hole, to the number of 131, where they were mostly smothered. The truth is, that the Hindoostanes wanting only to secure them for the night, as they were to be presented the next morning to the prince, shut them up in what they heard was the prison of the fort, without having any idea of the capacity of the room; and indeed the English themselves had none of it. This much is certain, that this event, which cuts so capital a figure in Mr. Watt's performance, is not known in Bengal; and even in Calcutta it is unknown to every man out of the 400,000 that inhabit that city: at least it is difficult to meet a single native that knows any thing of it: so careless and so incurious are those people. Were we therefore to accuse the Indians of cruelty, for such a thoughtless action, we would of course accuse the English, who, intending to embark 400 Gentoo Sepoys, destined for Madras, put them in boats, without one single necessary, and at last left them to be overset by the bore, when they all perished after a three days' fast."

[1]Orme, i. 406. "Colonel Scott," says Clive himself, in his evidence before the Committee, (See Report, ut supra) "had been strongly recommended by the Duke of Cumberland."

[1]See for this account, Orme, i. 406—417; Cambridge's War in India, p. 120—130; Lord Clive's Evidence, Report, ut supra.

[1]Scrafton, p. 62, sinks the culpable circumstances.

[1]The Indian historian gives an amusing account of the relations between England and France: "Just at this crisis," says he, "the flames of war broke out between the French and English; two nations who had disputes between themselves of five or six hundred years standing; and who, after proceeding to bloodshed, wars, battles, and massacres, for a number of years, would lay down their arms by common agreement, and take breath on both sides, in order to come to blows again, and to fight with as much fury as ever." Seer Mutakhareen, i. 759.

[1]Report ut supra, Appendix, No. vi.

[1]Orme, ii. 139. Clive himself gives a curious account of the deliberation upon this measure: “That the members of the Committee were Mr. Drake (the Governor), himself (Col. Clive), Major Kilpatrick, and Mr. Becher:—Mr. Becher gave his opinion for a neutrality, Major Kilpatrick, for a neutrality;—he himself gave his opinion for the attack of the place; Mr. Drake gave an opinion that nobody could make any thing of. Major Kilpatrick then asked him, whether he thought the forces and squadron could attack Chandernagor and the Nabob’s army at the same time?—he said, he thought they could; upon which Major Kilpatrick desired to withdraw his opinion, and to be of his. They voted Mr. Drake’s no opinion at all; and Major Kilpatrick and he being the majority, a letter was written to Admiral Watson, desiring him to co-operate in the attack on Chandernagor.” Report, ut supra. There is something ludicrous in voting a man’s opinion to be no opinion; yet the undecisive, hesitating, ambiguous propositions, of men who know not what resolution to take, cannot, in general, perhaps, be treated by a better rule.

[1]Report, ut supra, Appendix, No. vi.

[1]Seer Mutakhareen, i. 762.

[1]Captain Brereton, who was Lieutenant with Admiral Watson, declared in evidence, “that he had heard Admiral Watson say, he thought it an extraordinary measure to depose a man they had so lately made a solemn treaty with.” Report, ut supra.

[2]Report, ut supra.

[3]It has been done with exemplary minuteness and patience by Mr. Orme, ii. 149—175.

[1]Orme, ii. 153.

[1]Evidence before the Committee, Report, ut supra.

[2]Ibid. These latter receipts were the occasion of a dispute. “Upon this being known,” said Clive, (Report ut supra) “Mr. Watson replied, that *he* was entitled to a share in that money. He (Clive) agreed in opinion with the gentlemen, when this application was made, that Mr. Watson was not one of the Committee, but at the same time did justice to his services and proposed to the gentlemen to contribute as much as would make his share equal to the Governor’s and his own; that about three or four consented to it, the rest would not.”

[1]Evidence, ut supra.

[2]Orme, ii. 171.

[3]Evidence, Report, ut supra.

[1]Scrafton (Reflections, p. 90,) says, that the Colonel's resolution was founded upon a letter he received from Jaffier in the course of the day. Orme, who loves a little of the marvellous, says, "that as soon as the council of war broke up he retired alone into the adjoining grove, where he continued near an hour in deep meditation; and gave orders, on his return to his quarters, that the army should cross the river the next morning." ii. 170.

[1]Lord Clive stated (Report, ut supra,) "that the battle's being attended with so little bloodshed arose from two causes; first, the army was sheltered by so high a bank that the heavy artillery of the enemy could not possibly do them much mischief; the other was, that Suraja Dowla had not confidence in his army, nor his army any confidence in him, and therefore they did not do their duty upon that occasion."

[1]Orme, ii. 185.

[2]Ibid. ii. 180.

[1]A piece of consummate treachery was practised upon an individual. Among the Hindu merchants established at Calcutta was Omichund, "a man," says Mr. Orme, "of great sagacity and understanding," who had traded to a vast amount, and acquired an enormous fortune. "The extent of his habitation," continues Mr. Orme, "divided into various departments, the number of his servants continually employed in various occupations, and a retinue of armed men in constant pay, resembled more the state of a prince than the condition of a merchant. His commerce extended to all parts of Bengal and Bahar, and by presents and services he had acquired so much influence with the principal officers of the Bengal government, that the Presidency, in times of difficulty, used to employ his mediation with the Nabob. This pre-eminence, however, did not fail to render him the object of much envy." (Orme, ii. 50.) When the alarm, excited by the hostile designs of Suraja Dowla, threw into consternation the minds of Mr. Drake and his council, among other weak ideas which occurred to them, one was, to secure the person of Ounchund, lest, peradventure, he should be in concert with their enemies. He was seized and thrown into confinement. His guards, beheving that violence, that is, dishonour, would next fall upon his house, set fire to it, after the manner of Hindus, and slaughtered the inmates of his harem. Notwithstanding this, when Mr. Holwell endeavoured to parley with the Nabob, he employed Omichund to write letters to his friends, importuning them to intercede, in that extremity, with the prince. At the capture, though his person was liberated, his valuable effects and merchandize were plundered. No less than 400,000 rupees in cash were found in his treasury. When an order was published that such of the English as had escaped the black hole might return to their homes, they were supplied with provisions by Omichund, "whose intercession," says Orme, "had probably procured their return." Omichund, upon the ruin of Calcutta, followed the Nabob's army, and soon acquired a high degree of confidence both with the Nabob's favourite, and with himself. After the recovery of Calcutta, when the Nabob, alarmed at the attack of his camp, entered into negotiation, and concluded a treaty, Omichund was one of the principal agents employed. And when Mr. Watts was sent to Moorshedabad as agent at the durbar (court) of Suraja Dowla, "he was accompanied," says Mr. Orme, (ii. 137,) "by Omichund, whose conduct in the late negotiation had effaced the impression of

former imputations, insomuch that Mr. Watts was permitted to consult and employ him without reserve on all occasions." He was employed as a main instrument in all the intrigues with Jaffier. It was never surmised that he did not second with all his efforts, the projects of the English; it was never denied that his services were of the utmost importance. Mr. Orme says expressly (p. 182) that "his tales and artifices prevented Suraja Dowla from believing the representations of his most trusty servants, who early suspected, and at length were convinced, that the English were confederated with Jaffier." When the terms of compensation for the losses sustained by the capture of Calcutta were negotiated between Mr. Watts and Meer Jaffier, 3,000,000 of rupees were set down for Omichund, which, considering the extent of his property, and that "most of the best houses in Calcutta were his," (Orme, ii. 128,) was probably not more than his loss. Looking forward to the rewards which he doubted not that Jaffier, if successful, would bestow upon those of the English who were the chief instruments of his exaltation; estimating also the importance of his own services, and the risk, both of life and of fortune, which, in rendering those services, he had incurred, Omichund conceived that he too might put in his claim for reward; and, according to the example of his countrymen, resolved not to injure himself by the modesty of his demand. He asked a commission of five per cent., on the money which should be received from the Nabob's treasury, and a fourth part of the jewels; but agreed upon hearing the objections of Mr. Watts, to refer his claims to the committee. When the accounts were sent to Calcutta, the sum to be given to Omichund, even as compensation for his losses, seemed a very heavy grievance to men who panted for more to themselves. To men whose minds were in such a state, the great demands of Omichund appeared (the reader will laugh—but they did literally appear) a crime. They were voted a crime; and so great a crime, as to deserve to be punished—to be punished, not only by depriving him of all reward, but depriving him of his compensation, that compensation which was stipulated for to every body: It was voted that Omichund should have nothing. They were in his power, however, therefore he was not to be irritated. It was necessary he should be deceived. Clive, whom deception, when it suited his purpose, never cost a pang, proposed, that two treaties with Meer Jaffier should be drawn up, and signed: One, in which satisfaction to Omichund should be provided for, which Omichund should see; another, that which should really be executed, in which he should not be named. To his honour be it spoken, Admiral Watson refused to be a party in this treachery. He would not sign the false treaty; and the committee forged his name. When Omichund, upon the final adjustment, was told that he was cheated, and found that he was a ruined man, he fainted away, and lost his reason. He was from that moment insane. Not an Englishman, not even Mr. Orme, has yet expressed a word of sympathy or regret.

[1]The chief authorities which have been followed for this series of transactions in Bengal, have been the Seer Mutakhareen, i. 298—772; the First Report from the Committee on the Nature, State, and Condition of the East India Company, in 1772, which is full of curious information; Orme's War in India, ii. 28—196; and the tracts published by the various actors in the scene, Scrafton, Watts, &c.

[1]Cambridge, p. 140.

[1]Orme, ii. 197–217; Cambridge's War in India, p. 137—153; Wilks' Historical Sketches of the South of India, p. 392, 393.

[1]He himself complains that little preparation was made to co-operate with him. Among the proofs of carelessness, one was that he was saluted with five discharges of cannon, loaded with ball, of which three pierced the ship through and through, and the two others damaged the rigging; Memoire pour Lally, i. 39.

[1]Lally complains, and with good reason, of the deplorable ignorance of the French Governor and Council. They could not tell him the amount of the English forces on the coast; nor whether Cuddalore was surrounded with a dry wall or a rampart; nor whether there was any river to pass between Pondicherry and Fort St. David. He complains that he lost forty-eight hours at Cuddalore, because there was not a man at Pondicherry, who could tell him that it was open on the side next the sea; that he was unable to find twenty-four hours' provisions at Pondicherry; and that the Governor, who promised to forward a portion to him upon the road, broke his word; whence the troops were two days without food, and some of them died. Ibid. 40, 41.

[1]A French ship was driven on shore, and obliged to be abandoned; but this was owing to an accident after the battle.

[2]Lord Clive himself said, in his evidence before the Committee, in 1772: "Mr. Lally arrived with such a force as threatened not only the destruction of all the settlements there, but of all the East India Company's possessions, and nothing saved Madras from sharing the fate of Fort St. David, at that time, but their want of money, which gave time for strengthening and reinforcing the place." Report, ut supra.

[1]Orme (ii. 104) says he left 100 Europeans and 1,000 Sepoys. Wilks (Histor. Sketches, p. 387) says he left 200 Europeans and 600 Sepoys. Orme again (Ibid. p. 264) speaks of the detachment as consisting of 200 Europeans and 500 Sepoys.

[1]Mr. Orme states the days on report merely; but we may presume it was the best information which that careful historian could procure.

[1]This, at least, is stated by the English historians, and by the numerous and too successful enemies of Lally. In the original correspondence, there is no proof that I can perceive. In one of Lally's letters (to De Leyrit, 18th of May) he presses him to prevail upon the inhabitants of Pondicherry, by extra rewards, to lend their assistance. This looks not like a general order to impress the inhabitants. The truth is, that he himself brings charges, which were too well founded, of oppression committed by others against the natives. In his letter to De Leyrit, 25th of May, 1758, he says, "J'apprend que daus votre civil et dans votre militaire, il se commet des vexations vis-a-vis des gens du pays qui les éloignent et les empêchent de vous faire les fournitures necessaires à la subsistance de l'armée." Lally says in his Memoire, p. 50, "Des employés du Sieur Desvaux, protégé par le Sieur de Leyrit, arrêtoient des provisions qui arrivoient au camp, et exigeoient de l'argent des noirs, pour leur accorder la liberté du passage. Un de ces brigauds avoit été pris en flagrant delit. On avoit saisi sur lui un sac plein d'especes et de petits joyaux enlevés aux paysans."

[1]Mem. pour Lally, p. 21. In their letter of the 20th March, 1759, they say; “Vous voudrez bien prendre en consideration l’administration des affaires de la Compagnie, et l’origine *des abus sans nombre* que nous y voyons: *Un despotisme absolu* nous paroit la premiere chose a corriger.”—They add, “Nous trouvons par-tout des preuves de la prodigalité la plus outrée, et du plus grand desordre.”

[2]There is no doubt at all, that the neglect of all preparation, to enable him to act with promptitude, though they had been expecting him at Pondicherry for eight months, was extreme, and to the last degree culpable. There was a total want of talent at this time at Pondicherry; a weak imagination that the expected armament was to do every thing, and that those who were there before had no occasion to do any thing; otherwise, with the great superiority of force they had enjoyed since the arrival of the 1,000 Europeans, in the beginning of September, they might have performed actions of no trifling importance, and have at least prepared *some* of the money and other things requisite for the operations of Lally.

[1]Orme. Lally (Mem. p. 42) says, “Il y avoit dans le Fort de Saint David sept cent Européens, et environ deux mille Cipayes. Les troupes du Comte de Lally consistoient en seize cents Européens, et six cents noirs, tant cavalerie qu’infanterie, ramassés à la hâte. Son regiment, qui avoit essayé un combat de mer, ou il avoit perdu quatre-vingt-quatre hommes, et à qui on n’avoit donné depuis son débarquement à Pondicherry, que quarante-huit heures de repos, etoit à peine en etat de lui fournir deux piquets.” It is at least to be remembered, that this statement of facts was made in the face of Lally’s numerous and bitter enemies.

[1]Memoire, ut supra, Piéces Justificatives, p. 30. De Leyrit defended himself by asserting the want of means; “Je vous rendrai compte,” says he, “de ma conduite, et de la disette de fonds dans laquelle on m’a laissé depuis deux ans, et je compte vous faire voir que j’ai fait à tous égards plus qu’on ne devoit attendre de moi. Mes ressources sont aujourdui epuisés, et nous n’en avons plus à attendre que d’un succès. Ou en trouverois-je de suffisantes dans un pays ruiné par quinze ans de guerre, pour fournir aux depenses considerables de votre armée et aux besoins d’une escadre, par laquelle nous attendions bien des especes de secours, et qui se trouve au contraire denuée de tout?” Ib. No. 20. Lett. du Sieur De Leyrit au Comte de Lally, 24th May, 1758. Lally, however, asserts that he had received two millions of livres by the arrival of the fleet. Mem. p. 49.

[2]This at least is the account of the English historians. Lally himself says, that it was his own design to proceed directly from Fort St. David to Madras; but the commander of the fleet absolutely refused to co-operate with him; *would* go upon a cruize to the south, for the purpose of intercepting such vessels as might arrive from England; and carried with him the detachment which Lally had put on board to prevail upon him to trust himself again at sea alter the hist engagement. Mem. p. 57.

[1]Lally repeats with what regret he postponed the siege of Madras; and shows that it was by earnest persuasions of the Governor, and the Jesuit Lavaur (a missionary of a most intriguing spirit, who had contrived to gain a vast influence in the Councils of Pondicherry), that he undertook the expedition to Tanjore. Mem. p. 62.

[2]Lally was, of course, obliged to trust to the information of those acquainted with the country; and the letters of Lavaur and De Leyrit make it sufficiently appear that they extenuated beyond measure the difficulties of the undertaking; and made him set out upon representations which they knew to be false, and promises which were never intended to be fulfilled. In fact it would have required a cooler, and a more fertile head than that of Lally, to counteract the malignity, to stimulate the indifference, and to supply the enormous deficiencies, by which he was surrounded.

[1]This is the statement of Orme (ii. 27). That of Lally is—qu'il ne restoit au parc d'artillerie que trois milliers de poudre pour les canons, et vingt coups par soldat en cartouche—he adds, that he had no other balls for the cannon but those which were shot by the enemy, of which few corresponded with the calibre of his guns; that twenty-four hours' battering were still requisite to make the breach practicable; that he had but a few days' provisions for the European part of his army, while the native part and the attendants were entirely without provisions, and had, the greater part of them, deserted. Mem. ut supra, p. 73.

[1]Lally says, that he had at the same time received a letter from the Commanding Officer at Pondicherry, announcing that a body of 1,200 English, who had marched from Madras, were menacing Pondicherry; and one from Gopal Row the Mahratta, threatening with a visit the territory of the French, if their army did not immediately evacuate Tanjore. Mem. p. 73.

[2]Notwithstanding their hardships and fatigues Lally asserts that they lost but little. Ib p. 81.

[1]These events are minutely recorded by Orme, ii. 197–352. The sketches and criticisms of Col. Wilks, p. 379–398, are professional and sensible. Cambridge, p. 135–185, goes over the same ground. A spirited abstract is given, p. 96–102, by the author of the History and Management of the East India Company. For the operations of Lally, his own Memoir, with the original documents in the appendix, is in the highest degree instructive and entertaining.

[1]Mem. pour le Cornte de Lally, p. 86–99; Orme, ii. 341–370.

[1]Lally himself informs us, that these letters uniformly began with such expressions as these, "Renvoyez moi M. de Bussy avec un corps de troupes; vous savez que je ne peux pas m'en passer;" or, "vous savez que je ne peux pas me passer de M. de Bussy; renvoyez le moi avec un corps de troupes," &c. Mem. pour le Comte de Lally, p. 93.

[1]Letter to De Leyrit, 28th June, 1758. Mem. ut supra, Appen. No. xxxvi.

[1]Mem. ut supra, i. 98, 100.

[1]Orme, ii. 383–459; Mem. pour Lally, p. 99–117. Of the sick and wounded, those who were too ill to be removed, to the number of thirty-three, according to Lally's own account, to that of forty-four according to Mr. Orme's, were left behind, and recommended by a letter of Lally to the English commander. They were treated, as

Lally himself declares, with all the care which the laws, both of war and of humanity, prescribed.

[1]Mem. pour Lally, p. 135.

[1]In the account of Bussy's march, I have followed his own and Orme's account. Lally (Mem. p. 136) complains of his delays, and insinuates that to the misconduct through which these delays took place, the loss of Bassalut Jung's alliance ought to be ascribed.

[1]Mem. pour Lally, p. 161;—Orme, ii. 577, says that cannon for the battery, which did not open till the 20th, six days after Lally took possession of the Pettah or town adjoining the fort, were brought from Valdore on carriages sent from Pondicherry.

[1]Orme, ii. 582. Lally (Mem. p. 161) gives a very different account of the respective numbers: that the French had 900 infantry, 150 cavalry, 300 marines and sailors, in all 1,350 Europeans, with 1,800 Sepoys; and that the English had 2,500 infantry and 100 cayalry, all Europeans; of black troops nearly an equal number with the French.—There is some appearance that Mr. Orme's account of the French force is conjectural, and hence exaggerated, as all his numbers are round numbers, one regiment 400, another 700, another 400, cavalry 300, &c. Perhaps we ought to trust to Lally's account of his own forces, because it was given in the face of his enemies, who were interested, and well able, to contradict it if untrue; and we need not hesitate to take Mr. Orme's account of the English, where his knowledge was complete.

[1]Mr. Orme, ii. 583, says, that two field-pieces, which fired several times in one minute, and brought down then or fifteen men or horses, caused the flight.

[1]Lally says (Tableau Histor. de l'Expedition de l'Inde, p. 32), and apparently with justice, "Il n'est pas douteux que si l'ennemie se f?t porté tout de suite [after the battle of Wandewash] sur Pondichéry, il s'en f?t rendu maitre en huit jours. Il n'y avoit pas un grain de ris dans la place; les lettres, prieres, ordres, et menaces que le Compte De Lally employoit depuis deux ans vis-a-vis du Sieur de Leyrit, n'avoient pu le determiner à y former un seul magazin." The English leaders appear to have had no conception of the extremely reduced state of the French, and how safe it would have been to strike a decisive blow at the seat of the colony.

[1]For these events see Mem, pour le Comte de Lally; Mem. pour le Sieur De Leyrit; Mem: pour Bussy; Orme, vol. ii.; Cambridge; Wilks; Voltaire, Fragmens Hist. sur l'Inde, et sur la Mort du Comte de Lally.

[1]Clive's Letter to the Proprietors of E. I. Stock, in 1764, p. 30.

[1]Orme, ii. 53.

[2]Seer Mutakhareen, ii. 8.

[1]Orme, ii. 272. Clive, however, (Report, ut supra); and the author of the Seer Mutakhareen (ii. 8), both say that the murdered prince was a brother of Suraja Dowla.

[2]Orme calls him Jaffier's relation; but the author of the Seer Mutakhareen (ii. 9), who had better opportunities of knowing, says he was only the son, by a concubine, of a man who had married Jaffier's sister.

[1]Mr. Scrafton (Reflections on the Government, &c. of Indostan, p. 115) says, "At this crisis, when military virtue and unanimity were more immediately necessary, the Directors, divided by violent contests among themselves, which certainly did them no honour, were so unfortunate in their judgment, as to appoint four Governors of Bengal, to govern each four months, and left Colonel Clive entirely out of this list. The absurdity of such a system was too apparent to take place," &c.

[2]Report, ut supra. The influence of the Colonel is depicted by the following anecdote. There was an officer of rank, to whom Jaffier had been often indebted before his elevation, remarkable for his wit. This, from their former intimacy, and a jealousy of present neglect, he did not spare on the Nabob himself. While the armies of the Nabob and of Clive were at Patna, he was one day accused to the Nabob of having permitted a fray between some of his own soldiers and some of Clive's. "It chanced," says the author of the Seer Mutakhareen, ii. 19, "that Mirza Shemseddin himself made his appearance at that very moment: it was in full durbar and in the hall of audience. The Nawab fixed his eyes upon him, and spoke a few words that seemed to border upon reprimand: 'Sir;' said he, 'your people have had a fray with the Colonel's people: Is your honour to learn who is that Colonel Clive, and in what station heaven has seated him?' 'My Lord Nawab,' answered the Mirza, getting up instantly, and standing bolt-upright before him: 'Me, to quarrel with the Colonel! me! who never get up in the morning, without making three profound bows to his very jack ass! How then could I be daring enough, after that, to fall out with the rider himself!'"

[1]Orme, ii. 356.

[1]Orme says, (ii. 363,) "Clive did not entertain a surmise that it would be taken whilst it had provisions." But Clive himself says, (Report, ut supra,) Nothing saved Madras from sharing the fate of Fort St. David, but their [the French] want of money, which gave time for strengthening and reinforcing the place."

[1]Orme only says, (ii. 364,) "The measure was too vigorous to be acceptable to all the members of the council." But Clive himself says (Report, ut supra), that he undertook it, "contrary to the inclinations of his *whole* council."

[2]Orme, ii. 269–287, and 352–363; Seer Mutakhareen, ii. 4–24.

[1]Orme, ii. 375–380, 472–491, 554; Wilks, p. 401.

[1]The Prince, Holwell assures us, (Memorial, p. 2) repeatedly offered to grant the English their own terms, if they would assist him in recovering his rights. On what side justice lay, is evident enough. On what side policy, whether on that which Clive rejected, or that which he chose, is a more subtle inquiry.

[1]Scott's History of Bengal, p. 379–391; Seer Mutakhareen, vol. ii. part ii. p. 42–89; Francklin's Shah Auluin, p. 8–11; First Report of the Select Committee in 1772; Holwell's Memorial, p. 2.

[1]First Report from the Select Committee in 1772; Holwell's Memorial; Calliaud's Narrative. The author of the Seer Mutakhareen wonders greatly what could be the reason of Clive's quitting the government; a sentiment very natural to him, who well understood the pleasure of governing; but could not so easily conceive the passion of an Englishman to see lodged a princely fortune in his own country.

[1]It is stated at 60,000 men by Calliaud (Narrative of what happened in Bengal in 1760, p. 7); but this we conceive is an exaggerated conjecture.

[1]The remarks of the Mogul nobleman, who was in Patna at the moment of the action, are amusing at least. "What remained of their people," he says, "was rallied by Doctor William Fullerton, a friend of mine, and possibly by some English officers whose names I know not, who ranged them in order again; and as one of their guns was to be left on the field of battle, they found means to render it useless and of no avail, by thrusting a large needle of iron into its eye. The other being in good condition, they took it with them, together with its ammunition; and that handful of men had the courage to retire in the face of a victorious enemy without once shrinking from their ranks. During their journey, the cart of ammunition chanced to receive some damage; the Doctor stopped unconcernedly, and after having put it in order, he bravely pursued his route again; and it must be acknowledged, that this nation's presence of mind, firmness of temper, and undaunted bravery, are past all question. They join the most resolute courage to the most cautions prudence; nor have they their equals in the art of ranging themselves in battle array, and fighting in order. If to so many military qualifications they knew how to join the arts of government; if they showed a concern for the circumstances of the husbandman and the gentleman, and exerted as much ingenuity and solicitude in relieving and easing the people of God, as they do in whatever concerns their military affairs, no nation in the world would be preferable to them, or prove worthier of command. But such is the little regard which they show to the people of these kingdoms, and such their apathy and indifference for their welfare, that the people under their dominion groan every where, and are reduced to poverty and distress. Oh God! come to the assistance of thine afflicted servants, and deliver them from the oppressions they suffer." Seer Mutakhareen, ii. 101.

[1]The author of the Seer Mutakhareen, who had a distant view of the battle from the walls of Patna, describes, with much effect, the alternation of hopes and fears which agitated the inhabitants, as the various reports of the battle reached the city, or the tokens which came to their eyes and their ears were variously interpreted. At last, he says, "when the day was far spent, a note came to Mr. Amyatt from Captain Knox, which mentioned that the enemy was defeated and flying. This intelligence was sent to all the principal men of the city, and caused a deal of joy. I went to the factory to compliment the gentlemen, when in the dusk of the evening Captain Knox himself crossed over, and came with Shitabroy in his company. They were both covered with dust and sweat. The Captain then gave some detail of the battle, and paid the greatest

encomiums on Shitabroy's zeal, activity, and valour. He exclaimed several times, 'This is a real Nawab; I never saw such a Nawab in my life.' A few moments after, Ramnarain was introduced. He had in his company both Mustapha Coollee Khan, and the Cutwal of the city, with some other men of consequence, who, on hearing of the arrival of these two men, had flocked to the factory; and on seeing them alone could not help believing that they had escaped from the slaughter; so far were they from conceiving that a few hundreds of men could defeat a whole army. Nor could they be made to believe (impressed as they were with Hindian notions) that a commander could quit his army so unconcernedly, unless he had indeed run away from it; nor would listen to what Mr. Amyatt repeatedly said to convince Ramnarain and others of their mistake." Seer Mutakhareen, ii. 123.

[1]Calliaud, on this occasion too, complains heavily of Meeran: "The young Nabob and his troops behaved in this skirmish in their usual manner, halting above a mile in the rear, nor ever once made a motion to sustain the English. Had he but acted on this occasion with the least appearance of spirit, and made even a semblance of fighting, the affair must have proved decisive; nor could Cuddum Houssein Khan or his treasure have escaped." Calliaud's Narrative, p. 34.

[1]On the history of this second invasion of the Mogul Prince, see Scott's Hist. of Bengal, p. 392–397; Seer Mutakhareen, ii. 91–139; Calliaud's Narrative of what happened in Bengal in 1760, p. 1–36; Calliaud's Evidence before the Committee of 1772; Calliaud's Letters to Holwell's Tracts, p. 27; Francklin's Shah Aulum, p. 12.

[1]Vansittart's Narrative, i. 19, 22. The distress at home created by these bills was not inferior to what was endured in India. "The funds of the Company in Europe," says the same unquestionable authority, "were not sufficient to pay the bills when they became due: and it is a fact well known upon the Royal Exchange, that in the year 1758, the Directors prevailed not without difficulty, upon the bill-holders, to grant a further time for the payment of their bills; if this accommodation had failed, the consequence would have been what I need not name." A Letter to the Proprietors of the East India Stock from Mr. Henry Vansittart, p. 13.

[1]The necessity of an increased expenditure, and the total want of funds for defraying it, under the arrangements of Clive, is satisfactorily defended against objectors by Mr. Vansittart, in his Letter to the Proprietors, p. 17–22.

[1]First Report of the Committee in 1772; Vansittart's Narrative, i. 19–123; Holwell's Memorial; Scrafton's Observations on Vansittart's Narrative; Vansittart's Letter to the Proprietors of East India Stock in answer to Scrafton; Verelst's View of the English Government in Bengal; Seer Mutakhareen, ii. 130–160; Scott's Hist. of Bengal, p. 399–401.

[1]It is interesting and delightful to hear the account of the native historian. "When the Emperor left the field of battle, the handful of troops that followed M. Law, discouraged by this flight, and tired of the wandering life which they had hitherto led in his service, turned about likewise and followed the Emperor. M. Law, finding himself abandoned and alone, resolved not to turn his back; he bestrode one of his

guns, and remained firm in that posture, waiting for the moment of his death. This being reported to Major Carnac, he detached himself from his main, with Captain Knox and some other officers, and he advanced to the man on the gun, without taking with him either a guard or any Talingas (Sepoys) at all. Being arrived near, this troop alighted from their horses, and pulling their caps from their heads, they swept the air with them, as if to make him a *salam:* and this salute being returned by M. Law in the same manner, some parley in their language ensued. The Major, after paying high encomiums to M. Law for his perseverance, conduct, and bravery, added these words: 'You have done every thing which could be expected from a brave man; and your name shall be undoubtedly transmitted to posterity by the pen of history: now loosen your sword from your loins, come amongst us, and abandon all thoughts of contending with the English.' The other answered, 'That if they would accept of his surrendering himself just as he was, he had no objection; but that as to surrendering himself with the disgrace of being without his sword, it was a shame he would never submit to; and that they might take his life if they were not satisfied with that condition.' The English commanders, admiring his firmness, consented to his surrendering himself in the manner he wished; after which the Major with his officers shook hands with him, in their European manner, and every sentiment of enmity was instantly dismissed on both sides. At the same time the Major sent for his own palaukeen, made him sit in it, and he was sent to camp. M. Law, unwilling to see or to be seen, shut up the curtains of the palaukeen for fear of being recognised by any of his friends at camp; but yet some of his acquaintances, hearing of his being arrived, went to him. The Major, who had excused him from appearing in public, informed them that they could not see him for some days, as he was too much vexed to receive any company. Ahmed Khan Koteishee, who was an impertinent talker, having come to look at him, thought to pay his court to the English by joking on the man's defeat; a behaviour that has nothing strange, if we consider the times in which we live, and the company he was accustomed to frequent; and it was in that notion of his, doubtless, that with much pertness of voice and air, he asked him this question; 'And Biby (Lady) Law, where is she?' The Major and the officers present, shocked at the impropriety of the question, reprimanded him with a severe look, and very severe expressions: 'This man,' they said, 'has fought bravely, and deserves the attention of all brave men; the impertinences which you have been offering him may be customary amongst your friends and your nation, but cannot be suffered in ours, which has it for a standing rule, never to offer an injury to a vanquished foe.' Ahmed Khan, checked by this reprimand, held his tongue, and did not answer a word. He tarried about one hour more in his visit, and then went away much abashed; and, although he was a commander of importance, and one to whom much honour had been always paid, no one did speak to him any more, or made a show of standing up at his departure. This reprimand did much honour to the English; and, it must be acknowledged, to the honour of those strangers, that as their conduct in war and in battle is worthy of admiration, so, on the other hand, nothing is more modest and more becoming than their behaviour to an enemy, whether in the heat of action, or in the pride of success and victory; these people seem to act entirely according to the rules observed by our ancient commanders, and our men of genius." Seer Mutakhareen, ii. 165, 166.

[1]Major Carnac (see his Evidence in the Third Report of the Committee of 1772) beheved that he owed nothing at all.

[2]Both insisted upon the fact, that Ramnarain was ready to account fairly. In a letter of Major Carnac's to the Select Committee, dated 13th April, 1761, he says, "I have long had reason to suspect the Nabob had ill designs against Ramnarain, and have now found my suspicions to be too true. His Excellency (the Nabob) made a heavy complaint to me yesterday, in the presence of Mr. M'Guire, Major Yorke, Messrs. Lushington and Swinton, that there was a considerable balance due on the revenues of this province. Ramnarain has declared to me, that he was ready to lay the accounts before him; however, as the two parties differ widely in their statements, Mr. M'Guire and I proposed, that they should each make out their accounts, and refer them to your board, who would fairly decide between them. This, which I thought was a reasonable proposal, was so far from being satisfactory to the Nabob, that he plainly declared, nothing less could satisfy him than the Mahraje's being removed from the Naibut of this province before be returned to Moorshedabad. "First Report of the Committee in 1772, App. No. 13. In his evidence before the Committee, Carnac says, "The plea of his being in arrear was the pretext always made use of for oppressing him, but without foundation; for in the frequent conversations I had with Ramnarain on the subject, he always seemed ready to come to a fair and equitable account."

[1]Vansittart's Narrative, i. 141–271; The Evidence of Carnac and Coote in the First Report, and that of Clive, M'Guire, and Carnac, in the Third Report of the Committee, 1722; Scott's Hist. of Bengal, p. 404–409; Seer Mutakhareen, ii. 160–181; Verelst's View of the English Government in Bengal, p. 47.

[1]His payments to the Company consisted of twenty-six lacs of sicca rupees, of 2*s*. 8 1/2*d*., together with fifty-three lacs of current rupees, of 2*s*. 4*d*., derived from the ceded districts. See Vansittart's Minute, Narrative, ii. 33.

[1]Mr. Verelst says, (View of Bengal, p. 8 and 46) "The reader must here be informed, that a trade, free from duties, had been claimed by the Company's servants, supported by their forces, and established by the last treaty with Meer Jaffier; and that this article, though condemned by the Directors, was afterwards transcribed into the treaty with his son Nudjum al Dowlah. The contention during two years with Meer Cossim, in support of this trade, greatly weakened the country government, which his subsequent overthrow quite annihilated. At this time many black merchants found it expedient to purchase the name of any young writer in the Company's service, by loans of money, and under this sanction harassed and oppressed the natives. So plentiful a supply was derived from this source, that many young writers were enabled to spend 1,500l. and 2000l. per annum, were clothed in fine linen, and fared sumptuously every day."—"A trade was carried on without payment of duties, in the prosecution of which infinite oppressions were committed. English agents or gomastahs, not contented with injuring the people, trampled on the authority of government, binding and punishing the Nabob's officers, whenever they presumed to interfere. This was the immediate cause of the war with Meer Cossim."

[1]The following letter to the Nabob from one of his officers affords a specimen of the complaints; it is dated Backergunge, May 25, 1762: “The situation of affairs at this place obliges me to apply to your honour for instructions for my further proceedings.—My instructions which I brought here were, that in case any Europeans or their servants committed any disorders, they were to be sent to Calcutta, notwithstanding any pretence they shall make for so doing.—Notwithstanding the rigour of these orders, I have ever made it my business (when any thing trifling happened) to endeavour, by gentle means, to persuade the gentlemen’s gomastahs here to act in a peaceable manner; which, although repeated several times, has had no effect; but, on the contrary, has occasioned their writing complaints of me to their respective masters, that I obstructed them in their business, and ill-used them; and in return I have received menacing letters from several gentlemen, threatening, if I interfere with their servants, to use such measures as I may repent; nor have the gentlemen only done this, their very gomastahs have made it public here, that in case I stop them in any proceeding, they will use the same methods; for the truth of which I have good proofs. Now, Sir, I am to inform you what I have obstructed them in; this place was of great trade formerly, but now brought to nothing by the following practices.—A gentleman sends a gomastah here to buy or sell. He immediately looks upon himself as sufficient to force every inhabitant, either to buy his goods or sell him theirs; and on refusal (in case of non-capacity), a flogging or confinement immediately ensues. This is not sufficient even when willing, but a second force is made use of, which is to engross the different branches of trade to themselves, and not to suffer any persons to buy or sell the articles they trade in; and if the country people do it, then a repetition of their authority is put in practice; and again, what things they purchase, they think the least they can do is, to take them for a considerable deal less than another merchant, and often times refuse paying that, and my interfering occasions an immediate complaint.—These, and many other oppressions which are daily practised, is the reason that this place is growing destitute of inhabitants, &c.—Before, justice was given in the public cutcheree, but now every gomastah is become a judge; they even pass sentences on the Zemindars themselves, and draw money from them by pretended injuries.” Vansittart’s Narrative, ii. 112.

[1]Clive, in his speech, March 30, 1772, afterwards published by himself, said, “The natives paid infinitely more—and that this was no remedy to the grievance of which the Nabob complained.” See Almon’s Debates, from April 1772 to July 1773, where the speech is reprinted, p. 9. The Company afterwards rated the duties at forty per cent., and called this “a treaty exacted by force to obtain to their servants a sanction for a trade to enrich themselves.”

[1]In the Council, the President and Mr. Hastings were, as before, the only dissentients, and said (see their minute, Consultation, March 24), “We cannot think the Nabob to blame (in abolishing the duties); nor do we see how he could do otherwise. For although it may be for our interest to determine, that we will have all the trade in our hands, take every article of the produce of the country off the ground at the first hand, and afterward send it where we please free of customs, yet it is not to be expected that the Nabob will join with us in endeavouring to deprive every merchant of the country of the means of carrying on their business, which must undoubtedly soon be the case, if they are obliged to pay heavy duties, and we trade in

every article on the footing before-mentioned.—Neither in our opinion could the Nabob in such circumstances collect enough to pay the expense of the chokeys, collectors, &c. As to the Nabob's rights to lay trade open, it is our opinion, that the Nazim of every province has a right to any thing for the relief of the merchants trading under his protection." Vansittart, iii. 74.

[1]This adventurer came to India as a serjeant in the French army.

[1]It appears by Munro's evidence (First Report, Committee, 1772) that such a promise was made to them, and through Major Adams.

[1]Scrafton's Observations on Vansittart's Narrative, p. 48, 49.

[1]Clive's Speech, March 30th, 1772, in Almon's Debates, x. 14.

[2]Mr. Gray, resident at Maulda, of date January, 1764, wrote to the President, "Since my arrival here, I have had an opportunity of seeing the villanous practices used by the Calcutta gomastahs in carrying on their business. The government have certainly too much reason to complain of their want of influence in their country, which is torn to pieces by a set of rascals, who in Calcutta walk in rags, but when they are set out on gomastahships, lord it over the country, imprisoning the ryots and merchants, and writing and talking in the most insolent, domineering manner to the fouzdars and officers." In like manner, Mr. Senior, Chief at Cossimbuzar, wrote, in March, 1764, "It would amaze you, the number of complaints that daily come before me of the extravagances committed by our agents and gomastahs all over the country." See Verelst, p. 49.

[3]"Your Committee then examined Archibald Swinton, Esq. who was Captain in the army in Bengal in 1765, and also Persian interpreter and Aid-de-Camp to General Carnac: And he informed your Committee, That he had frequent conversations with Meer Jaffier about the five lacks of rupees per month, stipulated to be paid by Meer Jaffier in October, 1764, and the other demands made on him by the Board; of which he frequently heard Meer Jaffier complain bitterly; and of all the demands made upon him at that time, which had not been stipulated in the treaty with the Company on his restoration—*particularly the increased demand for restitution of losses*, and the donation to the navy." Third Report, Committee, 1772.

[1]See the Extract at length in the Second Report, Select Committee, 1772. In another letter to the Governor and Council of Bengal, dated 24th December, 1765, the Directors say, "Your deliberations on the inland trade have laid open to us a scene of most cruel oppression, which is indeed exhibited at one view of the 13th article of the Nabob's complaints, mentioned thus in your Consultation of the 17th October, 1764: 'The poor of the country, who used always to deal in salt, beetelnut, and tobacco, are now deprived of their daily bread by the trade of the Europeans, whereby no kind of advantage accrues to the Company, and the Government's revenues are greatly injured.' We shall for the present observe to you, that every one of our servants concerned in this trade has been guilty of a breach of his covenants, and a disobedience to our orders. In your Consultations of the 3d of May, we find among

the various extortionate practices, the most extraordinary one of buijaut, or forcing the natives to buy goods beyond the market price, which you there acknowledged to have been frequently practised. In your resolution to prevent this practice you determine to lorbid it, 'but with such care and discretion as not to affect the Company's investment, as you do not mean to invalidate the right derived to the Company from the phirmaund, which they have always held over the weavers:' As the Company are known to purchase their investment by ready money only, we require a full explanation how this can affect them, or how it ever could have been practised in the purchase of their investment, (which the latter part of Mr. Johnstone's minute, entered on Consultation the 21st July, 1764, insinuates); for it would almost justify a suspicion, that the goods of our servants have been put off to the weavers, in part payment of the Company's investment."

[1]Letter to Directors, dated 27th April, 1764. Fourth Report, App. No. 2.

[1]Third Report on the Nature, State, and Condition of E. 1. Company, 1772, p. 20–23.

[1]Extracts of both Letters are given in the Appendix, No. lxxxii. and lxxxiii. of the Third Report of the Committee, 1772.

[1]Mr. Pigot's Letter to the Nabob, June 28, 1760. Nabob's Papers, iii. 24.

[1]Sir John Lindsay's Narrative, Oct. 13, 1770, Secretary of State's Office. Quoted by the author of The History and Management of the East India Company, p. 116.

[1]This is evidently the meaning of Mr. Pigot's letter to the Nabob, of May 31, 1762; from which, by a misinterpretation, the author of the Hist. and Management of the E. I. C. draws an accusation, p. 124.

[1]This is stated on the authority of the Nabob's Letter to Mr. Palk, October 8, 1776. The author of the Hist. and Management, &c. says, "General Laurence, Mr. Bouchier, and particularly Colonel Call, and Mr. Palk, were either present at this transaction, or were convinced of the truth of it, from the incontestable information, given by others as well as by the Nabob; who made heavy complaints to them of the President's conduct:" p. 127.

[2]Letters from the Court of Directors to the President and Council of Fort St. George, 30th December, 1763.

[1]Comptoirs.

[2]Fort St. David and its dependencies.

[3]Bencoolen.

[1]Rous's Appendix, p. 161. This declaration is made in a subsequent correspondence between the Nabob and the Governor and Council, and not denied by the Governor and Council, though such a bargain, they say, was a bad one for the Company.

[2]Mr. Pigot's Letter to the Nabob, August 13, 1763.

[1]Official Papers in Rous's Appendix, No. vi. x. xii. xiii.

[1]"Upon my arrival in Bengal," sad Clive (in his Speech in the House of Commons, ut supra p. 3.), "I found the powers given were so loosely and jesuitically worded, that they were immediately contested by the Council. I was determined, however, to put the most extensive construction upon them, because I was determined to do my duty to my country."

[1]Speech, ut supra, p. 4.

[1]Letter, dated Calcutta, 30th September, 1765, from Lord Clive to the Court of Directors, Third Report of Committee, 1772, Appendix, No. 73. In the letter of the same date from the select Committee, which was merely another letter from Clive, by whose nod the other Members of the Committee were governed, they express themselves bound "to lay open to the view of the Directors a series of transactions too notoriously known to be suppressed, and too affecting to their interest, to the national character, and to the existence of the Company in Bengal, to escape unnoticed and uncensured;—transactions which seem to demonstrate that every spring of this government was smeared with corruption; that principles of rapacity and oppression universally prevailed, and that every spark of sentiment and public spirit was lost and extinguished in the unbounded lost of unmerited wealth." Ib. App. No. 86.

[1]Report, ut supra, Appendix, No. 74.

[1]Verelst's View of the English Government in Bengal, p. 50. For the sums received, and the rate they bore to the sums received by the managers of the preceding revolutions, see the preceding table, p. 326.

[1]See the Letters to Bengal, dated 24th Dec. 1765, and 19th Feb. 1766, in the Appendix to the Third Report.

[2]Clive, in his letter to the Directors, dated 30th Sept. 1765, says, "My resolution was, and my hopes will always be, to confine our assistance, our conquest, and our possessions, to Bengal, Bahar, and Orixa; To go further is, in my opinion, a scheme so extravagantly ambitious and absurd, that no governor and council in their senses can ever adopt it, unless the whole scheme of the Company's interest be first entirely new modelled."

[3]Instructions from the Select Committee to the President, dated 21st June, 1765; and their Letter to General Carnac, dated 1st July.

[1]The Select Committee express strongly their sense of the ostensible change; in their Consultation, 18th Sept. 1765, describing the Company as having "come into the place of the country government, by his Majesty's royal grant of the duannee." See Fourth Report, Committee of Secrecy of House of Commons, 1773. Appendix, No. 38.

[1]In his letter, dated Calcutta, 1st February, 1766.

[1]The effects of this measure are thus described by the Committee themselves: "As soon as this measure became known by reports from Madras, the young gentlemen of the settlement had set themselves up for judges of the propriety of our conduct, and the degree of their own merit." It is to be observed that by "young gentlemen," here is to be understood all those, without exception, who were not of the council, that is, all those whose interests were affected by this unusual proceeding; and they were even joined by several Members of the Council. That Clive should treat it as unendurable in such persons to express an unfavourable opinion upon his conduct, or upon a treatment which they naturally regarded as highly injurious to themselves, is in the genuine strain of power, both in India and Europe. The Committee continue: "They have not only set their hands to the memorial of complaint, but entered into associations unbecoming at their years, and destructive of that subordination, without which no government can stand; all visits to the President are forbidden; all invitations from him and the Members of the Committee are to be alighted; the gentlemen called down by our authority from Madras are to he treated with neglect and contempt." Even the Secretary to the Council distinguished himself in this association; was dismissed from his office; and suspended the service. The Committee add, "You will be astonished to observe at the head of this list, two members of your Council, who subscribe their names in testimony of their sense of the injustice done to the younger servants." Letter from the Select Committee to the Directors, dated 1st January, 1766.

[1]Select Consultation, 15th August, 1766.

[1]Governor Vansittart is very severe in his condemnation of this society. "As I am of opinion," he says, "that an universal equality of trade in these articles (salt, beetel-nut, and tobacco,) would be the most beneficial footing it could stand upon; so I think that a monopoly of it in the hands of a few men of power is the most cruel and oppressive. The poor people of the country have not now a hope of redress.—It is a monopoly, in my opinion, of the most injurious nature.—I could set forth the unhappy condition of the people, under this grievous monopoly, in the words of a letter, which I have received from one of the country merchants; but I think it needless, because it must occur sufficiently to every reader who has any feeling." A Letter to the Proprietors of India Stock from Mr. Henry Vansittart, 1767, p. 88, 89, 93.

[1]For the preceding train of events, the principal sources of information were the Reports of the Two Committees of the House of Commons in 1772 and 1773; Vansittart's Narrative; Verelst's View of Bengal; Scott's History of Bengal; Seer Mutakhareen; Clive's Speech.

[1]The following is au extract of Clive's Letter to the Select Committee of 16th of January, 1767, upon his leaving India: "The first point in politics which I offer to your consideration is the form of government. We are sensible that since the acquisition of the duanny, the power formerly belonging to the Subah of these provinces is totally, in fact, vested in the East India Company. Nothing remains to him but the name and shadow of authority. This name, however, this shadow, it is indispensably necessary

we should seem to venerate.—Under the sanction of a Subah (Subahdar), every encroachment that may be attempted by foreign powers can effectually be crushed, without any apparent interposition of our own authority; and all real grievances complained of by them can, through the same channel, be examined into and redressed. Be it therefore always remembered, that there is a Subah; and that though the revenues belong to the Company; the territorial jurisdiction must still rest in the chiefs of the country, acting under him and this Presidency in conjunction. To appoint th Company's servants to the offices of collectors, or indeed to do any act by any exertion of the English power, which can equally be done by the Nabob at our instance, would be throwing off the mask, would be declaring the Company Subah of the provinces. Foreign nations would immediately take umbrage; and complaints preferred to the British court might be attended with very embarrassing consequences. Nor can it be supposed that either the French, Dutch, or Danes, would readily acknowledge the Company's Subahship, and pay into the hands of their servants the duties upon trade, or the quit-rents of those districts which they may have long been possessed of by virtue of the royal phirmauns, or grants from former Nabobs."

[1]Governor Verelst, in his letter to the Directors, immediately before his resignation, dated 16th December, 1769, says, "We insensibly broke down the barrier betwixt us and government, and the native grew uncertain where his obedience was due. Such a divided and complicated authority gave rise to oppressions and intrigues, unknown at any other period; the officers of government caught the infection, and, being removed from any immediate control, proceeded with still greater audacity. In the mean time we were repeatedly and peremptorily forbid to avow any public authority over the officers of government in our own names," &c.

[1]Clive's Speech, as published by himself, reprinted in Almon's Debates for 1772, p. 44.

[1]Letters from the Presidency, to the Directors, Verelst's Appendix.

[2]In the letter of the Select Committee to the Directors, dated Fort William, September 26th, 1767, they say, "We have frequently expressed to you our apprehensions lest the annual exportation of treasure to China would produce a scarcity of money in the country. This subject becomes every day more serious, as we already feel in a very sensible manner, the effects of the considerable drain made from the silver currency." And in their letter of the 16th of December, they add, "We foresee the difficulties before us in making provision agreeably to your orders for supplying China with silver bullion even for this season. We have before repeatedly requested your attention to the consequences of this exportation of bullion; and we now beg leave to recommend the subject to your most serious consideration—assuring you, that, should we find it at all practicable to make the usual remittances next year to China, the measure will prove fatal to your investment, and ruinous to the commerce of Bengal."—The absurdity of the theory which they invented to account for the want of money, that is, of resources (to wit, the drain of specie) is shown by this fact; that the price of commodities all the while, instead of falling had immensely risen. See the testimonies of Hastings and Francis, in their

minutes on the revenue plans, Sixth Report of the Select Committe in 1781, Appendix xiv. and xv.

[1]"Past experience," they say, "has so impressed us with the idea of the necessity of confining our servants, and Europeans residing under our protection, within the ancient limits of our export and import trade, that we look on every innovation in the inland trade as an intrusion on the natural right of the natives of the country, who now more particularly claim our protection; and we esteem it as much our duty to maintain this barrier between the two commercial rights, as to defend the provinces from foreign invasion." Letter from the Directors, dated 20th November, 1767.

[1]The President and Council of Fort William, in their letter (dated the 21st of March, 1769) to the President and Council of Fort St. George, speak in pathetic terms of "the incontestible evidence they had transmitted to their honourable masters of the exaggerated light in which their new acquired advantages had been placed," and the change of views which they expected them in consequence to adopt.

[1]Eighth Report from the Committee of Secrecy, 1773, Appendix, No. i. In their letter 17th March, 1769, they so far modify their former directions as to say, "Upon reconsidering the subject of remittances we find it so connected with that of the investment, that the increase of the former must always depend on that of the latter. The produce of our sales here is the only channel of our receipts; and our flourishing situation in India would not avail us, if we were to suffer ourselves to he drawn upon to the amount of the cost of our homeward cargoes. In order therefore to unite the advantages of the Company and their servants, we do permit you to increase your remittances, by the ships dispatched from Bengal in the season of 1769, beyond the limitation in our letter of the 11th November last, so far as one half of the sum which your investment sent home in that season shall exceed the amount of sixty lacks. But if you do not send home an investment exceeding that sum, you must then confine your drafts upon us agreeably to our said letter of the 11th November last."

[1]In his letter to the Directors, dated 26th September, 1768, he says, "The extent of the Dutch and French credit exceeds all conception, and their bills are even solicited as favours. The precise sums received by them for some years I have endeavoured to ascertain, though hitherto without success; but if we only form our idea from the bills drawn this year from Europe on individuals here and Madras, the amount will appear prodigious and alarming. Advices of drafts and letters of credit have been already received to the amount of twenty-eight lacks on Bengal, and ten on Madras; and I have the most certain information that their treasures at Pondicherry and Chandernagore are amply furnished with all provision for both their investments and expenses for three years to come. You have often complained of the increase and superiority of the French and Dutch investments; but your orders and regulations have furnished them with the most extensive means of both. It is in vain to threaten dismission from your service, or forfeiture of your protection, for sending home money by foreign cash, while you open no doors for remittances yourselves. Such menaces may render the practice more secret and cautious; but will never diminish, much less remove the evil." Verelst's Appendix, p. 113. So much did Mr. Verelst's imagination deceive him, in regard to the prosperity of the English rivals, that the

exclusive privileges of the French Company, after they had struggled for some time on the verge of bankruptcy, were suspended by the King, and the trade laid open to all the nation. They were found unable to extricate themselves from their difficulties; and resigning their effects into the hands of government, for certain government annuities to the proprietors of stock, the Company were in reality dissolved. Raynal, liv. viii. sect. 26, 27.

[1]The principal materials, before the public, for the history of Verelst's administration, are found in the Reports of the Two Committees of 1772, and in the Appendix to his own View of Bengal. Information, but needing to be cautiously gleaned, is obtained from the numerous Tracts of the day.

[1]It is stated that Clive even entertained the project of obtaining for Mahomed Ali the phirmaun of Subahdar of Deccan; but that the Nabob, who it is true was worn out with the struggle which he had already sustained, who now panted for ease and enjoyment, and whose qualities Clive estimated at more than their actual value (in his correspondence with the Directors he represents his word as more trust-worthy than that of any Mahomedan whom he had ever known. Reports of Committee, 1772), shrunk from the prospect of the arduous enterprise, and declared that "the Deccan was too great for him to desire to have the charge of its government." Letter from the Nabob to Clive in 1765, MS. quoted (p. 150) by the author of the History and Management of the East India Company.—It is also affirmed, perhaps on better grounds (Observations by the President and Council, on Sir John Lindsay's Letter of the 22d of June, 1771; Papers in Rous's Appendix, p. 371) that the Nabob used his endeavours to obtain the exertion of the English power to procure him this high elevation; but met not with a corresponding disposition in the servants of the Company. The point is not of sufficient importance to require that we should spend any time in endeavouring to ascertain whether the one allegation or the other is the truth.

[1]Second Report of the Committee of Secrecy in 1781, p. 22; Hist. and Management, p. 151; Collection of Treaties, p. 364.

[1]See the illustrations of the Mysore Government, in the instructive volume of Col. Wilks.

[1]Colonel Wilks thinks be estimates the amount of it very low at 12,000,000*l.* sterling. More likely it was not a third of the sum. "The immense property," he calls it, "of the most opulent commercial town of the East, and full of rich dwellings." The sound judgment of Colonel Wilks generally preserves him, much better than Oriental gentlemen in general, from the strain of Eastern hyperbole. The richest commercial town of the East, neither a sea-port, nor on any great line of communication, in a situation almost inaccessible, on the top of unwholesome mountains! Besides, there is little opulence in any house in India, or in any shop. The chief article of splendour is jewels, which almost always are carried away, or hid, upon the appearance of danger.

[1]Col. Wilks makes, on this occasion, a judicious remark, the spirit of which should have saved him from the pecuniary exaggerations mentioned above. "I have found it

proper," he says, "to distrust my manuscripts in statements of numbers more than in any other case. In no country, and in no circumstance, is it safe to trust to any statement of numbers that is not derived from actual returns. Even Sir Eyre Coote, whose keen and experienced eye might be considered a safe guide, and whose pure mind never harboured a thought of exaggeration, states the force of Hyder, in the battle of Porto Novo, 1st July, 1781, to have been from 140,000 to 150,000 horse and irregular infantry, besides twenty five battalions of regulars; when, it is certain that the whole did not exceed 80,000." Hist. Sketches, p. 401.

[1]For the Life of Hyder, the Researches of Col. Wilks, p. 240–478, are the best source of intelligence.

[1]Collection of Treaties (printed 1812), p. 364, 372. The Presidency held up to the Directors the necessity of supporting the Nizam, as a barrier against the Mahrattas—a policy of which the Directors entirely disapproved. Bengal Letter, 16th March, 1768; Fifth Report, Secret. Committee, 1781, Appendix No. 6. See too a letter, 13th May, 1768, Rous's Appendix, p. [Editor: Illegible Number]17, in which the connection with the Nizam is strongly reprobated. "It is not," they say, "for the Company to take the part of umpires of Indostan. If it had not been for the imprudent measures you have taken, the country powers would have formed a balance of power among themselves. We wish to see the Indian Princes remain as a check upon one another, without our interfering."—They declare expressly, "With respect to the Nizam and Hyder Ali, it is our interest that neither of them should be totally crushed." To the same purpose, see Ib. p. 529. In another letter, dated 17th March, 1769, after telling the Madras Presidency, that they had paid no regard to the above injunctions, and to the whole tenor, which was to the same effect, of all the instructions of their employers, they say, "It is with the utmost anxiety and displeasure that we see the tenth article of the treaty with the Subah, by which he cedes to the Company the Duanny of the Carnatic Balaghaut; a measure so totally repugnant to our most positive and repeated orders, not to extend our possessions beyond the Carnatic. …Our displeasure hereat is aggravated, by the disengenuous manner in which these affairs are represented to us in your advices." They express a strong opinion on the passion of their servants for interfering extensively with the native powers. "We cannot take a view of your conduct, from the commencement of your negotiation for the Circars, without the strongest disapprobation; and when we see the opulent fortunes, suddenly acquired by our servants, who are returned since that period, it gives but too much weight to the public opinion, that the rage for negotiations, treaties, and alliances, *has private advantage for its object more than the public good*." Ibid. p. 520, 521.

[1]Letter from the Directors to Governor and Council of Madras, 17th March, 1769.

[1]Letter to the Court of Directors, 23d March, 1770; Rous's App. p. 1415.

[2]For these transactions, besides the printed official documents, the well-informed, but not impartial author, of the History and Management of the East India Company, has been, with caution, followed, together with Robson's Life of Hyder Ali, corrected from authentic MSS. by Mr. Grant.

[1]Act 9 Geo. III. c. 24.

[1]The manner in which Clive, to enhance the merit of his own services, had puffed the importance of the Indian territory, and inflamed the hopes of treasure which it was to produce, misled the Company. The perpetually recurring interest of their servants to delude them with these hopes, and their perpetual readiness to believe flattering accounts, has been a perennial fountain of misgovernment.

[1]These debates are reported in various periodical publications of the time. A good abstract of them is presented in the Annual Register for 1769. A variety of pamphlets was produced by the dispute; of those which have come under the author's inspection, the following are the titles of the more remarkable: "An Address to the Proprietors of India Stock, showing, from the Political State of Indostan, the Necessity of sending Commissioners to regulate and direct their Affairs abroad; and likewise the Expediency of joining a Servant of Government in the Commission. Printed for S. Bladon in Paternoster Row, 1769;" "A Letter to the Proprietors of East India Stock, containing a brief Relation of the Negotiations with Government, from the Year 1767 to the present Time, respecting the Company's Acquisitions in India, together with some Considerations on the principal Plans for adjusting the Matters in dispute, which have been discussed in the General Court of Proprietors. Printed for B. White, at Horace's Head, in Fleet Street, 1769;" "A Letter to the Proprietors of India Stock, containing a Reply to some Insinuations in AN OLD PROPRIETOR'S LETTER TO THE PROPRIETORS on the 13th Inst. relative to the Ballot of that Day. Printed for W. Nicholl, No 51, St. Paul's Church Yard, 1769;" "A Letter to the Proprietors of E. 1. Stock, by Governor Johnstone. Printed for W. Nicholl, 1769;" "A Letter to the Proprietors of East India Stock, relative to some Propositions intended to be moved at the next General Court, on Wednesday the 12th of July." Printed as above, 1769.

[1]Letter of the Governor and Council to the Directors, 3d Nov. 1772.

[2]General Letter to Bengal, 10th April, 1771.

[1]For the details and documents relative to this curious part of the history of the Company, see the Eighth Report of the Committee of Secrecy, 1773.

[1]Message from the East India Company to the Right Hon. the Lord Mayor, Aldermen, and Commons of the city of London, in Common Council assembled, dated 27th May, 1773.

[1]See 13 Geo. III. c. 63, and 13 Geo. III. c. 64.

[1]They were previously debarred from the acceptance of presents, and the Governor from trade. Reliance for probity was placed, as it is so commonly placed, on the greatness of the salaries; as if there was a point of saturation in cupidity; as if the great power which great salaries conter was not the most effectual of all instruments for the undue acquisition of more; and the most effectual of all instruments for covering such acquisition from inquiry or punishment. In as far, then, as the prospect of impunity is a motive, and it is one of the strongest, so far great salaries do not take from, they add

to the temptations to corruption. Even Burke, upon this particular, remarked, that "ample salaries removed the necessity indeed, but by no means the inducements, to corruption and oppression." See Ninth Report of the Select Committee, 1781.

[2]That part of the regulations which subjected to the Bengal Council the other Presidencies in matters of peace and war with foreign states, had some effect, though not without drawbacks, in giving unity to the international proceedings of the Company. With the goodness or badness of the internal government, it had no connexion.

[1]Mr. Burke, in the Ninth Report of the Select Committee, in 1783, says, "The defect in the institution seemed to be this; that no rule was laid down, either in the act or the charter, by which the Court was to judge. No descriptions of offenders, or species of delinquency, were properly ascertained, according to the nature of the place, or to the prevalent mode of abuse. Provision was made for the administration of justice in the remotest part of Hindostan, as if it were a province in Great Britain. Your Committee have long had the constitution and conduct of this Court before them, and they have as yet been able to discover very few instances (not one that appears to them of leading importance) of relief given to the natives against the corruptions or oppressions of British subjects in power.—So far as your Committee have been able to discover, the Court has been generally terrible to the natives, and has distracted the government of the Company, without substantially reforming any one of its abuses."

[1]Ninth Report of the Select Committee, in 1783.

[2]"The whole of the regulations concerning the Court of Proprietors relied upon two principles, which have often proved fallacious; namely, that small numbers were a security against faction and disorder; and, that integrity of conduct would follow the greater property." Ninth Report, ut supra.

[1]This is pretty nearly the description of the East India Proprietary which is given by the Committee of the House of Commons. See Ninth Report of the Select Committee in 1783.

[2]It was urged by the Minister, that by raising the qualification from 500*l*. to 1000*l*., the value of the dividend would govern the Proprietor more than that of the vote; with what sincerity, or what discernment, it is easy to see. Burke, moreover, very justly remarked, that this pecuniary interest might be most effectually served by some signal misdemeanour, which should produce a great immediate advantage, though productive of ultimate ruin. "Accordingly," he adds, "the Company's servants have ever since covered over the worst oppressions of the people under their government, and the most cruel and wanton ravages of all the neighbouring countries, by holding out, and for a time actually realizing, additions of revenue to the territorial funds of the Company, and great quantities of valuable goods to their investment." He added, with obvious truth, "The Indian Proprietor will always be, in the first instance, a politician: and the bolder his enterprise, and the more corrupt his views, the less will be his consideration of the price to be paid for compassing them." Ninth Report, ut supra.

[1]Second Report of the Committee of Secrecy in 1773. The Committee say, “They have not included in the above account any valuation of the fortifications and buildings of the Company abroad. They can by no means agree in opinion with the Court of Directors, ’That the amount of the fortifications, &c. should be added to the annual statement.’”—Undoubtedly no assets of any party can be compared with his debts, farther than they can be disposed of for the payment of those debts; the manure which a farmer has spread upon his fields, or the hedges and ditches with which he has surrounded them, are nothing to him, the moment his lease is expired. The money expended in fortifications and buildings, from May 1757, was stated at nearly four millions.

[2]Supra, vol. iii. p. 44.

[1]See the third and Eighth Reports of the Committee of Secrecy in 1773.

[2]Fifth Report of the Committee of Secrecy.

[1]Minutes of Evidence on Mr. Hastings’ Trial, p. 966.

[1]This is expressly stated by Hastings, and the Committee of Revenue, in their letter of the 3d of Nov. 1772, in the sixth Report of the Committee of Secrecy, in 1773.

[1]Fifth Report of the Select Committee, 1810, p. 5.

[1]The Committee of Circuit, in entering upon their task, remark a still more extraordinary failure in the sagacity of the Directors, who did not even foresee, that while their new resolution was totally inconsistent with their former regulations they gave no authority for abolishing them. “They have been pleased,” say the Committee, “to direct a total change of system, and have left the *plan* and *execution* of it to the discretion of the Board, without any formal repeal of the regulations which they had before framed and adapted to another system—the abolition of which necessarily includes that of its subsidiary institutions, unless they shall be found to coincide with the new.” Extract, Proceedings of the Committee of Circuit, dated Cossimbuzar, 28th July, 1772, inserted in the Sixth Report, Committee of Secrecy, 1773, p. 21.

[1]These reasons are assigned in the Consultation 14th May, Report, ut supra.

[2]The reason they assign for this change of title is worth transcribing. “The term ’Supervisor’ was properly suited to the original commission, which was to examine, inspect, and report. This office has been long since annulled; but we apprehend that the continuance of the name, and of many of the residents, in the same stations which they now fill as collectors, may have misled even our Honourable Masters, *who were never regularly advised of the change*, into the opinion that the first commission still subsisted.” So much for the care of instructing, and the accurate information of the Honourable Directors.

[1]Consultation, 14th May, ut supra.

[1]Extract of Proceedings, Sixth Report, ut supra. See also Sixth Report of the Select Committee of 1782, Appendix, No. i.; Colebrooke's Supplement to Digest of Bengal Regulations, p. 174—190; and the Fifth Report from the Select Committee of the House of Commons, in 1810, p. 4, 5.

[1]For this sketch of the state of the administration of justice in Bengal, see the Seventh Report of the Committee of Secrecy in 1773.

[1]Fifth Report, Committee 1810, p. 6. It would appear however, from Hastings' Minute, 21st November, 1775 (Fifth Report of Committee of Secrecy in 1782, Appendix, No. clvii) that Hastings was averse to the entrusting of a native with the uncontrouled administration of criminal justice, and that it was the act of that hostile majority of the Council, by whom Mahomed Reza Khan was in 1775 raised to the office of Naib Nazim. It is necessary at the same time to state, that the gentlemen of the majority (see their letter of the same date, Ibid.) declare that previous to this measure of theirs, "the administration of criminal justice throughout the country was at a stand."—It was at a stand, while under the superintendance of the English rulers: What was it likely to be, under a creature, without one atom of power, having the name of a Nabob?

[1]Seventh Report, ut supra; General Regulations, dated 15th August, 1772; Colebrooke's Supplement, p. 1; Fifth Report from the Select Committee on India Affairs, 1810, p. 6.

[1]See the Letter, Minutes of Evidence on the Trial of Warren Hastings, Esq., p. 993.

[1]Company's Letter to their President and Council, dated 22nd February, 1764; Minutes, ut supra, p. 996.

[1]Committee of Secrecy, 1781, Fifth Report, Appendix, No. iv.

[1]Consultation, 11th July, 1772, Minutes of Evidence, ut supra, p. 972.

[2]Comp. Consultation, 28th April, 1772, Minutes, ut supra, p. 972; and Consultation, 11th July, 1772, Ibid. p. 978, 994.

[3]See the Letter, Minutes, ut supra, p. 974.

[1]"Though we have not a doubt but that by the exertion of your abilities, and the care and assiduity of our servants in the superintendancy of the revenues, the collections will be conducted with more advantage to the Company, and ease to the natives, than by means of a Naib Duan; we are fully sensible of the expediency of supporting some ostensible minister in the Company's interest at the Nabob's court, to transact the political affairs of the Circar, and interpose between the Company and the subjects of any European power, in all cases wherein they may thwart our interest, or encroach on our authority." Letter from the Court of Directors to the President and Council at Fort William, 28th August, 1771; Minutes, ut supra, p. 973.

[2]"The Committee are fully sensible of the expediency remarked by the Honourable Court of Directors, of holding out the authority of the country government to the European powers, in all cases wherein their interests may interfere with those of the Company." Consultation, 11th July, 1772, Minutes, ut supra, p. 978. Mr. Hastings in his letter, 24th March, 1774, seems to have questioned altogether the wisdom of clandestinity: "There can be but one government, and one power in this province. Even the pretensions of the Nabob may prove a source of great embarrassment, when he is of age to claim his release from the present state of pupillage which prevents his asserting them." Ibid. p. 999.

[1]Ibid. p. 978.

[1]Consultation, 11th July, 1772, Minutes, ut supra, p. 978.

[2]Minutes, ut supra, p. 979. It is curious enough that Hastings, in his letter to the Nabob, calls her "The rightful Head of his Family;" and tells him, that "She stands in the place of his deceased Father." Ib. 980. In a private account to the Secret Committee of Directors, Mr. Hastings states other reasons: the first was, that she was "the declared enemy of Mahomed Reza Khan," and that it was necessary, in order to obtain evidence of his guilt, to fill every department with the enemies of that prisoner, who was arrested without warning, and whose papers were secured. He adds, "the only *man*," he says nothing of a woman, "who could pretend to such a trust was the Nabob Yeteram O'Dowla, the brother of Meer Jaffier; a man indeed of no dangerous abilities, nor apparent ambition, but the father of a numerous family; who, by his being brought so nigh to the Musnud, would have acquired a right of inheritance to the Subahship; and if only one of his sons, who are all in the prime of life, should have raised his hopes to the succession, it would have been in his power at any time to remove the single obstacle which the Nabob's life opposed to advancement of the family. The guardian, at least, would have been the Nazim, while the minority lasted; and all the advantages which the Company may hope to derive from it, in the confirmation of their power, would have been lost, or could only have been maintained, by a contention hurtful to their rights, or by a violence yet more exceptionable. The case would be the same were any other man placed in that station. The truth is, that the affairs of the Company stand at present on a footing which can neither last as it is nor be maintained on the rigid principles of private justice: You must establish your own power, or you must hold it dependant on a superior, which I deem to be impossible.

"The Begum, as a woman, is incapable of passing the bounds assigned her. Her ambition cannot aspire to higher dignity. She has no children to provide for, or mislead her fidelity. Her actual authority rests on the Nabob's life, and therefore cannot endanger it; it must cease with his minority, when she must depend absolutely on the Company for support against her ward and pupil, who will then become her master." Fifth Report, Committee of Secrecy, 1781, Appendix, No. iv.

[1]Minutes, ut supra, p. 994: The President goes on, "These reasons will justify the nomination of a man to supply the place of the late Naib Soobah, who is known to be his most violent opponent, and most capable of opposing him. It is not pretended that

these ends are to be obtained merely from the abilities of Rajah Gourdass; his youth and inexperience render him, although unexceptionable in other respects, inadequate to the real purposes of his appointment; but his father hath all the abilities, perseverance, and temper, requisite for such ends, in a degree, perhaps, exceeding any man in Bengal. These talents, heretofore, made him obnoxious to government itself, and therefore it might be thought unsafe to trust him with an authority so near the Nabob;….it is therefore proposed to confer it upon his son, who is of himself incapable of making a very bad use of it, and to allow of his acting under the influence and instruction of his father, who, holding no office under the Nabob, and being a subject of our government, may be removed without eclat, or the least appearance of violence, whenever he shall be proved, or even suspected, to abuse his trust." Messrs. Dacres, Lawrel, and Graham, dissented from the President and the majority, and objected to the appointment of Rajah Goordass, "Because," say they, "we esteem it, in effect, the appointment of Nundcomar, who, with respect to the various accusations against his political conduct, and the orders which have been in consequence received, stands in such a predicament as to preclude, in our opinion, an acquiescence in the President's proposition." Ib. 996. In his answer, the President vindicates the political conduct of Nundcomar, which he affirms to be without blemish, though he says he will "not take upon him to vindicate his moral character." Ib. 996, 997.

[1]Committee of Secrecy, 1781, Fifth Report, Appendix, No. iv.

[1]For the above scenes, beside the documents already quoted, see Scott's Hist. of Bengal, p. 453; and Seer Mutakhareen, ii. 418.

[1]Francklin's Shah Aulum, p. 36. In the Seer Mutakhareen the Vizir is said to have exerted himself to deter the Emperor. The truth is, he acted insidiously; in appearance dissuading the Emperor from the projected expedition, to keep fair with the English; secretly encouraging him to it, from the hopes of profiting, as he did, by this improvident adventure.

[1]Scott (Aurungzebe's Successors, p. 249) mentions ten lacs of rupees, without any other conditions or exactions.

[1]Book iii. chap. iv.

[2]This chief had impressed, both on Indians and Europeans, the highest opinion of his character. Mr. Verelst, giving an account of the surrounding powers, at the conclusion of his government, thus describes him. "As a man, and a prince, he is perhaps the only example in Hindostan of, at once, a great and good character. He raised himself from the command of fifty horse to his present grandeur, entirely by his superior valour, integrity, and strength of genius; and has maintained himself in it with universal applause, by a spirited and well-grounded system of policy. Experience and abilities have supplied the want of letters and education; and the native nobleness and goodness of his heart have amply made amends for the defect of his birth and family. He is a strict lover of justice, a most faithful subject to his Emperor; and has long been the sole defence and support of the royal family at Delhi. His wisdom and

conduct were no where more manifest than in his transactions last year with the Shah Abdalla. He found himself obliged to join him, or expose his country to an immediate invasion, and therefore complied with the necessity; but, at the same time, so protracted their councils, and threw so many secret obstacles in the way of their designs, that, after several months, the Shah finding his troops mutiuous for want of pay or plunder, himself harassed by the Seiks, the heats begun, and the rains approaching, was obliged to return home with disgrace, and rest contented with a sum of money infinitely inferior to what his expedition had promised. Another man in such a situation would probably have lost his life or liberty; but Nujeeb ad Dowla, by his prudence, at once saved his dominions, and extricated himself. He is now about sixty years old, and his constitution much worn down by fatigue and sickness; so that it is probable he will soon be succeeded by his eldest son Zabita Khan, aged near thirty-five, who, to all his father's virtues, joins the improvements of a liberal education." Verelst to the Courts of Directors, March 28, 1768.

[1]Of this, Mr. Verelst had left his decided conviction upon record. "There is something in the constitution of the Rohillas which must ever make them weak and inconsiderable as aggressors. Their government is divided into chiefships: but no one chief has singly troops or resources to enterprise a foreign war. When attacked, their national affection will unite, the common cause will animate them. A private contest will not rouse them; nor is it practicable to engage their voice on any other motive than the general safety." Verelst, Appendix, No. 28.

[1]For the preceding facts, see the Papers in the Appendix, No. 21 of the Fifth Report of the Committee of Secrecy in 1781.

[1]This is distinctly asserted in a letter of Hafez Rhamet himself, addressed to the Gov. General; and it is too conformable to the state of the circumstances to be liable to any reasonable doubt. Fifth Report, ut supra, App. No. 19.

[2]See Sir Robert Barker's Letter, 23d March, 1773, Ibid. App. No. 18.

[1]Fifth Report, ut supra, App No. 18.

[2]Ibid.

[3]Ibid. App. No. 12.

[1]Fifth Report, ut supra, App. No. 19. See also his Minute, addressed to the New Government, Ibid. No. 45; and his Answer to the first of the Charges of Burke.

[2]"I found him," (says he, in his Appeal to the Directors, dated 3d Dec. 1774, Fifth Report, ut supra, App. No. 45,) "still equally bent on the design of reducing the Robillas, *which I encouraged*, as I had done before, by dwelling on the advantages which he would derive from its success."

[3]Appeal, ut supra.

[4]Ibid.

[1]See the official letters of Sir Robert Barker, who commanded the British forces upon the spot, Fifth Report, ut supra, App. No. 18. He condemned the assistance given to the destruction of the Rohillas, but less on the score of justice, than expediency. See his Minute, ut supra, App. No. 23. The Rohillas, among other reasons, alleged with truth, that merely driving the Mahrattas across the river was no deliverance, as they would return the very next campaign. See Barker's Evidence, in Minutes of Evidence before the House of Commons, May 2d, 1786. Sir Robert was asked; "Were the Mahrattas in fact prevented from invading the Rohillas, by any acts of Sujah Dowla, or by his protection of that country?—No."

[2]Appeal, ut supra. This is a contradiction to his former assertion, that the acquisition of the Rohilla country made his territories more defensible. True. But having a bad cause to defend, his apology is full of contradictions. There can be no doubt that the Rohillas, whose troops were among the best and bravest of Hindustan, were a barrier against the Mahrattas. But the desire of territory and plunder blinded the Vizir; that of money, the Governor.

[1]Fifth Report, ut supra, App. No. 19.

[1]Hastings' Report, App. No. 19, ut supra; Letter of 17th June, 1744, App. No. 25.

[2]Francklin's Shah Aulum, p. 54. Letter of Col. Champion; Fifth Report, ut supra, App. No. 45; and the treaty itself, App. No. 27. Scott's Aurungzebe's Successors, p. 259, 260.

[1]Fifth Report, ut supra, App. Nos. 22, 23, 24, 25.

[1]Letter of Col. Champion to the Hon. Warren Hastings, &c. 24th April, 1774; Fifth report, ut supra, App. No. 26.

[2]"The inhumanity and dishonour," says Col. Champion, in his letter of June 12, 1774, "with which the late proprietors of this country and their families have been used, is known all over these parts; a relation of them would swell this letter to an immense size. I could not help compassionating such unparalleled misery; and my requests to the Vizir to show lenity were frequent, but as fruitless as even those advices which I almost hourly gave him, regarding the destruction of the villages, with respect to which I am now constrained to declare, that though he always promised as fairly as I could wish, yet he did not observe one of his promises, nor cease to overspread the country with flames, till three days after the fate of Hafez Rhamet was decided."—In another letter he says, "Above a lack of people have deserted their abodes in consequence of the defeat of Hafez." Ibid. App. No. 27. In another, "The whole army were witnesses of scenes that cannot be described." That the President was perfectly aware of the designs of the Vizir, before his engagement to assist in them, sufficiently appears from his own letter to that chief, dated the 22d of April, 1773. "I have received," says he, "your Excellency's letter, mentioning…. that if, should the Rohillas be guilty of a breach of their agreement [viz. about the forty lacs], we will *thoroughly exterminate* them, and settle your Excellency in the country, you will in that case pay the Company fifty lacs of rupees, and exempt them

from the King's tribute." Ibid. App. No. 21. In the nabob's own letter to the President, of the 18th November, 1773, he says, "During our interview at Benares, it was agreed that I should pay, &c.… and that I should, with the assistance of the English forces, endeavour to punish and *exterminate the Rohillas out of their country*." Ibid. App. No. 22. Mr. Hastings only admits the atrocities in part, and then defends them in a curious manner; that is to say, not only by the example of Indian barbarity in general, but by the example of British barbarity, on the subjects of the Vizir. "I believe it to be a truth," says he, "that he [the Vizir] begun by sending detachments to plunder. This I pronounce to have been both barbarous and impolitic. But too much justified by the practice of war established among all the nations of the East; and I am sorry to add by our own; in an instance (which the Vizir has a right to quote in vindication of the charge against him), of a detachment employed in the war in which we were engaged with him in the year 1764 to burn and ravage his country." He then quotes a letter from Major Champion, who commanded the detachment, which says, "Two separate parties have been sent into the enemy's country, the one of which was as high up as Buxar, and (according to the directions given me) there are destroyed upwards of a thousand villages. Had not the rains, &c. prevented, we should have done very considerably more damage." Minute of the Governor-General, dated 10th Jan. 1775, in the Fifth Report, ut supra, App. No. 45.

[1]App. No. 45, ut supra.

[1]Letter of 23d May, and 14th July, App. ut supra, No. 27.

[1]See the correspondence, Fifth Report, ut supra, App. No. 27, and Col. Champion's long defensive letter, Ibid. App. No. 45. See also No. 28, of the Bengal Treaties, in the Collection of Treaties, &c. with the native Princes, printed in 1812. *Rampore*, and some dependent districts, formed the territory bestowed upon Fyzoolla Khan.

[1]Fifth Report, ut supra, App. No 12.

[2]Company's Letter to Bengal, 3d March, 1775, Ibid. App. No. 46.

[3]Fifth Report, ut supra, p. 37, and App. No. 43.

[1]Memoirs relative to the state of India, by Warren Hastings, Esq p. 21.

[2]Fifth Report, ut supra, p. 7 and 35.

[3]Ibid. p. 8.

[4]Ibid. p. 35.

[5]Ibid. p. 8.

[6]Ibid. p. 35.

[1]Fifth Report, ut supra, p. 41.

[1]The Directors not only condemned the retention of the correspondence, and sent repeated orders for its disclosure, which were never obeyed; but arraigned the very principle of a private agent. “The conduct of our late Council,” say they, “in empowering the President to prepare instructions for Mr. Middleton as agent at the court of Sujah Dowla, without ordering them to be submitted to the Board for their inspection and approbation, was very improper. And it is our express direction, that no such independent or separate authority be ever delegated, to any Governor, or Member of Council, or to any other person whatsoever; but that all instructions to public agents be laid before the Council, and signed by a majority of the Members, before they be carried into execution.” Letter to Bengal, 15th December, 1775, Fifth Report, ut supra, Appendix, No. 46.

[1]On the supposition of the injustice of the Rohilla war, these forty lacs ought to have been paid not to the Company, but to the sufferers: Sujah Dowla ought to have been compelled to restore the unhappy refugees to their homes; and to make compensation. But neither the party, who now possessed all the powers of government, though they reprobated the Rohilla war, nor the Court of Directors, though they solemnly condemned it, ever uttered a wish for the restoration of the expatriated and plundered Rohillas; for a farthing of compensation for their loss, or alleviation to their miseries, either out of their own revenues, or those of the Vizir. The cry about justice, therefore, was a cheap virtue to them; and they were so much the less excusable than the Vizir and Mr. Hastings, that these actors in the scene denied its injustice, and were consistent: the Directors, and the condemning party, were inconsistent; if conscious of that inconsistence, hypocritical; if not conscious, blind.

[1]See the Documents in the Appendix, Nos. 44, 45, and 46 of the Fifth Report, ut supra. They are also to be found in the Minutes of Evidence, exhibited to the House of Commons on the Oude charge; and once more in the Minutes of the Evidence exhibited on the trial of Mr. Hastings in Westminster Hall.

[1]Fifth Report, ut supra, with Appendix, No. 44 and 45.

[1]See the Exposé Statistique du Tunkin, published in London, in 1811, from the papers of M. de la Bissachere, a French Missionary, who had spent twenty-six years in the country.

[1]See Fifth Report, ut supra, Appendix, No. 35.

[1]To the documents adduced in the Fifth Report, ut supra, add the anecdotes related by a man who had access to the conversation of the best informed of his countrymen, Mr. James Forbes, in his Oriental Memoirs, the fifteenth and two subsequent chapters.

[1]Fifth Report, Appendix, No. 47.

[1]Fifth Report, p. 60. Extract of a general Letter, dated 31st March, 1769.

[2]Surat was still governed nominally by a Mogul Nabob, who was however now, in a great measure, dependant upon the Company.

[1]Vide supra, p. 531.

[2]Fifth Report, ut supra, p. 69.

[1]Forbes, Oriental Memoirs, ii. 32.

[1]Mr. Forbes, who was private secretary to the commanding officer of the British detachment, gives us, though less of the campaign than of other objects, our best particulars, in the chapters xvi. to xx. of his Oriental Memoirs.

[1]Fifth Report, App. No. 54. They, notwithstanding, failed not to approve of the acquisition when made. See p. 550, below.

[1]The ignorance respecting the Mahrattas, of the Supreme Council, at this time, even of Mr. Hastings, not to speak of Mr. Francis and his party is very conspicuous in the Minutes of their consultations.

[1]Fifth Report, ut supra, App. No. 102.

[2]Ibid. No. 105.

[1]See Fifth Report, ut supra, p. 24–29, and 60–88, with the corresponding articles in the Appendix.

[1]Fifth Report, ut supra, App. No. 137. Compare p. 541, above.

[1]Report, ut supra, p. 97, 98, and App. No. [Editor: Illegible Number], 168. Also Scott's Aurungzebe's Successors, p. 249–267.

[1]Wherein lay the difference between this case, and that of Mahomed Reza Khan, and the Rajah Shitabroy?

[1]Another contrast to the case of Mahomed Reza Khan.

[1]See Defence of Mr. Hastings at the Bar of the Lords.

[1]Minutes of Evidence on the Trial, p. 1048.

[1]Accordingly this jurisdiction had hitherto been exercised with great timidity; and the consent of the government was always asked before the sentence was executed. In one case, and but one, there had been a conviction for forgery, but the prisoner was not executed—he received a pardon. See the Seventh Report of the Committee of Secrecy, in 1773, p. 17.

[2]For the preceding charges against Mr. Hastings, and the proceedings of the Council, see the Eleventh Report of the Select Committee, in 1781, with its Appendix; Burke's Charges against Hastings, No. 8, and Hastings's Answer to the Eighth Charge, with the Minutes of Evidence on the Trial, p. 953–1001; and the Charges against Sir Elijah Impey, exhibited to the House of Commons by Sir Gilbert Elliot, in

1787, with the Speech of Impey in reply to the first charge, printed, with an Appendix, by Stockdale, in 1788. For the execution and behaviour of Nuncomar, see a very interesting account, written by the sheriff who superintended, and printed in Dodsley's Annual Register for 1788, Historical part, p. 157.

[1]Sixth Report of the Committee of Secrecy, in 1773; Bengal Consultations, 14th May, 1772, p. 18.

[2]Extract of Bengal Revenue Consultations, 17th March, 1775; Parliamentary Papers, printed in 1787; see also the Fifteenth of the Charges exhibited to Parliament against Warren Hastings, Esq. and his Answer to the same.

[1]How strange a language this from the pen of the man, who, but a few months before, had represented the power of the shadow of this shadow, the Naib Subah, as too great to exist with safety to the Company in the hands of any man !

[2]Fifth Report of the Select Committee in 1781; and the Bengal Consultations in the Appendix, No. 6.

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## James Mill, ***The History of British India, vol. 4*** [1817]

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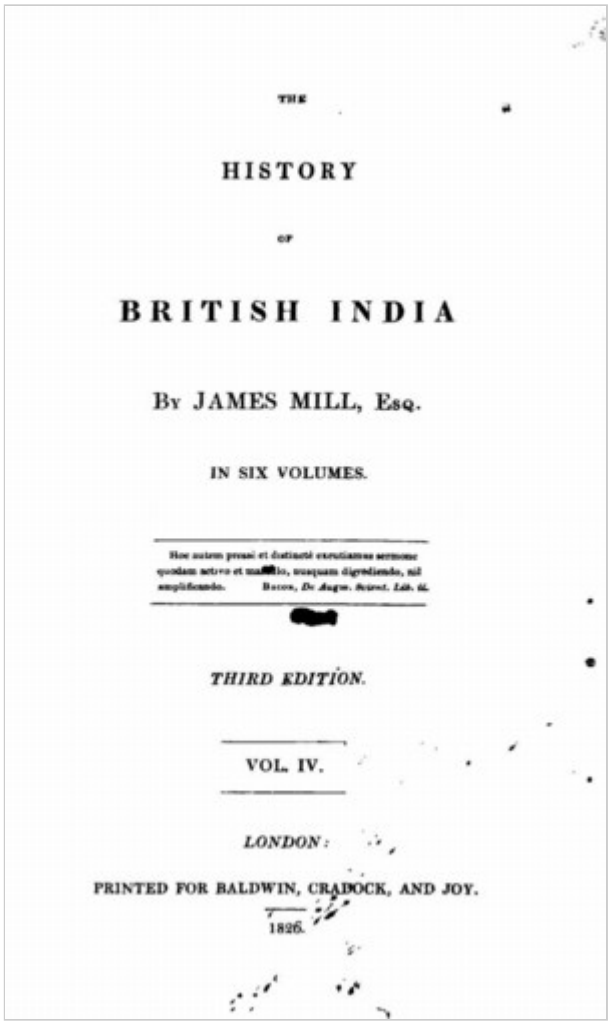

THE

HISTORY

OF

BRITISH INDIA

BY JAMES MILL, ESQ.

IN SIX VOLUMES.

Hoc autem pressi et distincte executiamus sermone quodam activo et ma[illegible]lo, nusquam digrediendo, nil amplificando. BACON, *De Augm. Scient. Lib. ii.*

[redacted]

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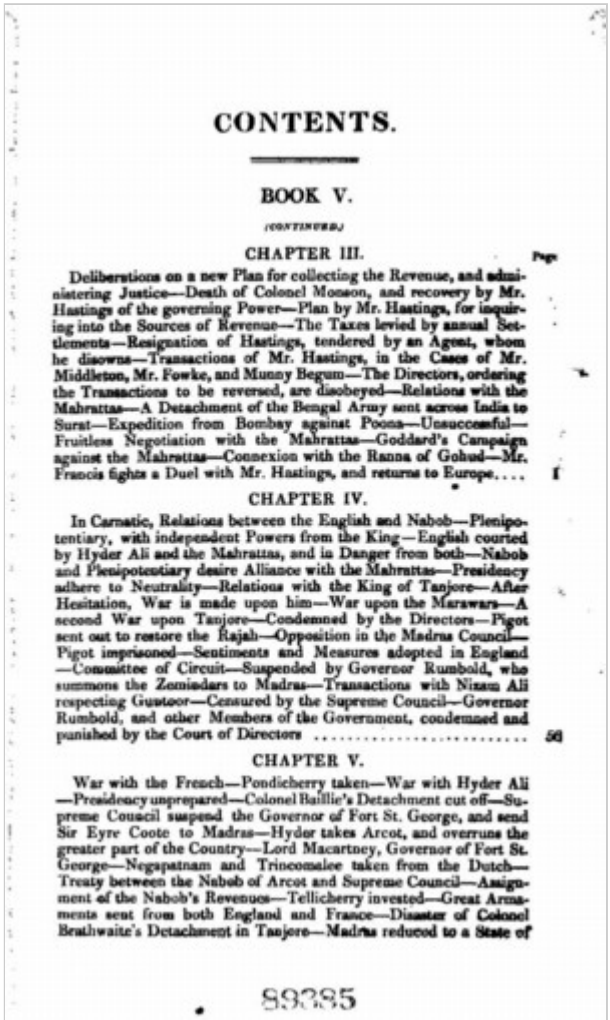

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*Deliberations on a new Plan for collecting the Revenue, and administering Justice—Death of Culonel Monson, and recovery by Mr. Hastings of the governing Power—Plan by Mr. Hastings, for inquiring into the Sources of Revenue—The taxes levied by annual Settlements—Resignation of Hastings, tendered by an Agent, whom he disowns—Transactions of Mr. Hastings, in the Cases of Mr. Middleton, Mr. Fowke, and Munny Begum—The Directors, ordering the Transactions to be reversed, are disobeyed—Relations with the Mahrattas—A Detachment of the Bengal Army sent across India to Surat—Expedition from Bombay against Poona—Unsuccessful—Fruitless Negotiation with the Mahrattas—Goddard's Campaign against the Mahrattas—Connexion with the Ranna of Gohud—Mr. Francis fights a Duel with Mr. Hastings, and returns to Europe.*

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The state of the regulations for collecting the revenue had for some time pressed upon the attention of the government. The lease of five years, on which the revenues had been farmed in 1772, was drawing to a close, and it was necessary to determine what course should then be pursued. To remedy evils, which delayed not to make themselves perceived, in the regulations of 1772, a considerable change had been introduced in 1773: The superintendence of the collectors was abolished: The provinces (Chittagong and Tipperah remaining under the original sort of management, that of a chief) were formed into six grand divisions, Calcutta, Burdwan, Moorshedabad, Dinagepore, Dacca, and Patna: In each of these divisions (Calcutta excepted, for which two members of the council and three superior servants, under the name of a committee of revenue, were appointed) a council was formed, consisting of a chief, and four senior servants, to whom powers were confided, the same, in general, with those formerly enjoyed by the collectors: They exercised a command over all the officers and affairs of revenue, within the division: The members superintended in rotation the civil courts of justice, called Sudder Adaulut: The councils appointed deputies, or *naibs,* to the subordinate districts of the division: These naibs, who were natives, and called also aumils, both superintended the work of realizing the revenue, and held courts of fiscal judicature, called courts of Duanee Adaulut: The decisions of these courts were subject by appeal to the review of the provincial courts of Sudder Adaulut; which decided in the last resort to the value of 1000 rupees, but under appeal to the Court of Sudder Duanee Adaulut at Calcutta, in all cases which exceeded that amount. Even this scheme was declared to be only intermediate, and preparatory to an ultimate measure, according to which, while the local management, except in those districts which might

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be let entire to the Zemindars or responsible farmers, should be performed by a duan, or aumil, a committee of revenue, sitting at the Presidency, should form a grand revenue office, and superintend the whole collections of the country.1 Such were the alterations adopted in 1773.

At an early period, under the five years' settlement, it was perceived, that the farmers of the revenue had contracted for more than they were able to pay. The collections fell short of the engagements even for the first year; and the farms had been let upon a progressive rent. The Governor-General was now accused by his colleagues of having deceived his honourable masters by holding up to their hopes a revenue which could not be obtained. He defended himself by a plea which had, it cannot be denied, considerable weight: It was natural to suppose, that the natives were acquainted with the value of the lands, and other sources of the revenue; and that a regard to their own interests would prevent them from engaging for more than those sources would afford. It was contended with no less justice on the other side, that there was a class of persons who had nothing to lose; to whom the handling of the revenues, and power over those who paid them, though for a single year, was an object of desire; and whom, as they had no intention to pay what they promised, the extent of the promise could not restrain.



The failure of exaggerated hopes was not the only evil whereof the farm by auction was accused. The Zemindars; through whose agency the revenues of the district had formerly been realized, and whose office and authority had generally grown into hereditary possessions, comprising both an estate and a magistracy, or even a species of sovereignty, when the territory and jurisdiction were large; were either thrown out of their possessions; or, from an ambition to hold the situation which had given opulence and rank to their families, perhaps for generations, they bid for the taxes more than the taxes could enable them to pay; and reduced themselves by the bargain to poverty and ruin. When the revenues were farmed to the Zemindars, these contractors were induced to turn upon the ryots, and others from whom their collections were levied, the same rack which was applied to themselves. When they were farmed to the new adventurer, who looked only to a temporary profit, and who had no interest in the permanent prosperity of a people with whom he had no permanent connexion, every species of exaction to which no punishment was attached, or of which the punishment could by artifice be evaded, was to him a fountain of gain.

After several acrimonious debates, the Governor-general proposed that the separate opinions of the Members of the Council, on the most eligible plan for levying the taxes of the country, should be sent to the Court of Directors. And on the 28th of March, 1775, a draught, signed by him and Mr. Barwell, was prepared for transmission. The leading principle of this project was; that the several districts should be farmed on leases for life, or for two joint lives, allowing a preference to the Zemindar, as often as his offer was not greatly inferior either to that of other candidates, or the real value of the taxes to be let. The plan of the other Members of the Council was not yet prepared. They contented themselves with some severe reflections upon the imperfections of the existing system, an exaggerated

representation of the evils which it was calculated to produce,[1] and an expression of the greatest astonishment at the inconsistency of the Governor-General, in praising and defending that system, while he yet recommended another, by which it would be wholly suppressed.

On the 22d of January, 1776, Mr. Francis entered a voluminous minute, in which he took occasion to record at length his opinions respecting the ancient government of the country, and the means of ensuring its future prosperity. Of the measures which he recommended, a plan for realizing the revenue constituted the greatest and most remarkable portion. Without much concern about the production of proof, he assumed as a basis two things; first, that the opinion was erroneous, which ascribed to the Sovereign the property of the land; and secondly, that the property in question belonged to the Zemindars. Upon the Zimindars, as proprietors, he accordingly proposed that a certain land-tax should be levied; that it should be fixed once for all; and held as perpetual and invariable.

This was the principle and essence of his plan; and the reasonings by which he supported it were the common reasonings which prove the benefit of certainty in levying contributions for the use of the state. But Mr. Francis misapplied a common term. By certainty, in matters of taxation, is not meant security for ever against increase of taxation. Taxes may be in the highest degree certain, and yet liable to be increased at the will of the legislature. For certainty it is enough, that under any existing enactment of the legislature, the sum which every man has to pay should depend upon definite, cognoscible circumstances. The window-tax, for example, is a certain tax; though it may be increased or diminished, not only at the pleasure of the legislature; but by altering the number of his windows at the pleasure of the individual who pays it. By the common reasonings to prove the advantages of certainty in taxes, Mr. Francis, therefore, proved nothing at all against the power of increasing them. The sacred duty of keeping taxation in general within the narrowest possible limits, rests upon equally strong, but very different grounds.



Into the subordinate arrangements of the scheme, it belongs not to the present purpose to enter. It is only necessary to state, that Mr. Francis proposed to protect the ryots from the arbitrary exactions of the Zemindars, by prescribed forms of leases, in India known by the name of pottahs; that he condemned the provincial councils, and recommended local supervisors, to superintend, for a time, the executive as well as judicial business of the collections; a business, which, by the arrangements made with the Zemindars and the ryots, he trusted would in a great measure soon perform itself. On opium and salt, of which the monopoly had generally been disposed of by contract, he proposed that government should content itself with a duty; and terminate a large amount of existing oppressions by giving freedom to the trade.[1]

That the regulations which had been adopted for the administration of justice among the natives were extremely defective, all parties admitted and complained. That robbery and other crimes so greatly prevailed, was owing, in the opinion of Mr. Francis, to the reduction of the authority of the Zemindars. These officers had

formerly exercised a penal control, which Mr. Francis maintained was fully judicial; which had reference, as Mr. Hastings affirmed, to nothing but police. As a cure for the existing disorders, Mr. Francis recommended the restoration of their ancient powers to the Zemindars, who, in the case of robbery and theft, were obliged, under the ancient government, to make compensation to the party wronged; and in the case of murders and riots, were liable to severe mulcts at the hand of government. Mr. Hastings, who judged more wisely what effects zemindary jurisdiction had produced, or was likely to produce, treated this as a remedy which was far from adequate to the disease. In conjunction with Sir Elijah Impey, he formed the draught of a bill for an act of parliament, on the subject of the civil judicature of Bengal. It was communicated to the Council on the 29th of May. In this plan of the Chief Governor and Chief Judge, it was proposed, that in each of the seven divisions, into which, including Chittagong, the country had been already distributed, two courts of record should be established; that one should be denominated "The Court of Provincial Council;" that it should in each instance consist of a President and three Councillors, chosen by the Governor-General and Council, among the senior servants of the Company; and have summary jurisdiction in all pecuniary suits which regarded the Company, either directly, or through the medium of any person indebted to them or employed in their service; that the other of these courts should be called the Adaulut Dewanny Zillajaut; should consist of one judge, chosen, for his knowledge in the language and constitutions of the country, by the Governor and Council, from among the senior servants of the Company; and should have jurisdiction in cases of trespass or damage, rents, debts, and in general of all pleas real, personal, or mixed, belonging to parties different from those included in the jurisdiction of the Courts of Provincial Council. In this draught no provision was made for the criminal branch of judicature among the natives, which had been remitted to the nominal government of the Nabob, and exercised under the superintendence of Mahomed Reza Khan.[1]



Early in November, 1776, Colonel Monson died; and as there remained in the Council after that event, only the Governor-General and Mr. Barwell on the one part, with General Clavering and Mr. Francis on the other, the casting vote of the Governor-General turned the balance on his side, and restored to him the direction of government.

In the consultation of the 1st of November he had entered a minute, in which he proposed, as a foundation for new-modelling the plan of collection, that an investigation should be instituted for ascertaining the actual state of the sources of revenue, particularly of that great and principal source, the lands. As the mode of letting by auction, which had produced inconvenience, was meant to be discontinued, and the mode of letting by valuation to be adopted in its stead, the Governor-General was of opinion, that as accurate a knowledge as possible of the subject of valuation ought first to be obtained. He proposed that this inquiry should be assigned as an exclusive duty to particular agents; that two covenanted servants of the Company should be chosen, with an adequate appointment of native officers; and that their business should be to collect the accounts of the Zemindars, the farmers, and ryots, to obtain such information as

the Provincial Councils could impart; to depute, when expedient, native officers, into the districts for the purpose of inquiry; and to arrange and digest the accumulated materials. The use of this knowledge would be to assess the lands in proportion to their value, and to protect the ryots, by equitable agreements, or pottahs, imposed upon the Zemindars. The Governor-General finally proposed, for the sake as he said of dispatch, that all orders issued from the office, in execution of such measures as had received the sanction of the Board, should be written in his name; and that the control of the office should be confided to his care.

As every proposal made by the Governor-General was an object of attack to the opposite side of the Board, this measure introduced as usual a long train of debate and altercation. Mr. Francis objected, 1. That the inquiry proposed was altogether useless; as a rate of impost, extracting from the lands their utmost value, would be cruel to the people, and ruinous to the state; while, under a moderate assessment, disproportion between the rate and the value was worthy of little regard; 2. That if an accurate valuation were useful, it ought to have been obtained through the Committee of Circuit; by whom the lands were let at auction, for the professed purpose of ascertaining their highest value; 3. That the inquiry would be unavailing, because the Zemindars, farmers, and ryots would not give true accounts; 4. That if real accounts were capable of being obtained, they would be so voluminous, intricate, and defective, as to preclude the possibility of drawing from them any accurate conclusion; 5. That a valuation of land, if accurately obtained, is only true for one particular year, not for any future one; and 6. That with regard to the ryots, while the proposed pottahs were ill-calculated to afford them protection, the interest of the Zemindars, if their lands were restored under a moderate and invariable tax, would yield the best security to the husbandman, from whose exertions the value of the land arose. A furious minute was entered by General Clavering, in which he arraigned the measure as an attempt to wrest from the Council "the ordering, management, and government of the territorial acquisitions," and as an illegal usurpation of the powers that were vested exclusively in the Board. This accusation was founded upon the proposal about the letters and the control of the office. And it is remarkable, that, knowing the jealousy with which any proposal of a new power to himself would be viewed by the hostile party, and the imputations to which it would give birth, the Governor-General should have embarrassed his scheme with a condition, invidious, and not essential to its execution. That the objections were frivolous or invalid, it is easy to perceive. Though the inequalities of some taxes redress themselves in time, it is a mischievous notion that inequality in the imposing of taxes is not an evil: Every inequality in the case of a *new* imposition, is an act of oppression and injustice: And Hastings shewed that in the case of India, where the land-holder paid nine-tenths of the produce of the land to government, inequality might produce the most cruel oppression. If the Committee of Circuit had fallen short of procuring an accurate knowledge of the sources of the revenue, that could be no reason why better information should not be obtained. Though it was acknowledged, that inquiry would be difficult, and its results defective, it is never to be admitted that, where perfect knowledge cannot be obtained, knowledge, though imperfect, is of no advantage. If it were allowed, as it was not, that the interest of the



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Zemindars would have been such, upon the plan of Mr. Francis, as Mr. Francis supposed; it is not true that men will be governed by their real interests, where it is certain that they are incapable of understanding those interests; where those interests are distant and speak only to the judgment, while they are opposed by others that operate immediately upon the passions and the senses. As the Governor-General had not proposed that letters from the office issued in his name should relate to any thing but services which had received the sanction of the Council, he insisted that they no more implied an usurpation of the powers of the Council than the letters written in his own name, in the discharge of his function, by any officer who was vested with a trust. The pernicious purposes to which it was in vague and general terms affirmed that such a power might be converted, it is not easy to understand. And the odium which it was attempted to cast upon the inquiry, by representing it as a preparation for exacting the utmost possible revenue from the lands, and dispossessing the Zemindars, Hastings answered, and sufficiently, by a solemn declaration, that no such intention was entertained.



By the ascendancy, now restored to the Governor-General, the office was established. Orders were transmitted to the Provincial Councils; and native officers, called aumeens, were sent to collect accounts, and to obtain information in the districts. The first incidents which occurred were complaints against those aumeens, for injurious treatment of the inhabitants; and the opposing party were careful to place these accusations in the strongest possible light. From the aumeens, on the other hand, accounts arrived of frequent refusal on the part of the Zemindarry agents, and others, to afford information; or even to show their accounts.

The five-years' leases expired in April, 1777; and the month of July of that year had arrived before any plan for the current and future years had yet been determined. By acknowledgement of all parties, the country had been so grievously over-taxed, as to have been altogether unable to carry up its payments to the level of the taxation. According to the statement of the Accountant-General, dated the 12th of July, 1777, the remissions upon the five-years' leases amounted to 118 lacs 79,576 rupees; and the balances, of which the greater part were wholly irrecoverable, amounted to 129 lacs 26,910 rupees. In his minute, on the office of inquiry, Mr. Barwell expressly declared that the "impoverished state of the country loudly pleaded for a reduction of the revenue, as absolutely requisite for its future welfare."[1] In the mean time dispatches arrived, by which it was declared, that the Court of Directors, after considering the plans, both that of the Governor-General for letting the lands on leases for lives, and that of Mr. Francis

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for establishing a fixed, invariable rent, "did, for many weighty reasons, think it not then adviseable to adopt either of those modes," but directed that the lands should be let for one year on the most advantageous terms; that the way of auction, however, should no more be used; that a preference should always be given to natives resident on the spot; and that no European, or the banyan of any European, should have any share in farming the revenues. On the 15th of July it was determined that the following plan should be adopted for the year; that the lands should be offered to the old Zemindars on the rent-roll or assessment of the last year, or upon a new estimate formed by the Provincial

Council; that for such lands as should not in this manner find a renter, the Provincial Councils should receive sealed proposals by advertisement; that the salt farms should be let upon sealed proposals, a preference being given to the Zemindar or farmer of the lands on which the salt was made; that security should not be asked of the Zemindars, but a part of their lands be sold to discharge their balances. Mr. Francis objected to the rent-roll of last year as too high; and Mr. Hastings admitted the justice of the observation with regard to a part of the lands, where abatement would be required; but thought it good, in the first instance, to try in how many cases the high rent, for which persons were found to engage, would be regarded as not more than the taxes would enable them to pay. Instead of sealed proposals, which he justly denominated a virtual auction, Mr. Francis recommended a settlement by the Provincial Councils. And he wished the manufacture of salt to be left to the holder or renter of the lands where it was made; the government requiring nothing but a duty. With
these proposals the Governor-General signified no disposition to comply; but, after fresh commands from England, the average of the collections of the three preceding years was made the basis of the new engagements.



In their letter of the 4th of July, 1777, the Directors made the following severe reflections on the institution of the Office of inquiry, and the separate authority which the Governor-General had taken to himself. “Our surprise and concern were great on finding by our Governor-General’s minute of 1st November, 1776, that after more than seven years’ investigation, information is still so incomplete, as to render another innovation, still more extraordinary than any of the former, absolutely necessary in order to the formation of a new settlement. In 1769, supervisors were appointed professedly to investigate the subject: In 1770, controlling councils of revenue were instituted: In 1772, the office of Naib Duan was abolished, natives were discarded, and a Committee of Circuit formed, who, we were told, precisely and distinctly ascertained what was necessary to be known: And now, in 1777, two junior servants, with the assistance of a few natives, are employed to collect and digest materials, which have already undergone the collection, inspection, and revision, of so many of our servants of all denominations.—We should have hoped, that when you knew our sentiments respecting the conduct of our late administration, in delegating separate powers to their President, it would have been sufficient to prevent us further trouble on such occasions; but, to our concern, we find, that no sooner was our Council reduced, by the death of Colonel Monson, to a number which rendered the President’s casting vote of consequence to him, than he exercised it to invest himself with an improper degree of power in the business
of the revenue, which he could never have expected from other authority.”[1]



The same mode of settlement was renewed from year to year, till 1781; when a plan destined for permanence was adopted and employed.[2]

When Mr. Hastings was in the deepest depression, under the ascendancy of his opponents, a gentleman, of the name of Maclean, departed for England, and was entrusted with a variety of confidential affairs, as the private agent of the Governor-

General. For the measures adopted against the Rohillas, Hastings had been censured by the Courts of both Directors and Proprietors: And the Court of Directors had resolved to address the King for his removal. Upon this severe procedure, a Court of Proprietors was again convened; a majority of whom appeared averse to carry the condemnation to so great an extent; and voted, that the resolution of the Directors should be reconsidered. The business remained in suspense for some months, when Mr. Maclean informed the Court of Directors, that he was empowered to tender the resignation of Mr. Hastings. If he resigned, a mere majority of the Proprietors, who appeared to be on his side, could restore him to the service. If he was dismissed, a mere majority would not be sufficient. In the letters by which the authority of Mr. Maclean was conveyed, confidential communications upon other subjects were contained. On this account he represented the impossibility of his imparting them openly to the Court; but proposed, if they would appoint a confidential Committee of Directors, to communicate to them what was necessary for their satisfaction. The Chairman, Deputy Chairman, and another Director were named. They reported, that they had seen Mr. Hastings's instructions in his own hand-writing; and that the authority of Mr. Maclean, for the proposed proceeding, was clear and sufficient. Mr. Vansittart, and Mr. Stewart, both in the intimate friendship and confidence of Mr. Hastings, gave evidence, that directions, perfectly correspondent to this written authority, had been given in their presence. The two Chairmen alone concurred in the report. The third Director regarded not the authority as sufficiently proved. The directors proceeded upon the report: The resignation was formally accepted: And a successor to Mr. Hastings was chosen. Mr. Wheler was named; presented to the King for his approbation; and accepted. General Clavering, as senior Member of the Council, was empowered to occupy the chair till Mr. Wheler should arrive. And on the 19th of June, 1777, intelligence of these proceedings was received in Bengal.



A scene of confusion, well calculated to produce the most fatal consequences, ensued. Mr. Hastings, who now possessed the power of the Council, refused to acknowledge the authority of his agent; and declared his resolution not to resign. General Clavering claimed the attributes of supremacy; and summoned the Members of Council to assemble under his auspices. Mr. Barwell attended upon the summons of the one, and Mr. Francis upon that of the other; and two parties, each claiming the supreme authority, were now seen in action one against the other. An appeal to arms appeared, in these circumstances, the only medium of decision; and Mr. Hastings showed his resolution to stand the result. The other party, it is probable, felt their influence inferior to his. At any rate they declined the desperate extremity of a civil war; and finally offered to abide the award of the Supreme Court. The judges decided that Mr. Hastings had not vacated his office. This transaction was afterwards made the subject of a charge against him by those who moved for his impeachment; but he accused the Directors of rashness and injustice, in taking such important steps upon evidence which he affirmed would have been held, in a court of justice, insufficient to maintain a decision for the transference of an article of property of the smallest amount.[1]

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The power recovered by the Governor-General, and thus strenuously retained, was exhibited in other triumphs, of slender importance. One of the first mortifications to which he had been subjected upon the arrival of the hostile councillors, was the recall of his agent, Mr. Middleton, from the office of resident with the Nabob of Oude. It was now his time to retort the humiliation; and on the 2d of December, 1776, he moved in Council, "that Mr. Bristow should be recalled from the court of the Nabob of Oude, and that Mr. Middleton be restored to the office of resident." So far from imputing any blame to Mr. Bristow, the Governor-General acknowledged that he had commanded his esteem. As the ground of his proceeding, he stated, that Mr. Middleton had been removed from his office without allegation of fault; that he had a greater confidence in Mr. Middleton than in Mr. Bristow, and as the responsibility was laid upon him, it was but just that his agents should be chosen by himself. The measure
was vehemently opposed by General Clavering and Mr. Francis; the usual violence of altercation ensued; Mr. Middleton was appointed, and Mr. Bristow recalled.



The part taken by Mr. Joseph Fowke in bringing forward the facts, whence imputations had been drawn upon the Governor-General himself, had excited a resentment, which, having formerly appeared only in bitter and contemptuous expressions, was now made manifest in acts. The son of that gentleman, Mr. Francis Fowke, had, on the 16th of August, 1775, been appointed by the Council, against the voice of the Governor-General, to proceed on a species of embassy to the new dependant of the Company, the Rajah of Benares. On the same day on which the Governor-General moved for the recall of Mr. Bristow, he moved for that of Mr. Francis Fowke, which also, after strong opposition, was carried by his own casting vote. Mr. Fowke was recalled, and his commission annulled, on the express declaration, that "the purposes thereof had been accomplished:" On the 22d of the same month, a letter of the Governor-General and Council was written to the Court of Directors, in which the recall of Mr. Fowke was reported, and in which it was stated that the commission with which he had been invested was annulled, because the purposes for which it had been created were "fully accomplished:" On the very day after the date of this dispatch, the Governor-General moved in Council, and whatever he moved was sure of acceptance, that a civil servant of the Company, with an assistant, should be appointed to reside at Benares!

Upon both of these transactions, the Directors pronounced condemnation. In their general letter to Bengal of the 4th of July, 1777, they say, "Upon the most careful perusal of your proceedings of the
2d of December, 1776, relative to the recall of Mr. Bristow from the court of the Nabob of Oude, and the appointment of Mr. Nathaniel Middleton to that station, we must declare our strongest disapprobation of the whole of that transaction. And therefore direct, that Mr. Bristow do forthwith return to his station of resident at Oude, from which he has been so improperly removed." And in their letter of the 30th of January, 1778, "You inform us," they said, "in your secret letter of December, 1776, that the purposes for which Mr. Francis Fowke was appointed to proceed to Benares, being fully accomplished, you had annulled his commission, and ordered him to the Presidency.

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But it appears by your letter of the 6th of January, 1777, that in less than twenty days you thought proper to appoint Mr. Thomas Graham to reside at Benares, and Mr. Daniel Octavus Barwell to be his assistant. If it were possible to suppose that a saving to the Company had been your motive for annulling Mr. Fowke's commission, we should have approved your proceedings. But when we find two persons appointed immediately afterwards, with two salaries, to execute an office which had been filled with reputation by Mr. Fowke alone, we must be of opinion that Mr. Fowke was removed without just cause; and therefore direct that Mr. Francis Fowke be immediately re-instated in his office of resident and post-master at Benares."

On the 20th of July, 1778, the commands of the Court of Directors, with regard to Mr. Fowke, came under the deliberation of the Governor and Council, when Mr. Hastings moved that the execution of these commands should be suspended. A compliance with them, he said, "would be adequate" (meaning equivalent) "to his own resignation of the service, because it would inflict such a wound on his authority, as it could not survive." He also alleged that intelligence might daily be expected from England of resolutions which would decide upon his situation in the service; and, notwithstanding the opposition of one half of the Council, he decided, by his casting vote, that Mr. Fowke, in spite of the command of the Directors, should not be replaced.



On the 27th of May, 1779, the Court of Directors write, "We have read with astonishment your formal resolution to suspend the execution of our orders relative to Mr. Francis Fowke. Your proceedings at large are now before us. We shall take such measures as appear necessary for preserving the authority of the Court of Directors, and for preventing such instances of direct and wilful disobedience in our servants in time to come. At present we repeat the commands contained in the sixty-seventh paragraph of our letter of the 30th January, 1778, and direct that they be carried into immediate execution."[1]

The place rendered vacant in the Council, by the death of Colonel Monson, had been supplied, by the appointment of Wheler, who commonly voted with Francis; but as General Clavering died in the end of the month of August, 1777, the decisions of the Council were still, by his own casting vote, at the command of the Governor-General.

Another of the transactions, which, during the ascendancy of his opponents, had most deeply offended the Governor-General, was the subversion of his regulations respecting the government and household of the Nabob. As this, however, had obtained the sanction of the Court of Directors; and the appointment of Mahomed Reza Khan in particular had met with their specific approbation, some colour for reversing these measures was very much to be desired. The period, at which the Nabob would come of age, was approaching. In the secret consultations on the 23d of July, 1778, the Governor-General desired that a letter from the Nabob Mubarek ul Dowla should be read. In this letter the Nabob stated that he had now, by the favour of God, arrived at that stage of life, his twentieth year, when the laws of his country assigned to him the management of his own affairs; he complained of the severity with which he had been

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treated by Mahomed Reza Khan; and prayed that he might be relieved from this state of degrading tutelage, and allowed to assume the administration of his own government and affairs.

Mr. Wheler and Mr. Francis maintained, that it was not competent for the delegated government of India to subvert a regulation of so much importance, which had been directly confirmed by the Court of Directors; and that the requisition of the Nabob should be transmitted to England for the determination of the superior power. Mr. Hastings and Mr. Barwell insisted that justice admitted of no delay. It is remarkable, how these contending parties in India could reverse their pleas, as often as their interests required that different aspects of the same circumstances should be held up to view. In 1775, when the party in opposition to the Governor-General meant to alter the regulations which he had formed, they represented it as their object, "to recover the country government from the state of feebleness and insignificance, to which it was Mr. Hastings's avowed policy to reduce it." The Governor-General, in opposition to these pretences, declared, that "all the arts of policy cannot conceal the power by which
these provinces are ruled; nor can all the arts of sophistry avail to transfer the responsibility of them to the Nabob, when it is as visible as the light of the sun, that they originate from our own government; that the Nabob is a mere pageant, without the shadow of authority, and even his most consequential agents receive their appointment from the recommendation of the company, and the express nomination of their servants."[1] Notwithstanding these recorded sentiments, the Governor-General could now declare; "The Nabob's demands are grounded on positive rights, which will not admit of discussion. He has an incontestable right to the management of his own household. He has an incontestable right to the Nizamut; it is his by inheritance; the dependants of the Nizamut Adaulut, and of the Fouzdary, have been repeatedly declared by the Company, and by this government, to appertain to the Nizamut. For these reasons I am of opinion, that the requisitions contained in the Nabob's letter ought to be complied with."[2] In the eagerness of his passions, the Governor-General, by asserting the incontestable right of the Nabob to all the powers of the Nizamut, transferred a great part of the government. Under the Mogul constitution, the government of the provinces consisted of two parts; the Dewanee, or collection of the revenues, and the administration of the principal branches of the civil department of justice; and the Nizamut, or the military branch of the government, with the superintendance of the criminal department of judicature: And of these the Dewanee was subordinate to the Nizamut. In this exalted capacity, it was never meant to recognise the Nabob;
and the language exhibits a useful specimen of the sort of arguments, to serve a purpose, which vague and imperfect notions of Indian policy have enabled those who were interested always to employ.[1]
Letters were also brought from the Nabob, which the known wish of the Governor-General could not fail to obtain, requesting that his step-mother Munny Begum, of whom he had formerly complained, "should take on herself the management of the Nizamut, without the interference of any person whatsoever."[1] Mahomed Reza Khan was accordingly removed; Munny Begum was replaced in her ancient


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office: subordinate to her, Gourdass was re-instated in that of controller of the household; and a person called Sudder al Hok was appointed to the superintendance of the judicial department. To these several offices, which were all included in the trust of Mahomed Reza Khan, salaries were appropriated, amounting to 18,000 rupees beyond what he had received. The incapacity of Munny Begum, when compared with Mahomed Reza, could admit of no dispute; and the pernicious influence of the eunuchs who governed her delayed not to give Hastings uneasiness. On the 10th of October of the same year (1778), he was obliged to write to the Nabob, "That the affairs both of the Phouzdary and Adaulut were in the geatest confusion imaginable, and that daily robberies and murders were perpetrated throughout the country;—that his dependants and people, actuated by selfish and avaricious views, had by their interference so impeded the business of justice, as to throw the whole country into a state of confusion."



Meanwhile the report of this transaction was received in England; and the Court of Directors, in their letter of the 4th of February, transmit their sentiments upon it in the following terms: "We by no means approve your late proceedings on the application of the Nabob Mubarek ul Dowla for the removal of the Naib Subahdar. In regard to the Nabob's desire to take charge of his own affairs, we find it declared by one of your own members, and not contradicted, that the Nabob is, in his own person, utterly incapable of executing any of those offices which were deemed of essential importance to the welfare of the country. The Nabob's letters leave us no doubt of the true design of this extraordinary business being, to bring forward Munny Begum, and again to invest her with improper power and influence, notwithstanding our former declaration, that so great a part of the Nabob's allowance had been embezzled, or misapplied, under her superintendance. You have requested this inexperienced young man, to permit all the present judges and officers of the Nizamut and Phousdary Adauluts, or courts of criminal justice, and also all the Phousdars or officers appointed to guard the peace of the country, to continue in office until *he the Nabob shall have formed a plan for a new arrangement of those offices:* And it is with equal surprise and concern, that we observe this request introduced, and the Nabob's ostensiable rights so solemnly asserted at *this period* by our Governor-General; because, on a late occasion, to serve a very different purpose, he has not scrupled to declare it as visible as the light of the sun, that the Nabob is a mere pageant, and without even the shadow of authority. No circumstance has happened, since that declaration was made, to render the Nabob more independent, nor to give him any additional degree of power or consequence; you must therefore have been well apprised that your late concessions to Mubarek ul Dowla were unnecessary, and as such unwarrantable. As we deem it for the welfare of the country, that the office of Naib Subahdar be for the present continued, and that this high office should be filled by a person of wisdom, experience, and approved fidelity to the Company; and as we have no reason to alter our opinion of Mahomed Reza Khan, we positively direct, that you forthwith signify to the Nabob Mubarek al Dowla our pleasure, that Mahomed Reza Khan be immediately restored to the office of Naib Subahdar.[1]

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The state of the relations between the Company's government and the Mahratta powers had for some time pressed with considerable weight upon the attention of the Council. The treaty which had been concluded by Colonel Upton, commonly distinguished by the title of the treaty of Poorunder, had left the minds of the governing party at Poonah, and those of the Bombay Presidency, in a state of mutual jealousy and dissatisfaction. The occupation of Salsette, and the other concessions which had been extorted, but above all the countenance and protection still afforded to Ragoba, rankled in the minds of the Poonah ministry; while the Bombay rulers, condemned and frustrated by the Supreme Council, but encouraged by the approbation of the Court of Directors, stood upon the watch for any plausible opportunity of evading or infringing the treaty. Colonel Upton, though he remained at Poonah till the commencement of the year 1777, departed before any of the material stipulations had been carried into effect. Futty Sing, as by the treaty it had been rendered his interest, disavowed his right to alienate in favour of the Company any portion of the Guicawar dominions; and the Poonah Council made use of the favour shown to Ragoba, as a pretext for delaying or evading the concessions they had made.

A new feature was soon added to these disputes, by the arrival of a French ship in one of the Mahratta ports, and the reception given at Poonah to some gentlemen whom she landed, as on a mission from the king of France. This circumstance strongly excited the English jealousy and fears. The object at which the French were supposed to aim, was the establishment of a factory at Poonah; and the acquisition of a sea-port on the coast of Malabar. These advantages would enable them, it was apprehended, to sustain a competition with the English in matters of trade, and to annoy them seriously in a period of war. The asseverations of the Mahratta government, that nothing was in view prejudicial to the interests of the Company, gave little satisfaction. Colonel Upton, whose partiality was engaged to the treaty which he had concluded and the party whom he served, accused the Bombay Presidency, and answered for the sincerity and pacific designs of the Mahrattas. Mr. Hastings leaned to the suspicious side; his opponents urged the propriety of yielding contentment to the Mahrattas, especially by the abandonment of Ragoba. The probability of a rupture between France and England was already contemplated in India; and, as it was to be expected that the French would aim at the recovery of their influence in India, so Mr. Hastings, at least, thought that the western coast was the place where they had the best prospect of success; and that the support of the Mahrattas was the means most likely to be adopted for the accomplishment of their ends.



The progress of inquiry respecting the agent from France discovered, that his name was St. Lubin; that he was a mere adventurer, who had opened to the French Minister of Marine a project, supported by exaggerated and false representations, for acquiring an influence in the Mahratta councils, and an establishment in the Mahratta country; and that he had been entrusted with a sort of clandestine commission, as an experiment, for ascertaining if any footing or advantage might be gained. The Presidency of Bombay represented to the Supreme Council, that St. Lubin received the most alarming countenance from the Poonah

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ministers; that nothing could be more dangerous to the Company, than a combined attack from the Mahrattas and French: And they urged the policy of anticipating the designs of their enemies, by espousing the cause of Ragoba; and putting an end to the power of men, who waited only till their schemes were ripe for execution, to begin an attack upon the Company. The Bombay Presidency were more emboldened in their importunity, by a letter from the Court of Directors, containing their observations on the conduct of the Supreme Council in taking the negotiation with the Mahrattas out of the hands of the Bombay government, and on the treaty which the Supreme Council had concluded with the Poonah rulers. "We approved," said the Directors, "under every circumstance, of keeping all territories and possessions ceded to the Company by Ragoba, and gave directions to the Presidencies of Bengal and Fort St. George to adopt such measures as might be necessary for their preservation and defence. But we are extremely concerned to find, from the terms of the treaty concluded by Colonel Upton at Poonah, that so great a sacrifice has been improvidently made; and especially, that the important cession of Bassein to the Company by Ragoba, has been rendered of no effect. We cannot but disapprove of the mode of interference of the Governor General and Council, by sending an ambassador to Poonah without first consulting you, and of their determination to disavow and invalidate the treaty formerly entered into by an agent from your Presidency, and solemnly ratified under the seal of the Company. We are convinced that Bassein, which is



so great an object with us, might have been obtained if they had authorized you to treat either with Ragoba, or with the ministers at Poonah; reserving the final approval and ratification of the treaty to themselves. This is the precise line we wish to have drawn; and which we have directed our Governors-General and Council in future to pursue. We are of opinion, that an alliance originally with Ragoba would have been more for the honour and advantage of the Company, and more likely to be lasting, than that concluded at Poonah. His pretensions to the supreme authority appear to us better founded than those of his competitors; and, therefore, if the conditions of the treaty of Poonah have not been strictly fulfilled on the part of the Mahrattas, and if, from any circumstance, our Governor-General and Council shall deem it expedient, we have no objection to an alliance with Ragoba, on the terms agreed upon between him and you."

While these circumstances were under the consideration of the Supreme Council at Calcutta, intelligence arrived, that the rivalship of Siccaram Baboo and Nana Furnavese had produced a division in the Council at Poonah; that a part of the ministers, with Siccaram Baboo at their head, had resolved to declare for Ragoba; that they had applied for the assistance of the English to place in his hands the powers of government; and that the Presidency of Bombay had resolved to co-operate with them in his favour. This subject produced the usual train of debate and contention in the Supreme Council; where Mr. Francis and Mr. Wheler condemned the resolution of the President and Council of Bombay, first, as illegal, because not taken with the approbation of the supreme authority; next, as unjust, by infringing the treaty; and finally, impolitic, by incurring the dangers and burdens of war: The Governor-General and Mr. Barwell approved it, as authorized by the suddenness and greatness of the emergency, and the declared sentiments of the Court of Directors; as not unjust, since the principal party

with whom the treaty was formed now applied for the interference of the Company; and as not impolitic, because it anticipated the evil designs of a hostile party, and gave to the Company an accession of territorial revenue, while it promised them a permanent influence in the Mahratta councils. It was resolved, in consequence, that a supply of money and a reinforcement of troops should be sent to the Presidency of Bombay. The Governor-General proposed that a force should be assembled at Calpee, and should march by the most practicable route to Bombay. This also gave rise to a warm debate, both on the policy of the plan, and the danger of sending a detachment of the Company's army to traverse India through the dominions of princes, whose disposition had not been previously ascertained. It was finally determined, that the force should consist of six battalions of Sepoys, one company of native artillery, and a corps of cavalry; that it should be commanded by Colonel Leslie; and anticipate, by its expedition, the obstruction of the rains. That commander was instructed to take his route through the province of Berar, of which the rulers were friendly; to obtain, where possible, the consent of the princes or chiefs, through whose territories he might have occasion to pass; but even when refused, to pursue his march; to be careful in preventing injury to the country or inhabitants; to allow his course to be retarded by the pursuit of no extraneous object; and to consider himself under the command of the Bombay Presidency from the commencement of his march. That Presidency
were at the same time instructed to use their utmost endeavours to defeat the machinations of the French; to insist upon the execution of the treaty; to take advantage of every change of circumstances for obtaining beneficial concessions to the Company; and, if they observed any violation of the treaty, or any refusal to fulfil its terms, to form a new alliance with Ragoba, and concert with him the best expedients for retrieving his affairs.



In the mean time another change had taken place in the fluctuating administration at Poonah. The party of Siccaram Baboo had prevailed over that of Nana Furnavese without the co-operation of Ragoba; and it was immediately apprehended at Bombay, that they would no longer desire to admit as an associate, a party who would supersede themselves. The arguments, urged, upon this change, by Mr. Francis and Mr. Wheler, did not succeed in stopping the march of the troops; because the unsettled state of the government of Poonah, and the machinations of the French, rendered it highly expedient, in the opinion of the Governor-General, that the Presidency of Bombay should be furnished with sufficient power, both to guard against dangerous, and to take advantage of favourable, circumstances and events.

The detachment experienced some slight obstruction at the commencement of its march, from some of the petty Mahratta chiefs; upon which, as indicating danger if it proceeded any further, Mr. Francis renewed his importunities for its recall. Mr. Hastings opposed his arguments, on the ground, that after a few days' march the troops would arrive in Bundelcund, which was independent of the Mahrattas; would thence pass into the territories of the Rajah of Berar, in which they would be received with friendship; that, on quitting the territories of the Rajah, more than two thirds of the march would be completed;

that the consent of the Peshwa had been obtained; and that the Mahratta chiefs, whatever their inclinations, were too much engaged in watching the designs of one another, to be able to oppose the detachment.

Various were the orders by which its movements were affected. The Presidency at Bombay, having taken up hopes that the presiding party at Poonah would favour the views of the English, and dismiss the agents of the French, wrote a first letter to the detachment, requiring them to halt, and wait till subsequent directions; and presently thereafter another letter, desiring them to prosecute the march. In the mean time intelligence had reached Calcutta, that war was declared between the English and the French. Upon this, instructions were dispatched to Colonel Leslie by the supreme Council, not to advance, till further orders, beyond the limits of Berar.

According to the Governor General, the Company had nothing to dread from the efforts of the French, at either Calcutta or Madras: it was the western coast on which, both from the weakness of Bombay, and the inclinations of the Mahratta government, those enemies of the English had any prospect of success; and where it most behoved the servants of the Company to provide against their attempts. He recommended a connexion with some of the leading powers of the country; pointed out the Rajah of Berar as the prince with whom it was most desirable to combine; and mentioned two services by which the co-operation of that Prince might be ensured. One of these services was to assist him in the recovery of the dominions which had been wrested from him by Nizam Ali. The other was to support him in a pretension to the Mahratta Rajahship. The legitimate, but impotent King of the Mahrattas, had recently died in his captivity at Sattarah, without leaving issue: And the Rajah of Berar, as a branch of the house of Sevagee, might urge a claim to the succession. In pursuance of these objects, an embassy to the court of Berar was voted by the majority, and dispatched. In the mean time another revolution had ensued in the government at Poonah. The party of Siccaram Baboo was again overthrown; and that of Nana Furnavese exalted by the powerful co-operation of Madagee Scindia. The party of Nana still appeared to favour the French. The defeated party, now led by a chief named Moraba, as the age of Siccaram Baboo in a great measure disqualified him for business, were eager to combine with the English in raising Ragoba; and the Presidency of Bombay had no lack of inclination to second their designs. A resolution to this effect was passed on the 21st of July, 1778; but it was not till the beginning of November, that any step was taken for its execution. The activity of the Presidency had been repressed by news of the confinement of the leading members of the party at Poonah, from whom they expected assistance, and by instructions from the Supreme Council not to pursue any measures which might interfere with the object of the embassy to Moodagee Bonsla, the Regent of Berar. Early, however, in November, a plan of operations was concerted; a treaty was concluded with Ragoba; a loan to a considerable amount was advanced to him; and, upon intelligence that the ruling party at Poonah had penetrated their designs, and were making preparations to defeat them, it was determined to send forward one division of the army immediately, and the rest with all possible dispatch.

The force which was sent upon this enterprise amounted in all to nearly 4,500 men. A committee,



consisting of Colonel Egerton, Mr. Carnac a member of the Select Committee, and Mr. Mostyn formerly agent of the Presidency at Poonah, were appointed a Committee for superintending the expedition, and settling the government at Poonah. The army set out about the beginning of December; on the 23d completed the ascent of the mountains, and arrived at Condola. The enemy now, for the first time, appeared. From the head of the Ghaut, or pass, which they secured by a fortified post, the English, on the 4th of January, began their march toward Poonah, with a stock of provisions for twenty-five days. They were opposed by a body of troops, who retired as they advanced, but cut off their supplies, and seized every opportunity to harass and impede them. They were not joined, as they had encouraged themselves to expect, by any chief of importance, or numbers to any considerable amount. And it was in vain, as they were informed by Ragoba, to hope, that his friends and adherents would declare themselves, till the English, by some important operations and success, held out to them a prospect of safety. The army continued to advance till the 9th of January, when, at the distance of about sixteen miles from Poonah, and eighteen from the summit of the pass, they found an army assembled to oppose them. The Committee, to whom, by a strange policy, the command of a military expedition was consigned, began to despair; and, on learning from the commissary in chief, that only eighteen days' provisions were in store, and from the officer commanding the forces, that he could not protect the baggage, without a body of horse, they made up their minds to a retreat. It commenced on the night of the 11th. But secrecy had not been preserved; and

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they were attacked by the enemy before day-break; when they lost a part of their baggage, and above three hundred men. It was not until four o'clock in the afternoon that the enemy desisted from the pursuit, when the English had effected their retreat as far as Wargaum. Hope now deserted not only the Committee, but the Commander of the troops; who declared it impossible to carry back the army to Bombay. An embassy was sent to the Mahratta camp to try upon what terms they could have leave to return. The surrender of Ragoba was demanded as a preliminary article. That unfortunate chief was so impressed with the danger of waiting another attack, that he had declared his intention of surrendering himself to Scindia, and had been in correspondence with that chieftain for several days; the Committee were less scrupulous therefore, in bartering his safety for their own. When this compliance was announced, and the English expected a corresponding facility on the part of the Mahrattas, the leaders of that people informed them, that the surrender of Ragoba was a matter of the utmost indifference; that the treaty, which had been concluded with Colonel Upton, had been shamefully violated; the territory of the Mahrattas invaded; and that unless a new treaty were formed upon the spot, the army must remain where it was, and abide the consequences. The declaration of the Committee, that they possessed not powers to conclude a treaty, was disregarded. The commanding officer declared, that the attempt to force a retreat could lead to nothing but the total destruction of the army. It was, therefore, agreed to submit to such conditions as the Marattas might impose; and a treaty was signed, by which all the acquisitions were relinquished, which had been made in those parts by

the English, since the treaty with Madhoo Row in 1756; Baroach was given up to Scindia; Ragoba
placed in his hands; the detachment from Bengal was ordered to return; and two Englishmen of distinction were left as hostages for the due fulfilment of the terms.



No approbation could be more complete than that which was bestowed by the Court of Directors on the object of this expedition. In a letter from the Committee of Secrecy, dated the 31st of August, 1778, "The necessity," they say "of counteracting the views of the French at Poonah appears to us so very striking, that we not only direct you to frustrate their designs of obtaining a grant of the port of Choul, but also to oppose by force of arms, if necessary, their forming a settlement at that or any other place which may render them dangerous neighbours to Bombay. As the restoration of Ragoba to the Peshwaship is a measure upon which we are determined; and as the evasions of the Mahratta chiefs respecting the treaty of Poonah justify any departure therefrom on our part, we, therefore, direct, that if, on the receipt of this letter, you shall be able to obtain assistance from the friends of Ragoba, and with such assistance find yourselves in force sufficient to effect his restoration without dangerously weakening your garrison, you forthwith undertake the same." In proportion to the satisfaction which would have been expressed upon a fortunate termination of this enterprise, was the displeasure manifested upon its failure. "The first object which strikes us," say the Directors, "is the slow progress of the army. This we deem an irreparable injury to the service; and in this respect the conduct of the Commander in Chief appears extremely defective. The consequence was obvious; the enemy had full opportunity to collect their strength; the friends of Ragoba, instead of being encouraged, by the spirited exertion of our force, to join his standard, must, as we conceive, have been deterred from declaring in his favour, by the languor of our military proceedings." They condemn the first resolution to retreat, when "the army was so far advanced, the troops full of spirits and intrepidity, and eighteen days' provisions in store." And the utmost measure of their indignation and resentment is poured on the humiliating submission which was at last preferred to the resolution of a daring, though hazardous retreat; preferred, on the pretext that the troops would not again resist the enemy, though they had behaved with the utmost intrepidity on the former attack; and though Captain Hartley declared that he could depend upon his men, urged every argument in favour of resolute measures, and even formed and presented to the commanding officer a disposition for conducting the retreat. The two military officers, who had shared in the conduct of the expedition, the Directors dismissed from their service; and the only remaining member of the Field Committee, who had been selected from the civil branch of the service, for one had died during the march, they degraded from his office, as a member of the Council and Select Committee of Bombay.

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The detachment which was proceeding from Bengal had wasted much time on its march. Having advanced as far as Chatterpore, a principal city of Bundelcund, early in June, it halted till the middle of August. During this season, when the rains, according to Colonel Leslie, interrupted; according to the Governor General, favoured the march; the commander of the troops engaged himself in negotiations and

transactions with the local chiefs; measures severely condemned by his superiors, and very open to the suspicion of selfish and dishonourable motives. The President and Council of Bombay, on the receipt of intelligence of a rupture with France, had earnestly exhorted him by letter to accelerate his motions. They renewed their solicitations on the 21st of July, when they came to the resolution of supporting Ragoba. And they urged the delay of this detachment, and the uncertainty of its arrival, as a reason for having undertaken the expedition to Poonah, without waiting for that addition of strength which its union and co-operation would have bestowed. Dissatisfied with the long inactivity of the detachment at Chatterpore, the Supreme Council wrote to the commanding officer on the 31st of August, desiring him to explain the reasons of his conduct, and to pursue the march. He had put himself in motion about the middle of the month, aud was at Rajegur on the 17th, where a party of Mahrattas disputed the passage of the river Kane. On the 17th of September he dispatched a letter to the Supreme Council from Rajegur, where he still remained, stating, that the retardation of the detachment had been occasioned by the weather; that he had concluded friendly engagements with Gomân Sing, and Comân Sing, two Rajahs of Bundelcund; and had received satisfactory assurances from Moodajee Bonsla, the Regent of Berar, to whom the proposition of an embassy from the English rulers appeared to have yielded peculiar gratification.[1]



The person who had been chosen to conduct this embassy, died upon the journey, before he reached the capital of Berar. After some fluctuation of opinion, it was determined not to continue the negotiation by appointing a successor; but rather to wait in expectation of some advances from the Regent.



The party of Mr. Francis now urgently pressed for a distinct declaration of the design with which the detachment on its way to the western Presidency, was directed to continue its march. There was not only a complication, they affirmed, but a contrariety of objects; the alliance for raising Moodajee Bonsla to the throne of Sevagee being inconsistent with the scheme of establishing Ragoba in the office of Peshwa. The Governor General, without any definite explanation, alleged that the re-instatement of Ragoba had never been pursued as an end, but only as a means; that his hopes and expectations were placed on Moodajee; that the detachment, whether its services should be required for the restoration of Ragoba, or in prosecution of engagements with Moodajee, or in opposing the French, ought equally to continue its march. The opposite party once more urged in vain their reasons for its recall. But all parties agreed in condemning Colonel Leslie for the delay which he had incurred, and the engagements which he had formed; in pronouncing him unfit to be any longer entrusted with the command which he held; and in transmitting orders that he should resign it to Colonel Goddard, the officer next in command. Leslie, however, survived not to receive the intelligence of his disgrace; nor to produce, it ought to be remembered, what he might have urged in vindication of his conduct. He was an officer of experience and reputation. It is known, that he held a high language, that he complained of the Governor-General, to whom, by his special directions, he had communicated a private journal of his transactions, and to whom he had trusted for

the explanation of his proceedings. But no inference can safely be founded on the allegation that the Governor-General, who had previously defended his conduct, was informed of the deadly nature of his disease, and the hopelessness of his recovery, at the time when he condemned him and voted for his recall.

By the death of Leslie, the command devolved on Colonial Goddard on the 3d of October. On the 22d he wrote a private letter to the Governor-General, informing him of the progress which the detachment had made towards the Nerbudda, or the boundary of Berar. At the same time with the letter from Colonel Goddard, arrived dispatches from Modajee, expressing his lamentation upon the death of the late ambassador, and his hopes that such an event would not frustrate the plan of friendship which it had been the object of that embassy to establish. Upon the receipt of these letters the Governor-General moved, that the negotiation with Moodajee Bonsla should be resumed; and that powers to treat with him should be communicated to Colonel Goddard. The opposite party contended, that an alliance with the Regent of Berar would be equivalent to a declaration of war against Nizam Ali, and involve the Carnatic in misfortune; that neither did Colonel Goddard possess the qualifications of a negotiator, nor did the duties of his command enable him to devote his mind to the business which a negotiator was required to perform; and that the Presidency of Bombay, under
whose orders the detachment had been placed, might take measures in favour of Ragoba, with which the instructions which might be given in regard to Moodajee would not be reconcilable.



On the 7th of December, after intelligence had arrived of the second revolution at Poonah, which the Governor-General regarded as defeating the original design upon which the assistance of the detachment had been sent to Bombay, he proposed that it should no longer act under the orders of that Presidency, lest the designs of those rulers should defeat the negotiation with Moodajee, entrusted to Colonel Goddard. While this proposition was under debate, a dispatch was received from the resident at Poonah, stating his expectation of being immediately recalled, as the Select Committee at Bombay had determined to proceed against the governing party at Poonah. After this intelligence, the proposition of the Governor-General, for retaining the detachment of Colonel Goddard under the immediate authority of the Supreme Council, received the sanction of the Board. In the mean time Moodajee Bonsla, for whose alliance so much anxiety was expressed, had written an evasive letter to Colonel Goddard, dated the 23d of November; manifesting pretty clearly a wish to embroil himself as little as possible either with the English or with the Poonah confederacy. Goddard crossed the Nerbuddah on the 1st of December; and sent an agent to Nagpore, to ascertain how far he might depend upon Moodajee. In conclusion, he inferred, that no engagement could be formed between that chieftain and the English; but that a friendly conduct might be expected toward the detachment, while it remained in his dominions.

By this time the army of Bombay was on its march to Poonah. But though Colonel Goddard had transmitted regular intelligence of his movements to Bombay, he had received no communications from that quarter; and remained in total ignorance of their designs, except from some

intimations communicated by Moodajee, that an expedition against Poonah was in preparation. Uncertain as was the ground upon which he had to proceed, he had come to the determination, that the balance of probabilities required his proceeding to Poonah; when he received dispatches from the Council at Bombay, unfolding what they had done, and what they were intending to do; and pressing it upon him to march to Poonah, with the smallest possible delay. To the question why the Presidency at Bombay had not sooner made Colonel Goddard acquainted with the design of the expedition, and taken the precautionary steps for securing co-operation between his detachment and their own, the answer must be, either that they exercised not the degree of reflection necessary for that moderate display of wisdom; or that, they wished to have to themselves the glory of setting up a Mahratta government; or that, to avoid the expense of the detachment, they wished it not to arrive. Moodajee, who was afraid to embroil himself with the Poonah government, if he gave a passage to the troops of Goddard, and with the English government, if he refused it, was very earnest with him to wait till he received satisfactory letters from Calcutta. But, notwithstanding this solicitation, Goddard, on the 16th of January, began his march from the banks of the Nerbudda.

He took the great road to Boorhanpoor and Poonah, and arrived at Charwah on the 22d, where he received intelligence that the army from Bombay had advanced as far as Boraghaut, a place fifty miles distant from Poonah.



On the 24th, he received a letter dated the 11th, from the Field Committee, who conducted the Bombay expedition, representing, that in consequence of an alteration which had taken place in the state of affairs, it was not expedient he should advance; that he should either proceed to Surat, if he found himself in a condition to make his way in spite of the Mahratta horse, by whom his march would be annoyed; or remain in the territories of the Rajah of Berar, till further instructions. This letter placed him in a state of perfect uncertainty, whether the Bombay army had sustained a disaster which cut off their hopes, or had so flattering a prospect of success, that all additional force was accounted unnecessary. On the next day a letter arrived from the Council at Bombay, apparently written without a knowledge of the circumstances which dictated the letter of the Field Committee, and urging him to proceed. Under the perplexity which this lack of information, and discrepancy of injunctions, inspired, he resolved to proceed to Boorhanpoor, in hopes of obtaining intelligence, and arrived at that ancient capital on the 30th.

There, on the 2d of February, he received another letter from the Field Committee, dated on the 19th of January, more mysterious then any which had yet arrived. It shortly cautioned him against obeying the order in their letter of the 16th, which on better consideration they deemed themselves not competent to give. Goddard could ill conjecture the meaning of this warning, as he had not received the letter of the 16th; but he believed that it indicated evil rather than good; and saw well the dangers which surrounded him in the heart of the Mahratta country, if any serious disaster, which might produce a change in the mind of Moodajee himself, had befallen the army from Bombay. He waited at Boorhanpoor till

the 5th, in hopes of receiving more certain information, when he was made acquainted with the nature of the disaster pretty exactly by Moodajee. He resolved to retreat to Surat, and marched on the 6th. On the 9th a vakeel arrived from the Poonah government, bearing the letter written by the Field Committee on the 16th of January. It was the letter in which, under the dictation of the Mahrattas, they had commanded his immediate return to Bengal. This injunction it was the business of the vakeel to enforce. But Goddard replied that he was marching to Bombay in obedience to the orders of the Supreme Council; and with the most friendly intentions toward the Mahratta state. The march was conducted with great expedition. The troops were kept in such exact discipline, that the people, having nothing to fear, remained in their houses, and supplied the army by sale with many conveniences for the march. They arrived at Surat on the 30th; a distance of nearly three hundred miles in nineteen days.[1]

In consequence of these events, it was resolved at the Supreme Board, to vest Colonel Goddard with full powers for treating with the Poonah government; to disavow the convention concluded with the Poonah committee, but to express a desire for accommodation, on the basis of the treaty of Poorunder, if the Mahrattas, on their part, would afford encouragement, by relinquishing all claims founded on that convention,



and by a promise of forming no connexion, either commercial or political, with the French. If they should reject these proposals, Colonel Goddard, whom the Supreme Council now promoted to the rank of general, was empowered to renew the war, and if possible to form connexions with the head of the Guicawar family, and the government of Berar.

Goddard had commenced his correspondence with the Poonah ministry, when Ragoba made his escape, and repaired to Surat, where he received an asylum. Discordance prevailed among the Mahratta chiefs, and much uncertainty hung over their proceedings. Dissension broke out between Nana and Scindia, by whose united power Siccaram and Moraba had been subdued. With professions of a desire for peace, they kept aloof from definite terms; reports were received of their preparations for war; and negotiation lingered till the 20th of October, when Goddard sent his declaration, that if a satisfactory answer to his proposals was not returned in fifteen days, he should consider the delay as a declaration of war. A reply arrived on the 28th. Without the surrender of Ragoba, and the restoration of Salsette, it was declared that the Mahratta powers would make no agreement. The General upon this broke off the negotiation, and repaired to Bombay to concert with that Council the plan of hostilities.

The President and Council of Bombay had received, with considerable indignation, the intelligence of the power, independent of themselves, with which General Goddard had been invested at the Superior Board. They regarded it as an encroachment upon the rights conveyed to them, both by the act of parliament, and the commands of the Directors; and they had declared that they would sustain no responsibility for any of his acts. At first they alleged the great exhaustion of their resources, as a reason

against taking any considerable part in the war; but when the General held up, as the first object of his operations, the acquisition, on which they had long fixed their affections, of a territorial revenue adequate to all the demands of the Presidency, they agreed to supply as great a portion of their troops, as the security of Bombay would allow; and furnished him with powers and instructions to treat with Futty Sing Guicawar, whose assistance, as placing a friendly country in the rear, it was of the greatest importance to obtain. With regard to Ragoba it was proposed to feed him with such hopes, as should ensure the advantage of his name; but to engage themselves as short a way as possible for a share in the advantages of the undertaking, to the success of which it was so little in his power to contribute.

On the 2d of January, 1780, General Goddard had crossed the Tapti, with a view both to stimulate the good inclinations of Futty Sing, and to reduce the fortress of Dubhoy. On the 19th the army appeared before the place. On the next day it was evacuated by the enemy, when the whole district, yielding by estimate a revenue of two lacs of rupees, was taken possession of in the name of the Company. On the 26th, Futty Sing was at last, with some difficulty, brought to trust so far in the power of the Company, as to accede to the terms proposed; and it was agreed that the Guzerat country should be divided between the Company, and himself, the Company obtaining that proportion which had formerly accrued to the Mahrattas; and the remainder being rendered independent of the Poonah government, and freed from every exterior claim. Being joined by the cavalry of this chief, the General marched towards Ahmedabad, the capital of the province, before

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which he arrived on the 10th of February, and in five days carried it by storm, with inconsiderable loss. The united armies of Scindia and Holkar, amounting to 40,000 men, were in the mean time advancing towards Surat. The English General, by rapid marches, arrived in the neighbourhood of their encampment, near Brodera, on the 8th of March, and intended to attack them in the night, but was prevented by a letter from one of the gentlemen, left as hostages with Scindia, signifying that professions were made by the Mahratta chiefs of a desire to establish amity with the English government. Of this desire, Scindia afforded a favourable indication, the following day, by sending back the hostages, and along with them a vakeel, or commissioner, who acknowledged the hatred borne by his master to Nana Furnavese, and his desire of a separate arrangement with the English. Upon further explanation, it appeared, that he was anxious to get into his hands Ragoba and his son, as an instrument for aggrandizing himself in the Mahratta state; a proposition to which General Goddard would by no means accede. Scindia, at the same time, was offering terms to Govind Row, the brother and opponent of Futty Sing, and had actually received him in his camp. Not convinced of his sincerity, and suspecting his design to waste the season, till commencement of the rains, when he would return home to the business of his government, and to his intrigues, General Goddard was desirous of forcing him to a battle, which he constantly avoided, by retreating as the English army advanced. To defeat this stratagem, the General, on the 3d of April, marched silently from his camp, about two o'clock in the morning, with four battalions of Sepoy grenadiers, four companies of European infantry, and twelve pieces of field artillery. The distance was about seven miles to the camp of

the enemy, which he entered at dawn. He reached the very centre of the encampment before he was perceived. The enemy were thrown into their usual confusion; and, though some troops were collected, and made a show of resistance, they soon abandoned their camp, and occupied a neighbouring ground. The English made no delay in proceeding to charge them, when the Mahrattas dispersed, and left them masters, not only of the field, but of the country in which it was contained. A detachment from Bombay took possession also of Parsek, Bellapore, Panwel, and Callian, and extended the territory of the Presidency along the coast and towards the passes of the hills in the way to Poonah. On the 6th of April the General was joined by six companies of European infantry, and a company of artillery, which had been sent to his assistance from Madras; and about the same time five companies of Sepoys arrived for him at Surat. As the rainy season had now commenced, Scindia and Holkar withdrew into their own countries; and the General, after sending back the Bombay detachment, put his troops into cantonments, and prepared for the succeeding campaign.

Sir Eyre Coote, who had been appointed to succeed General Clavering, both as Commander in Chief, and as a member of the Supreme Council, had arrived at Calcutta in the beginning of April, 1779; and without showing an unvarying deference to the opinions of the Governor-General, commonly supported his measures. Early in November of that year, in consequence of an application from the Rajah of Gohud, commonly known by the name of the Ranna, a Hindu chieftain or prince, who governed a hilly district of considerable extent, lying on the Jumna, between the territories of Scindia and the Nabob of Oude, the Governor-General proposed a treaty, by which the Ranna might be empowered to call for the assistance of the English against the Mahrattas, of whom he stood in constant danger, and should agree to assist the English with his forces, when they should undertake any enterprise against the contiguous powers. The Governor-General, who contemplated the continuance of the war with the Mahrattas, proposed this alliance, both as a barrier against an invasion, in that direction, of the territory of the Company or their allies; and as an advantage for invading the territory of the Mahrattas, and operating a diversion in favour of the enterprises which might be undertaken on the side of Bombay. The measure was opposed by the opposite side of the Board, both on the ordinary and general ground of the importance of abstaining from war, and also in consideration of the weakness of the Ranna, who had few troops, and not revenue to pay even them; whose aid, in consequence, would be of little avail, and his protection a serious burden. In the objections of the opposing party the General concurred; and even transmitted his protest against the terms of the connexion. But, as he was absent, the casting vote of the Governor-General gave his opinion the superiority, and the treaty was formed.

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In the mean time intelligence arrived by a letter from General Coote, dated the 20th of November, of an invasion of the territory of the Ranna, by a body of Mahrattas, whom his want of resources made it impossible for him to resist. Instructions were dispatched to afford him such assistance as the exigency of the case might require, and the state of the English forces permit. A detachment of the company's army had

been prepared in that quarter, under the command of Captain Popham, for the purpose of augmenting the forces of Goddard; but from the consideration, partly that they could not arrive in time on the Bombay coast, partly that they might contribute to the success of his operations by an attack upon the part which was nearest of the Mahratta frontier, they had not been commanded to proceed; and in the beginning of February, 1780, they were sent to the assistance of the Ranna of Gohud. Captain Popham found means in this service of distinguishing his enterprise and talents. With a small force, and little assistance from the Ranna, he expelled the Mahrattas from Gohud; crossed the Sind, into their own territory; laid siege to the fortress of Lahâr, the capital of the district of Cutchwagar; and having effected an imperfect breach, which the want of heavy cannon enabled him not to complete, he, on the 21st of April, successfully assaulted and took possession of the fort.



It had, however, been importunately urged, both by Coote and Goddard, and was acknowledged by the Governor-General, that the force employed on the Mahratta frontier under Captain Popham was far from adequate to any such important operations as could materially affect the result of the war. After some fluctuation of plans, and great debate and opposition at the Superior Board, in which Mr. Francis in particular vehemently opposed the extension of military efforts, it was determined that a detachment of three battalions, stationed at Cawnpore, under Major Carnac, with a battalion of light infantry, under Captain Browne, should threaten or invade the territories of Scindia and Holkar. In the mean time Captain Popham, with the true spirit of military ardour, after securing with great activity the conquest of the district of Cutchwagar, turned his attention to the celebrated fortress of Gualior, situated within the territory of the Ranna of Gohud, but wrested from his father, and now garrisoned by the Mahrattas. This fortress was situated on the summit, three coss in extent, of a stupendous rock, scarped almost entirely round, and defended by a thousand men. By the princes of Hindustan it had always been regarded as impregnable. And Sir Eyre Coote himself, in his letter to the Supreme Council, dated the 21st of April, had pronounced it “totally repugnant to his military ideas, and even absolute madness,” to attack it with so feeble a detachment, and without a covering army to keep off the Mahrattas in the field, and preserve the line of communication. Captain Popham moved to the village of Ripore, about five coss distant from Gualior, and employed his spies in continually searching if a spot fit for escalading could be found. After many and dangerous experiments, they at last brought him advice that one part only afforded any appearance of practicability. At this place the height of the scarp was about sixteen feet, from the scarp to the wall was a steep ascent of about forty yards, and the wall itself was thirty feet high. “I took the resolution,” says Captain Popham, “immediately. The object was glorious; and I made a disposition to prevent, as much as in my power, the chance of tarnishing the honour of the attempt, by the loss we might sustain in case of a repulse.” At break of day, on the 3d of August, the van of the storming party arrived at the foot of the rock. Wooden ladders were applied to the scarp, and the troops ascended to the foot of the wall. The spies climbed up, and fixed the rope ladders, when the Sepoys mounted with amazing activity. The guards assembled within, but were quickly repulsed by the fire of the assailants. The

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detachment entered with rapidity, and pushed on to the main body of the place. In the mean time the
greater part of the garrison escaped by another quarter, and left the English masters of one of the greatest and most celebrated strong holds in that quarter of the globe. This brilliant achievement, for which Captain Popham was rewarded with the rank of Major, struck the Mahrattas with so much consternation, that they abandoned the circumjacent country, and conveyed the alarm to Scindia in his capital.[1]



The opposition which was made by Francis to these proceedings for pushing the war on the Jumna, brought to a crisis the animosities which the struggle between him and the Governor-General had so long maintained. On the 20th of July, 1780, Mr. Hastings, in answering a minute of Mr. Francis, declared, “I do not trust to his promise of candour, convinced that he is incapable of it. I judge of his public conduct, by my experience of his private, which I have found to be void of truth and honour.” The ground of these severe expressions, the Governor-General stated to be a solemn agreement formed between him and Mr. Francis, which Mr. Francis had broken. Of this transaction the following appear to have been the material circumstances. When the parliamentary appointment, during five years, of the Governor-General and Council, expired in 1778, the expectation of a change in the Indian administration was suspended, by the re-appointment, upon the motion of the king’s chief minister, of Mr. Hastings,
for a single year. Upon the arrival of this intelligence in India, an attempt was made by some mutual friends of Mr. Hastings and Mr. Francis, to deliver the government, at a period of difficulty and danger, from the effects of their discordance. Both parties acknowledged the demand which the present exigency presented for a vigorous and united administration; and both professed a desire to make any sacrifice of personal feelings, and personal interests, for the attainment of so important an object. On the part of Mr. Francis it was stipulated that Mahomed Reza Khan, Mr. Bristow, and Mr. Fowke, should be re-instated in conformity to the Company’s orders; and, on the part of Mr. Hastings, that the Mahratta war, the responsibility of which Mr. Francis had disclaimed, and thrown personally on the Governor-General, should be conducted in conformity with his conceptions and plans. It was this part of the agreement which Mr. Hastings accused his opponent of violating; and of depriving him, by a treacherous promise of co-operation, which induced Mr. Barwell to depart for Europe, of that authority which the vote of Mr. Barwell ensured. Mr. Francis, on the other hand, solemnly declared, that he “never was party to the engagement stated by Mr. Hastings, or had a thought of being bound by it.” His agreement with regard to the Mahratta was he explained as extending only to the operations then commenced on the Malabar coast, but not to fresh operations on another part of the Mahratta dominions. Mr. Hastings produced a paper, containing the following words: “Mr. Francis will not oppose any measures which the Governor-General shall recommend for the prosecution of the war in which we are supposed to be engaged with the Mahrattas, or for the general support of the present political system of his government.” To the terms of this agreement, presented

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to Mr. Francis in writing, he affirmed that Mr. Francis gave his full and deliberate consent. The reply of Mr. Francis was in the following words: “In one of our conversations in February last, Mr. Hastings desired me to read a paper of memorandums, among which I presume this article was inserted. I returned it to him the moment I had read it, with a declaration that I did not agree to it, or hold myself bound by the contents of it, or to that effect.” Mr. Francis added some reasonings, drawn from the natural presumptions of the case. But these reasonings and presumptions had little tendency to strengthen the evidence of his personal assertion—the ground, between him and his antagonist, on which this question seems finally to rest. With the utmost earnestness Mr. Hastings repeated the affirmation of the terms on which Mr. Francis declared his assent; and at this point the verbal controversy between them closed. Soon after, a duel ensued between Mr. Hastings and Mr. Francis, in which the latter was wounded; and on the 9th of December that gentleman quitted India, and returned to Europe.[1]

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# CHAP. IV.

*In Carnatic, Relations between the English and Nabob—Plenipotentiary, with independent Powers from the King—English courted by Hyder Ali and the Mahrattas, and in Danger from both—Nabob and Plenipotentiary desire Alliance with the Mahrattas—Presidency adhere to Neutrality—Relations with the King of Tanjore—After Hesitation, War is made upon him—War upon the Marawars—A second War upon Tanjore—Condemned by the Directors—Pigot sent out to restore the Rajah—Opposition in the Madras Council—Pigot imprisoned—Sentiments and Measures adopted in England—Committee of Circuit—Suspended by Governor Rumbold, who summons the Zemindars to Madras—Transactions with Nizam Ali respecting Guntoor—Censured by the Supreme Council—Governor Rumbold, and other Members of the Government, condemned and punished by the Court of Directors.*



While the principal station of the Company's power in India was giving birth to so many important transactions, their Presidency on the Coromandel coast was not barren of incidents entitled to a great share of our regard.

The relation, in which the Company professed to stand to the country, was different in Carnatic, and in Bengal. By the avowed possession of the duannee, they entered in Bengal into the direct discharge of the principal functions of internal government. In Carnatic, during the contest with the French, they had held up Mahomed Ali; upon the termination of it, they had acknowledged him, as the undoubted sovereign of the country. He was established, therefore, in the possession of both branches of power, both that of Nazim, or the military power, and that of Duan, or the financial power; and the Company held the station of dependents, possessing their privileges through his sufferance, and owing obedience to his throne. They possessed a district of land, surrounding Madras, which had been granted in 1750, and in 1762 was confirmed, by the Nabob of Carnatic or Arcot, in recompense of the services rendered by the Company to him and his family. This was a sort of estate in land, under what is called jaghire tenure, enabling the owner to draw the revenue, which would otherwise accrue to government; and to exercise all those powers which in India were usually connected with the power of raising the taxes. This Presidency also possessed, and that independent of their Nabob, the maritime district, known under the title of the four Northern Circars, which they had obtained by grant from the Mogul in 1765, and enjoyed under an agreement of peshcush, entered into the succeeding year, with the Nizam or Subahdar.

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Partly from characteristic imbecility, partly from the state of the country, not only exhausted, but disorganised by the preceding struggle, the Nabob remained altogether unequal to the protection of the dominions of which he was now the declared sovereign. Instead of trusting to the insignificant rabble of an army which he would

employ, the Presidency beheld the necessity of providing by a British force for the security of the province. For this reason,
and also for the sake of that absolute power[1] which they desired to maintain, the English were under the necessity of urging, and, if need were, constraining, the Nabob, to transfer to them the military defence of the country, and to allow out of his revenues a sum proportional to the expense. The Nabob, having transferred the military power of the country, was placed in absolute dependence upon the Company; they being able to do what they pleased, he to do nothing but what they permitted. In a short time it was perceived that his revenue was by no means equal to the demands which were made upon it. The country was oppressed by the severity of his exactions, and instead of being repaired, after the tedious sufferings of war, it was scourged by all the evils of a government at once insatiable and neglectful. When his revenues failed, he had recourse to loans. Money was advanced to him, at exorbitant interest, frequently by Englishmen, and the servants of the Company. He generally paid them by a species of assignments, called in India *tuncaus,* which entitled the holders of them to the revenue of some portion of the territory, and to draw it immediately from the collectors. While his embarrassments were by these means increased, the exactors were encouraged to greater severities.



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In this situation the Nabob and the Presidency were both dissatisfied, and both uneasy. Finding his power annihilated, and his revenues absorbed, after feasting his imagination with the prospect of the unlimited indulgences of an Eastern prince, he regarded the conduct of the Presidency as the highest injustice. The gentlemen entrusted at once with the care of their own fortunes and the interests of the Company, for both of which they imagined that the revenues of Carnatic would copiously and delightfully provide, were chagrined to find them inadequate even to the exigencies of the government; and accused the Nabob, either of concealing the amount of the sums which he obtained, or of impairing the produce of the country by the vices of his government.

Upon the termination of the disputes in London, toward the end of the year 1769, between the Ministers of the Crown and the East India Company, respecting the supervisors, and respecting the power of the King's naval officer to negotiate and to form arrangements with the Indian powers,[1] a marine force, consisting of some frigates of war, was commissioned under the command of Sir John Lindsay to proceed to the East Indies: "to give countenance and protection to the Company's settlements and affairs." In conformity with the terms to which the Company had yielded, they vested Sir John Lindsay with a commission to take the command of all their vessels of war in the Indian seas; and also, on their behalf, "to treat and settle matters in the Persian Gulph."

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So far, there was mutual understanding, clearness, and concert. But in addition to this, Sir John Lindsay was appointed, by commission under the great seal, his Majesty's Minister Plenipotentiary, with powers to negotiate and conclude arrangements, with the Indian Sovereigns in general. This measure was not only contrary to what the Company had claimed as their right, against which the Minister appeared to have

ceased, for the time, to contend; but it was a measure taken without their knowledge: and Sir John Lindsay appeared, in India, claiming the field for the exercise of his powers, before they or their servants had the smallest intimation that any such powers were in existence.

If there was a danger which must strike every considerate mind, in sending two independent authorities, to act and clash together in the delicate and troubled scene of Indian affairs, a danger inevitable even if the circumstances had been arranged between the Ministers and the Company with the greatest harmony and the greatest wisdom, all the principles of mischief were naturally multiplied, and each strengthened to the utmost, by the present stroke of ministerial politics.

The ground upon which this disputed and imprudent exercise of power appears to have been placed was the eleventh article of the treaty of Paris, concluded in 1763. With a view to maintain peace in India, and to close the disputes between the English and the French, who, according to their own professions, appeared to have nothing else in view but to determine who was the just and rightful Nabob of Carnatic, who the just and rightful Subahdar of Deccan, it was there decided and agreed, that the two nations should acknowledge Mahomed Ali as the one, and Salabut Jung as the other. It occurred to the ingenuity of practical statesmen, that the King of Great Britain, having become party to an article of a treaty, had a right, without asking leave of the Company, to look after the execution of that article; and hence to send a deputy duly qualified for that purpose. If this conferred a right of bestowing upon Sir John Lindsay the powers of an ambassador; it also conferred the right of avoiding altercation with the East India Company, by taking the step without their knowledge.



The power of looking after the due execution of the eleventh article of the treaty of Paris was not a trifling power.

It included, in the first place, the power of taking a part in all the disputes between the Nabob and the Company's servants; as Mahomed Ali was in that article placed upon the footing of an ally of the King of Great Britain, and hence entitled to all that protection which is due to an ally. The servants of the Company had been at some pains to keep from the knowledge of the Nabob the full import of the new relation in which he was placed to the British throne; as calculated most imprudently to inflame that spirit of ambition and love of independence, with which it was so difficult already to deal, and with the gratification of which the existence in the Carnatic either of his power or of that of the Company was altogether incompatible. The band of Englishmen and others, who surrounded the Nabob, for the purpose of preying upon him, wished of course to see all power in his hands, that they might prey the more abundantly.

They filled every place with their outcries against every restraint which was placed upon him: and in particular had endeavoured, and with great success, to disseminate an opinion in England, that he was an oppressed and ill-treated prince, while the servants of the Company were his plunderers and tyrants.

Nor was this all. As the grand intent of the eleventh article of the treaty of Paris was to preserve peace between the English and other powers in India, and as there is nothing in the relations of one state to another which the care of peace may not be said to embrace, the whole international policy of the British government in India was, by the new ministerial expedient, deposited in the hands of the King's Minister Plenipotentiary.

On the 26th of July, 1770, Sir John Lindsay, after having remained some months at Bombay, arrived at Madras; and at once surprised and alarmed the servants of the Company by the declaration of his powers. In one of their first communications with Sir John, they say, "When you now inform us, you are invested with great and separate powers, and when we considers that those powers, in their operation, may greatly affect the rights of the Company, we cannot but be very much alarmed."1 To their employers, the Court of Directors, they expound themselves more fully. "To give you a clear representation of the dangerous embarrassments through which we have been struggling, since the arrival of his Majesty's powers in this country, is a task far beyond our abilities. They grow daily more and more oppressive to us; and we must sink under the burthen, unless his Majesty, from a just representation of their effect, will be graciously pleased to recall powers, which, in dividing the national interest, will inevitably destroy its prosperity in India. Such is the danger; and yet we are repeatedly told, that it is to support that interest, by giving the sanction of his Majesty's name to our measures, that these powers were granted, and for that alone to be exerted. It has always been our opinion, that with your authority, we had that of our Sovereign, and of our nation, delegated to us. If this opinion he forfeited, your servants can neither act with spirit nor success: for under the control of a superior commission, they dare not, they cannot, exert the powers with which they alone are entrusted. Their weakness and disgrace become conspicuous; and they are held in derision by your enemies."1



The first of the requisitions which Sir John Lindsay made upon the President and Council was to appear in his train, when he went in state to deliver to the Nabob his Majesty's letter and presents. They conceived, that, as the servants of the Company had heretofore been the medium through which all communications to the princes of India had been made, and they had been considered in India the immediate representatives of the British Monarch, and the highest instrument of his government, they could not appear in the train of Sir John Lindsay without degradation in the eyes of the natives, and a forfeiture of the dignity and influence of the Company, which, as they had no instructions upon the subject, they did not think themselves at liberty to resign. With the assignment of these reasons, they respectfully signified to Sir John Lindsay the inability under which they found themselves to comply with his request. This brought on an interchange of letters, which soon degenerated into bitterness and animosity on both sides.1



Among the reasons which the President and Council assigned for declining to appear in the train of Sir John Lindsay, they had stated, that any suspicion, disseminated in the country, of the annihilation or diminution of the Company's power "might, at this

crisis particularly, prove fatal to the existence of the Company, and the interests of the nation in India: because they were on the brink of a war with the most formidable power in India, which it would require all their efforts to avoid, while they feared that all their efforts would be insufficient."2 This apprehension was a good deal exaggerated, to serve the present purpose; and the exaggeration yielded an advantage to Sir John Lindsay of which he immediately availed himself. He was very sorry, he said, to find them on the brink of a dreadful war, which was all but inevitable: He pressed upon them the consideration of the importance of peace to a commercial body: And as he was sent out to watch over the execution of the eleventh article, of which peace was the main object, he begged they would lay before him such documents and explanations, as "would make him acquainted with the real state of the Company's affairs."3 He also informed them, that he was "commanded by his Majesty to apply to them for a full and succinct account of all their transactions with the Nabob of Arcot since the late treaty of Paris; and inquire with the utmost care into the causes of the late war with the Subah of the Deckan and Hyder Ali, and the reasons of its unfortunate consequences."4 To this point the reply of the President and Council was in the following terms: "Duplicates



of our records, and very minute and circumstantial details of all our transactions, have already been transmitted to the Court of Directors of the East India Company, our constituents. We have heard, that when an enquiry at home into the state of the Company's affairs was thought necessary, it was signified by his Majesty's ministry to the Court of Directors, that they would be called upon by parliament to produce their records; that they were accordingly called upon by parliament, and did produce them. This, we believe, was a constitutional course; but we have never heard that the Company's papers and records were demanded by, or surrendered to, the ministry alone; for that we believe would be unconstitutional. The Company hold their rights by act of parliament; their papers and their records are their rights; we are entrusted with them here; we are under oath of fidelity, and under convenants not to part with them; nevertheless all conditions are subservient to the laws, and when we shall be called upon in a legal and constitutional way, we shall readily and cheerfully submit ourselves, our lives, and fortunes, to the laws of our country. To break our oath and our covenants would be to break those laws. But we hold them sacred and inestimable, for they secure the rights and liberties of the people."1

Corresponding to the jealousy and dislike with which Sir John Lindsay was received by the President and Council, were the cordiality and pleasure with which he was received by the Nabob and those who surrounded him. To the Nabob he explained, that he was come to recognize him as a fellow sovereign with the King of Great Britain, and to afford him the protection.



of that great King against all his enemies. The Nabob, who had a keen Oriental eye for the detection of personal feelings, was not long a stranger to the sentiments with which his Majesty's Minister Plenipotentiary, and the Company's President and Council, regarded each other. He described the President and Council as his greatest enemies; for they withdrew the greater part of his revenue and power. Sir John, who was already prejudiced, and ignorant of the scene in which he was appointed to act, fell at once into all the views of the Nabob, and the crowd by whom he was beset. The Nabob laid

out his complaints, and Sir John listened with a credulous ear. The Nabob described the policy which had been pursued with respect to the native powers, by the servants of the Company; and easily made it assume an appearance which gave it to the eye of Sir John a character of folly, or corruption, or both. He drew the line of policy which at the present moment it would have gratified his own wishes to get the Company to pursue; and he painted it in such engaging colours, that Sir John Lindsay believed it to be recommended equally by the sense of justice, and the dictates of wisdom. The King's Commissioner, measuring his own consequence by that of the master whom he served, and treating the Company and their servants as not worthy of much regard, on the score either of wisdom or of virtue, widened the difference between the partnership sovereigns of the Carnatic. The royal functionary assumed the character of protector of the Nabob; and appeared to interpose the royal authority, between an ally of the crown, and the oppression of the Company. The contempt which the Nabob saw bestowed upon the authority to which he had been accustomed to bend, and the dignity to which he appeared to be exalted as an ally of the British King, augmented his opinion of the injustice under which he appeared to himself to groan; and the letters of the Commissioner to the ministers in England were filled with accounts of the oppression exercised by the insolent and rapacious servants of a counting-house, over an independent and sovereign prince. The feeble discernment which has generally scanned the proceedings of the East India Company, and which has often lavished upon them applause where their conduct has been neither virtuous nor wise, has almost uniformly arraigned them for not accomplishing impossibilities, and uniting contrary effects; for not rendering themselves powerful and independent, without trenching upon the power and independence of princes, who would suffer their power and independence, only in proportion as they were deprived of those attributes themselves. Beside this fundamental consideration, it was not to be disputed, that, left to himself, Mahomed Ali could not maintain his possession of the province for even a few years; and that nothing but the power of the English could prevent it from falling a prey to the neighbouring powers, or even to its own disorganization. Though it is not disputed that the rapacity of individuals, who preyed upon the Nabob, may have added to the disorder of his affairs, it is true that the poverty of the Carnatic, and the wretched administration of the Nabob, enabled it not to fulfil the golden hopes of the English, or even to provide for its own necessities.[1]



When the President and Council described themselves as on the brink of a war, the circumstances to which they alluded were these. In the second article of the treaty which was concluded with Hyder Ali, in 1769, it was agreed; "That in case either of the contracting parties shall be attacked, they shall, from their respective countries, mutually assist each other to drive the enemy out;" and the party in aid of whom the troops were employed, was to afford them maintenance at a rate which was mutually determined. This was a condition so highly esteemed by Hyder, that all hopes of an accommodation with him, on any other terms, were, at the time of the treaty, regarded as vain.

BOOK V. Chap. 4. 1770.

Within a few weeks Hyder endeavoured to persuade the English of the great advantage which he and they would derive from uniting Janojee Bonsla with them, in a triple league. He also informed them of his intention to recover from Madhoo Row, the Peshwa, certain possessions which that invader had wrested from him two years before; and requested that they would send him a certain number of troops, no matter how small, merely to show to the world the friendship which now happily subsisted between the English and him. The Presidency, pointing out in what manner this, to which the treaty did not bind them, would be an act of unmerited hostility against the Mahrattas, declined compliance with his request.

Early in 1770, the Mahrattas invaded his country; and again he solicited assistance, if it were but a few troops, for the sake of the manifestation on account of which he had requested them before. If a more substantial aid was afforded, he professed his readiness to pay three lacs of rupees. It was not very easy for the English now to find a pretext. They evaded, procrastinated, and withheld rather than refused compliance with his desire.

The Mahrattas reduced Hyder to great difficulties, may dangers; and seemed resolved to annex his dominions to their spreading conquests. During this period of his distress, in which he was obliged to ahandon the open country, and to depend upon his forts, he endeavoured to persuade the English that their own interest was deeply concerned in combining with him against the Mahrattas, who would touch upon their frontier, and present them a formidable neighbourhood, if the barrier which he interposed were broken down.



The Mahrattas, too, very earnestly pressed for the assistance of the English. They had, indeed, by weight of superior numbers, driven Hyder from the open country; but the protection of his strong holds enabled him still to hold out, and they saw the time rapidly approaching, when the exhausted state of the country would compel them to retire for want of the means to support their army. The skill, therefore, which enabled the English to subdue the strongest places with a rapidity which to them appeared like magic rather than natural means, they regarded as a most desirable acquisition. To attain this object, they endeavoured to work upon the fears of the Nabob; and in their communication with him threatened to invade the Carnatic, unless the English complied with their desires.

The difficulties on the part of the President and Council were uncommonly great. They state their view of them in their consultations, on the 30th of April, 1770. Their assistance would enable the Mahrattas indeed to prevail over Hyder, but of all events that was, probably, the most alarming; the Mahrattas would in that case immediately adjoin Carnatic, with such an accumulated power, as would enable them to conquer it whenever they pleased; and what, when they had power to conquer, the Mahrattas would please, nobody acquainted with India entertained any doubt: If they assisted Hyder; that was immediate war with the Mahrattas, accompanied with all its burdens and dangers: It was not clear, that both united could prevail over the Mahrattas; and if they did, the power of Hyder would bring along

with it a large share of the dangers to which they would be exposed from the Mahrattas, if sovereigns of Mysore: If they stood neuter, and thereby offended both parties; either Hyder or the Mahrattas, most probably the latter, would prevail; and in that case the victor, whoever he was, would wreak his vengeance on the rulers of Carnatic. Amid these difficulties they conceived it their wisest policy after all to remain neuter; to gain time; and take up arms, only when the extremity could no longer be shunned.

The views and wishes of the Nabob were exceedingly different. He was bent upon forming an alliance with the Mahrattas. In the first place, he had a personal antipathy to Hyder Ali, which in a mind like his was capable of weighing down more respectable motives, and made him express extreme reluctance to join or see the English concur in any thing favorable to Hyder. In the next place, the Mahrattas were successful in working upon the short-sighted ambition of the Nabob, with the promise of splendid gifts of territory, which, if they had the power of giving, they would also have the power of resuming at pleasure. But in the third place, he expected, according to the opinion of the President and Council, to place the English government by means of the alliance with the Mahrattas in a state of dependence upon himself; and that was what he valued above all other things. “Once engaged in the war,” said they, “we are at the Nabob’s mercy, for we have no certain means of our own. Enter, we are told, into an engagement with the Mahrattas; engage to assist them in the conquest of the Mysore country, and they will cede to the Nabob the Ghauts, and all the countries dependant on Mysore on this side the Ghauts. If we enter into such a measure, utterly repugnant to every order and every idea that has been suggested to us by our employers, we cannot see any end to the consequences, but utter ruin; we must thenceforth follow the schemes of the Mahrattas and the Nabob, wheresoever they shall please to drag us, be it to place the Nabob on the musnud of Deckan or to subjugate the whole peninsula.”



Sir John Lindsay adopted completely the views of the Nabob with regard to the Mahratta alliance: nor was there any reproach, or exhortation, or threat, which he spared, to entice or to drive the Presidency into that measure.

The ministry, it would appear, became in some degree alarmed at the accounts which they received of the contentions which prevailed between the King’s minister plenipotentiary, and the servants of the Company in India; and they thought of an expedient; which was, to change the person, and leave the authority. Sir John Lindsay was recalled, and Sir Robert Harland, with an addition to the marine force, was sent to exercise the same powers in his stead.

Sir Robert arrived at Madras on the 2d of September, 1771. Sir Robert took up the same ideas, and the same passions exactly, which had guided the mind of Sir John Lindsay; and the only difference was, that he was rather more intemperate than his predecessor; and of consequence created rather more animosity in his opponents.

The progress of the Mahrattas had become still more alarming. In the month of November, they

were in the possession of the whole of Mysore, excepting the principal forts. They had advanced to the borders of Carnatic; and some straggling parties had made plundering incursions. They openly threatened invasion; and it was expected that about the beginning of January when the crops would be ready, they would enter the country. The Nabob was, or affected to be, in the utmost alarm; and Sir Robert Harland urged the Presidency to accept the terms of the Mahrattas, who bid high for assistance on the one hand, and threatened fire and sword on the other. In this trying situation the Presidency vent the most bitter complaints, at being left by the Court of Directors, totally without instructions.1 Nevertheless, "although we have not yet," say they, "had any answer from our constituents, to the repeated representations of the embarrassments we labour under for want of their clear and precise instructions with respect to our conduct in the present critical situation of affairs; yet it is evident from the whole spirit of their orders for some years past, that they look upon the growing power of the Mahrattas with jealousy and apprehension." From this; from an adoption of the same sentiments; from a regard to the treaty with Hyder, which rather required them to assist than allowed them to join in destroying that sovereign, and from a regard to the opinion of the other Presidencies, they determined not to comply with the exhortations or commands of Sir Robert. They would have thought it advisable on the other hand to support Hyder as a barrier against the Mahrattas, had not the opposition of the Nabob, supported as he was by the minister of the King, placed it, for want of resources, out of their power. They determined, therefore, to remain neutral; and only to collect a body of troops in some central position, where they might best protect the country in case of an attack, and distress the enemy by cutting off their supplies.



The Mahrattas, notwithstanding their threats, had not, it would appear, any serious intention of invading Carnatic; for in the month of January, 1772, the Nabob and Sir Robert, finding the Presidency inflexible against their project of alliance, found the means of prevailing upon them to promise a cessation of hostilities till the pleasure of the British King should be known.1 The Mahrattas were afraid of provoking the English to join Hyder Ali; and they began now to feel their situation abundantly uneasy. They activity and capacity of that great leader were still able to give them incessant annoyance; and the country was so excessively ravaged and exhausted, that the means of subsisting an army could no longer be found. They became, therefore, desirous of an accommodation; and in the beginning of July consented to a peace, for which, however, they made Hyder pay very dearly, both in territorial and pecuniary sacrifices.1



If a judgment may be formed from this instance, the chance for good government in India, if the ministers of the crown were to become, and the East India Company cease to be its organ, would undergo an unfavourable change. The course into which the ministers of the crown would have plunged the nation bears upon it every mark of ignorance and folly; that which was pursued by the East India Company and their servants is eminently characterised by prudence and firmness.

Amid the pecuniary wants of the Nabob and the Presidency, both had often looked with a covetous eye to the supposed riches of the King of Tanjore. They considered the natural fertility of his country, and its general exemption from the ravages of the war which had desolated the rest of the province; but they did not consider that the temporizing policy by which he had laboured to save himself from the resentment of all parties, had often cost him considerable sums; that the wars which raged around and perpetually threatened himself, had imposed upon him the maintenance of an army, as great as he could possibly support; that the country which he governed, though fertile, was small; that the expense of a court aims to be as grand in a small as an extensive country; that the expense of protecting a small country is comparatively heavy; that hardly any government has ever yet been so good, as not to expend as much as it could possibly drain from its subjects; and that the government of Tanjore was a true specimen of the ignorance and rudeness of the Hindus.

In the war with Hyder, the Rajah of Tanjore had not only contributed less both in troops and treasure to the maintenance of the war than was expected of him, but was known to have held a correspondence with Hyder; and if he did not afford, at any rate promised assistance. Without making any allowance for the current policy of the feeble princes in India, who aim at contributing as little as possible to the wars of the greater powers, from which they see not that they have any thing to gain, and by professions of friendship for both parties, to avert the dangers of their resentment, the Company and the Nabob were sufficiently disposed to have treated the Rajah as a faithless ally. In the treaty, however, which they concluded with Hyder in 1769, they insisted upon including the Mahratta chieftain Morari Row, whose territories would have formed a convenient conquest for Hyder; and he refused to accept the condition, unless the Rajah of Tanjore was admitted to the same protection. That the Rajah might not appear to owe his safety to the interposition of Hyder, the English pretended to regard him as their partisan, and included him in the treaty as their own ally.



In their letter to the Select Committee at Fort St. George, dated 17th March, 1769, the Court of Directors said, “It appears most unreasonable to us that the Rajah of Tanjore should hold possession of the most fruitful part of the country, which can alone supply our armies with subsistence, and not contribute to the defense of the Carnatick. We observe the Nabob makes very earnest representations to you on this subject, wherein he takes notice that the Zemindars of the Carnatick have been supported, and their countries preserved to them by the operations of our forces employed in his cause; and that nothing was more notorious, than that three former princes of the Carnatick had received from the Tanjore Rajah seventy, eighty, may even one hundred lacs of rupees at a time. We therefore enjoin you to give the Nabob such support in his pretensions as may be effectual; and if the Rajah refuses to contribute a just proportion to the expense of the war, you are then to pursue such measures as the Nabob may think consistent with the justice and dignity of his government. Whatever sums may, in consequence of the above orders, be obtained from the Rajah of Tanjore, we expect shall be applied to the discharge of the Nabob’s debt to the Company; and if more than sufficient for that purpose, to the discharge of his debts to individuals.”[1]

BOOK V. Chap. 4. 1771.

Upon this injunction of the Court of Directors, the Select Committee deliberated on the 13th of September, 1769. “With regard,” they say, “to the demand recommended to be made on the King of Tanjore, our situation at this time is such, for want of money, that, if there were no other obstacles, that alone would put it utterly out of our power to undertake an expedition against him. The treaty of 1762 being before the Hon. Court; considering also, on the other hand, the late conduct of the King of Tanjore, we certainly should not postpone an undertaking so warmly recommended, if it were in our power now to attempt it consistently with good policy and the safety of the Carnatic. But as the case is, were the difficulty of money out of the question, it would become a point of serious consideration, whether an attempt upon Tanjore might not again involve us in a war with Hyder Ally, as the Rajah is expressly included in the treaty lately made with Hyder Ally Khan. However unreasonable it may be, that he should enjoy the benefits derived from the government of the Carnatic, without contributing his proportion of its expense; and however impolitic, and contrary to the natural rights of government, to suffer such a power to remain independent in the heart of the province, we must submit to necessity, and the circumstances of the times. He has indeed lately made some objections by his letters to the payment of his annual peshcush, alleging in excuse the great expense of the troops sent to join our army; although, as the Nabob informs us, it be contrary to the custom of the country for tributary princes to make any demands for the charges of troops furnished to the power to whom they are tributary, while employed within the districts dependant on such power. Should he persist in requiring an abatement in the peshcush due on account of his late charges, it might furnish us with a just pretext to accuse him of a breach of his engagements, and to take our measures accordingly when our situation will admit of it. But as the case now is with us; under difficulties to provide the money necessary even for our current expenses; doubtful of the intentions of the Mahrattas; suspicious of the designs of the Subah; and apprehensive of the King of Tanjore’s calling upon Hyder for aid, and thus raising a fresh flame, the Committee are clearly of opinion, that at this juncture the undertaking would be impolitic and unwarrantable.”[1]



The Rajah had urged, that, instead of having any money, the late expenses, which was the fact, had involved him deeply in debt; and he prayed, if a remission could not be granted, at any rate for a delay in the payment of the exacted tribute; an indulgence to which the expense incurred by him in sending troops to assist in the wars of the Nabob afforded, he thought, a reasonable claim.[2]

Early in the month of February, 1771, the Presidency received intelligence that the Rajah of Tanjore was setting out upon an expedition against one of his neighbours the Polygar of Sanputty, one of the Marawars. On the 14th of February, the President wrote to the Rajah, that as Marawar belonged to the Nabob, as a dependency of the Carnatick, it was contrary to the treaty between the Rajah and him, to make war upon that country, and that, as the English were guarantees of that treaty, it was their duty to request he would relinquish his design.[1]

The Rajah represented that Hanamantagoody was a district of country which did belong to the King of Tanjore, and was actually in his possession at the time of the conclusion of the treaty of 1762; that it had been unjustly seized by the Marawar chief, while the armies of Tanjore were engaged in the service of the Nabob; that the King of Tanjore, at the time when the Nabob was setting out upon his expedition to Madura, had represented the necessity of wresting back this territory from the Marawar, but the Nabob professed to have undertaken the expedition against Madura only upon the strength of the assistance which he expected from his dependants, and therefore requested execution of his design might be delayed, till that expedition was accomplished; that he had represented the necessity of recovering the territory in question to the President himself, who had offered no objections. "For these reasons," said he, "I was in hopes to this day, that the Nabob and your honour would give strict orders to Marawar to restore our country. I also wrote to my vackeel on that head. But you and the Nabob did not get the country restored to me. Besides which, when the elephants relating to my present from Negapatnam were coming, Nalcooty,[2] pretending that the vessel was driven on shore by a storm in his seaports, seized the said elephants, and detained them; concerning which I sent him word, as well as to your honour; but he did not return them to me. If I suffer Marawar to take possession of my country, Nalcooty to seize my elephants, and Tondiman to injure my country, it will be a very great dishonour to me among my people, to see such compulsions used by the Polygars. You are a protector of my government: Notwithstanding, you have not settled even a single affair belonging to me: If I stay quiet, I shall greatly hurt my dignity: Wherefore, I marched myself. If you now advise me to desist, what answer can I give? In the treaty, it was not forbidden to clear the country possessed by Marawar, or to undertake any expedition against the Polygars, who may use compulsions. Since it is so, it cannot be deemed contrary to the treaty."[1]



The Presidency urged that, whatever was the truth with regard to the facts set forward by the Rajah, he knew that they were disputed by the Nabob; and for that reason was guilty, because he had taken upon himself to be judge and executioner in his own cause, when he ought to have reserved the decision to the English government. In his defence the Rajah observed; "You was pleased to write, that if I desist in my present expedition, you will then settle the affairs in a reasonable manner. I continued to speak to you for this long time concerning this affair, but you have not settled it. Notwithstanding, if you now write that I did not acquaint you before I began it, what answer can I make to it? I did not undertake to do any thing contrary to the hereditary custom observed."[2]

The Nabob called upon the Presidency, with unusual force and boldness of importunity, to make war upon the Rajah; as the honour of his government was concerned in chastising a refractory dependant; and the honour of the Company's government was concerned in supporting a faithful ally. Sir John Lindsay vehemently urged the same conclusions, not without reproaches that the Presidency were betraying the Nabob, and violating their duty, by even deferring the assistance which he required.[1]

BOOK V. Chap. 4. 1771.

On both hands the Presidency were assailed by the greatest difficulties. There was imminent danger that the views of Sir John Lindsay, who was the creature of the ministry, would prevail at home; and that the Council, should they refuse to join with the Nabob, would be condemned, punished, and disgraced. They were restrained, on the other hand, by the consideration of the want of money, of the improbability of receiving sufficient funds from the Nabob, of the danger, while the troops were engaged in a distant quarter, of an attack upon the Circars by the Nizam, and of a war with the Mahrattas, with whom the King of Tanjore was allied, and who already hung over the Carnatic with alarming menaces. They believed that, beside the Nabob's old passion for the conquest of Tanjore, he was at present stimulated by the desire of that part of the Mysore country which lay on the Carnatic side of the passes; and which he had been promised by the Mahrattas, as the price of the assistance which they wished to receive; that he now despaired of being able to persuade the English to give that assistance; but expected, if he could inveigle them into a war with the King of Tanjore, that they would then be glad to form an alliance with the Mahrattas, in order to escape the calamity of their arms. In these circumstances the Governor and Council bitterly complained, that they were left by their honourable masters, with instructions and orders which might be construed all manner of ways; and that, whatever course they took they were sure of condemnation if they failed, could expect approbation, only as a consequence of success.[1] They resolved to collect as much of the army and of military stores, at Trichinopoly, as could be done without appearing to prepare for war; and to abstain from hostilities unless unavoidably involved in them.



Inquiring into the supposed dependance of the Marawar country, the Presidency found, that both Tanjore and Trichinopoly had alternately made use of their power to set up and put down the chiefs of Marawar. But in conclusion, "it appears," they said, "to us, that the only right over them is power, and that constitutionally they are independent of both; though Trichinopoly, since it has been added to the government of the Carnatic, having been more powerful than Tanjore, hath probably received more submission from them." Between states in India, "power," they remark generally, "is the only arbitrator of right; established usage or titles cannot exempt one state from a dependance on another, when superior force prevails; neither can they enforce dependance where power is wanting."[2]

These reasonings and conclusions, with regard to Tanjore, bear date in the records of the Presidency from the beginning of February to the end of March. On the 12th of June, when Trichinopoly was sufficiently supplied with stores for defence, and the question was to be determined whether more should be sent, the Nabob dissuaded any further preparations; alleging that the Mahrattas would never give the necessary respite for undertaking an expedition against Tanjore, and that to him every article of expense, however small, was an object of importance. Upon this, the Presidency express themselves in the following terms: "When we consider the earnest and repeated solicitations urged by the Nabob to engage us in an expedition against Tanjore; when we consider the taunts and reflections cast on us by Sir John Lindsay for refusing to comply with the Nabob's

requisition of proceeding immediately against Tanjore at a time when we were unprepared; when we consider that our apprehensions from the Mahrattas are not now near so great, since most of the grain is now collected in the different forts, which would render it difficult for an army of Mahrattas to subsist: all these circumstances considered, it appears strange that the Nabob should so suddenly alter his opinion, and should now decline entering on the expedition, which he so lately and so earnestly urged us to undertake." They conjectured, that, as his grand motive for urging the expedition at first, was to force them into an alliance with the Mahrattas, so now, despairing of that event, he wished not to give the Mahrattas a pretext for overrunning his dominions.1

On the 24th of July, the Committee resolved, first, that an expedition against the Rajah would, in itself, be adviseable, but being contrary to the inclinations of the Nabob ought not to be undertaken: secondly, that negotiation should be used instead of war, and that the negotiation, in which the Nabob wished the English not to appear, should be left to be conducted by that ostensible prince.1



No sooner was conference attempted than the Rajah declared, that he had already "referred all differences between him and the Nabob to the Company, and that he wished the Company would mediate between them; that he was ready and willing to settle terms of accommodation under the guarantee of the English, on whose faith and promise he would rely; but that he would never trust the Nabob without the security of the English, as he well knew the Nabob's intentions were to accommodate matters for the present, but that he had bad intentions whenever an opportunity should offer in future."2

On the 29th of July, the demands of the Nabob were presented to the Rajah's vakeel at Madras; but as he required fifteen or twenty days to receive the instructions of his master, and as the distance of Madras would aid the Rajah in spinning out the time till the commencement of the rains, the Nabob proposed to send his two sons to Trichinopoly; the eldest, Omdut ul Omrah, to conduct the negotiations; and the younger, Mader ul Mulk, to manage the supply of the army; while the negotiation, he thought, should be supported, by the show of inevitable war, if the Rajah declined implicit submission.3

Now was required a decision on the question, what, if the war should issue in a conquest, was to be done with Tanjore. The Presidency knew, that the grand cause of the reluctance which the Nabob had latterly shown to the war, was a fear lest the Company should conquer Tanjore for themselves; and, that there was no accommodation, how unfavourable soever, which he would not make with the Rajah, rather than incur the hazard of so hateful a result. The Nabob offered to give to the Company ten lacs of pagodas, if after conquering, they delivered Tanjore, in full dominion, to him. The Presidency wished to reserve the question to the proper authorities in England, but the Nabob would not consent. The Presidency imagined, that as they had now convinced the Rajah of the hostile designs both of themselves and Nabob, it was

highly dangerous to leave him possessed of power, which he would have an interest in lending to the French, or any other enemy; and as they could not proceed to war, except with consent of the Nabob, it was therefore best to comply with his terms.[1]

Early in September, the young Nabob, (such was the name by which the English generally spoke of Omdut ul Omrah) who had repaired to Trichinopoly, to conduct the negotiation, reported to General Smith, the commander of the English troops, that nothing but compulsion would bring the Rajah to the submission required. The army was ready to march on the 12th of September; but the department of supplying the army had been intrusted wholly to the Nabob's second son; and it was found upon inquiry that there was not rice in the camp for the consumption of a single day.[2]

The greatest exertions were made by the general to enable the army to move; and on the 16th it arrived before Vellum, a fortress of considerable strength, and one of the great bulwarks of Tanjore. The battery, having been constructed first in a wrong place, was not ready till the morning of the 20th; and the breach could not have been made practicable
till about three o'clock the next afternoon, but towards evening the garrison stole out of the fort.[1]



On the 23d the army again marched, and encamped before Tanjore. They broke ground late on the evening of the 29th, and by that time began to be distressed for want of provisions. On the 1st of October, the enemy made a strong sally, which threatened to have considerable effects; but Major Vaughan, the officer against whose post it was directed, acted with firmness and judgment, and the attack was repelled without much loss. The operations proceeded but slowly. The 27th of October had arrived, when the engineers reported that the breach would be practicable the next morning. On that day the young Nabob signed a peace with the Rajah, and hostilities ceased.[2]

The Rajah engaged to pay eight lacs of rupees for arrears of peshcush; 30,50,000 for the expense of the expedition; to restore whatever he had taken from the Marawars; and to aid with his troops in all the wars of the Nabob. Vellum was the principal difficulty. It was finally agreed, that it should be restored to the Rajah, but demolished if the Nabob chose.

Before this event, a dispute had arisen about the plunder. Omdut ul Omrah was informed, that, by the usage of war, the plunder of all places, taken by storm, belonged to the captors. Omdut ul Omrah, unwilling to lose the plunder of Tanjore, offered a sum of money in lieu of it to the troops. His offer was not satisfactory; and a disagreeable and acrimonious correspondence had taken place. By concluding a peace, before the reduction of the fort, any
allowance to the army was a matter of gratuity not of right.[1]



The Presidency were struck, as they say, with "alarm," when, expecting every hour to hear of the fall of Tanjore, they were accosted with the news of the conclusion of a peace. They expressed the greatest dissatisfaction with the terms, which ought, in their opinion, to have been nothing less than the surrender of

the fort at discretion. The terms were not only inadequate, but no security, they said, was provided for the execution of them such as they were. On this account they held it necessary to keep themselves prepared as for immediate war. Orders were sent not to give up Vellum without farther instructions. The expectation was entertained, that the Rajah would not be exact to a day in the delivery of the money and jewels he had agreed to resign. This happened. The want of punctuality was pronounced a breach of the treaty; the guns had not yet been drawn out of the batteries; and the troops were under the walls of Tanjore: the fort of Vellum, and the districts of Coiladdy and Elangad, were demanded: a renewal of hostilities was threatened as the only alternative: the helpless Rajah could do nothing but comply.2

In averting from themselves the effects of this disapprobation, the General stated, that he communicated to Omdut ul Omrah the progress of the siege, and the great probability of success; that he had no control over the negotiation, and was bound by his instructions to desist from hostilities the moment the Nabob desired: on the other hand, Omdut ul Omrah affirmed, that he took not a step without consulting the General; that the troops were under the greatest apprehension on account of the rains which
had begun; that when the breach was partly made, he stated the terms to which the Rajah had yielded, declaring that he would not accept them, if the fall of the place were assured; that the General replied, he could not say he *would* take the place, but he would endeavour to take it; that being asked his opinion, whether the Rajah would give such terms as he now offered, if the siege were unsuccessful, the General said, “My opinion is, that in that case he will give you nothing, but if he does he is a great fool;” that when asked if he would guarantee equivalent terms in case the enterprise miscarried, he repelled the proposal; that when peace was then held up to his view, as what in that case appeared the most politic choice, he replied, “It was well; it was at the Nabob’s option.”1



Before all things were settled with Tanjore, the Nabob made-application for the Company’s forces to reduce the two Marawar Polygars. The Governor and Council, in their letter upon this to the Court of Directors, make the following pertinent remarks: “It is well worthy of observation that Marawar and Nalcooty are the two Polygars whom the Rajah of Tanjore attacked in the beginning of the year, asserting their dependance on his government; while the Nabob claimed the right of protecting them, as tributaries to the government of Trichinopoly. It was in this cause that the late Plenipotentiary2 took the field of controversy; asserted the Nabob’s pretensions to us, who did not deny them; exaggerated the outrage of the Rajah of Tanjore in taking arms against them; and extolled their obedience and submission to the Nabob’s government: and he will say, he
*compelled* us to vindicate the Nabob’s dignity. What honours are due to the minister’s zeal for his *friend’s* cause! mark now the reasoning of that *friend:* the Rajah humbled; Marawar and Nalcooty, from obedient dependants, become immediately dangerous and ungovernable delinquents; and there can be no safety to the Nabob’s government unless they are reduced.”1

Notwithstanding the contradiction which the Presidency thus remarked in the pretexts of the Nabob, they consented, without any difficulty in this case, to undertake the expedition. The season of the rains of necessity delayed their operations; but in the mean time inquiries were made; terms were settled with the Nabob; and the army was kept ready at Trichinopoly, the nearest of the stations to the place of attack.

The Nabob imputed no other crime to the Marawars, except their not sending troops to the late war upon Tanjore, and not paying the money which he exacted of them. And the Presidency acknowledged that he had no right over them whatsoever, but that right of oppression, which is claimed by the strong man over the weak. The reason for concurring with the Nabob in his desire to attack them, was, that the Nabob, by his ill usage, had made them his enemies. They concurred, they said, "not to gratify the Nabob's revenge on those Polygars; but because, if they were not originally and naturally, he has made them his enemies; and therefore it is necessary they should be reduced. It is necessary; or it is good policy they should. We do not say it is altogether just, for justice and good policy are not often related."2

The objects, however, of the Nabob and of the Company were somewhat different. The ardent passion
of the Nabob was to destroy every creature who bore any rule in the country, and place the whole under his own immediate authority. The intention of the Company was by no means to proceed to "the total extirpation of the Polygars; but only to reduce them to such a state of dependance, by seizing their forts and strong holds, as might prevent their being troublesome in future."1



The Nabob's application for reduction of the Marawars was made at the beginning of November, 1771; at the beginning of December, when the concurrence and views of the Presidency, were understood, he recommended, if not a dereliction, at any rate a suspension of the design, for fear of the Mahrattas; and at the beginning of March, 1772, he renewed his application for undertaking the expedition. On the 12th of May, a force, consisting of 120 artillery-men, 400 European infantry, three battalions of sepoys, six battering cannon, a body of the Nabob's cavalry, and two of his battalions of sepoys, marched from Trichinopoly, accompanied by Omdut ul Omrah, who was deputed by his father to conduct all operations, not military, connected with the expedition. They arrived, having met with no opposition, at Ramnadaporam, the capital of the greater Marawar on the 28th. The batteries were opened in the morning of the 2d of April, and a practicable breach was effected before the evening. This time a bargain had been made with the Nabob, that he should not forestall the wishes of his allies, by the precipitate conclusion of a peace. Terms were, however, offered both by Omdut ul Omrah and the General, which, notwithstanding their inadequate means of resistance,
the people of the Polygar refused. The fort was assaulted the same evening, and carried with the loss of only one European and two sepoys killed. The Polygar, a minor of only twelve years of age, with his mother, and the Duan, were taken in the place; and soon reduced to a situation which extorted the compassion of Englishmen. The Nabob bargained for the plunder by a sum of money to the troops.1

The Nabob's troops, before the 15th of June, were put in possession of all the forts in great Marawar; and on the 16th, the army began its march toward the others principality of that name. The Polygar had betaken himself to a strong hold, named Kala-Koil, or Carracoil, surrounded by thick woods, which they approached on the morning of the 23d. An English officer, with a detachment of the army, was sent to approach by a road, on the opposite side, with a hope, either of drawing off some of the enemy's attention, or of finding an opportunity to enter by surprise. In the mean time submissive offers arrived from the Polygar. To guard against any stratagem to amuse, the advance of the troops was not interrupted till the morning of the 25th, when Omdut ul Omrah gave the General notice that peace was concluded, and requested that orders might be sent to stop the detachment. The orders, it seems, were intrusted to the Polygar's vakeels; the Polygar's vakeels, it is said, used not the requisite diligence; at any rate the sending of the orders was unhappily if not criminally mismanaged; the detachment advanced; found the Polygar reposing upon the security of the treaty, and totally off his guard; with scarcely any resistance it entered the place, and the Polygar was killed while endeavouring to escape at one of the The Nabob, here too, gave a sum of money in redemption of the plunder. And these sums became the subject of immediate animosities and disputes, among the parties by whom pretensions to a share of them were advanced.[1]



The settlement of the territory was rendered difficult, by excess of misgovernment. The people of the country, who had facilitated the conquest by remaining at their ploughs, and who expected equal indulgence under one despot as another, were turned out of their lands, and took arms all over the country. "I must represent to you," said the English officer who was left to support Omdut ul Omrah, (these are the words of a letter addressed to the Council,) "that the settling this country in the manner expected by the Nabob, requires extremities of a shocking nature. When we are marching, we find all over the country most villages abandoned by the men, there remaining in them only women and children, who, likely if the Nabob persists in this undertaking, must, with other poor innocents, become a sacrifice to this conquest: For, if any of our baggage remain behind, it is usually taken; our parties and stragglers are attacked. This is done by the inhabitants of some village or other. Those villages being pointed out to me, I cannot pass the outrage without punishment; and not finding the objects on which my vengeance should fall, I can only determine it by reprisals: which will oblige me to plunder and burn those villages; kill every man in them; and take prisoners the women and children. Those are actions which the nature of this war will require: For, having no enemy to encounter, it is only by severe examples of that kind, that we may expect to terminate it, so as to answer the end proposed."[2]



Complaining, that they were left without any specific instructions by the Court of Directors, that they were commanded generally to support the Nabob in all his pretensions, that they were blamed as not having given him sufficient support, that they were bullied by the Plenipotentiaries to support him more than they could believe was either expedient or safe, the Governor and Council alleged that they were led on by that friend and ally from one step to another, without knowing where to stop, and without being able to make those reservations in favour of the Company which the

interests of the Company appeared to require: In this manner had Tanjore been humbled and fleeced: In this manner the two Marawars had been conquered, and delivered up as a dominion to the Nabob. It must be allowed, that except for a little time when he first demanded the attack on Tanjore, the Presidency had shown themselves abundantly forward to second, or rather to excite the Nabob's ardour for conquest of the minor states. The Nabob had only one scruple, the fear of their conquering for themselves. The declarations however, of the Presidency, of the Directors, and the King's minister plenipotentiary, the interpretations of the treaty of Paris, and especially the recent example in the surrender of the Marawars, raised up a hope in his Highness that the time was at last arrived when the long desired possession of Tanjore might be fully acquired.

In a conference with the President about the middle of June, 1773, the Nabob brought complaint, that there was now due from Tanjore about ten lacs of rupees, that the Rajah had applied to the Mahrattas and to Hyder for a body of troops, and had encouraged the Colleries to ravage part of the Carnatic territory: and intimated his intention of subduing him; all which he desired the President to consider of.[1]



After a few days, at another conference, "the Nabob expressed his earnest desire that the expedition should be undertaken; spoke much of his friendship to the Company; and to show his regard for them was willing, in case of success, to give them ten lacs of pagodas."[2]

As the question immediately occurred, what, in case the expedition was undertaken, was to be expected from, or done with, their neighbours, Hyder, and the Mahrattas; a curious change appeared in the sentiments of the Nabob. A friendship, he said, must be established between him and Hyder; for notwithstanding all that he had done to procure for the Mahrattas the benefit of English assistance, "yet he found they were not fair and open towards him at Poonah;[3] and that whether he reduced Tanjore or did not reduce it, they would still come against him when it suited their affairs; that by God's blessing, however, if he and Hyder were joined, they would, with the assistance of the English, keep the Mahrattas effectually on the other side of the Kistnah."[4]

On the 22d of June, the question underwent deliberation in the Select Committee. As to the complaint about the moneys unpaid, the Committee pass it over as a matter of slight importance. And as to the other complaint, that the Rajah was looking to the neighbouring powers for support against the Nabob, of which they had before them no satisfactory proof, they were constrained to confess, that, if it were true, he would not be to blame. "That the Nabob," they say, "has constantly had in view the design of conquering Tanjore, will not admit of a doubt. We are firmly persuaded, that his chief motive for concluding peace with the Rajah, at a time when our troops were upon the point of getting possession of the place, arose from his jealousy lest the Company purposed at a convenient opportunity to take the country from him. By that expedition, however, he obtained what he earnestly wished for, namely, the removal of that restraint which he thought himself under, by the Company's guarantee of 1762."

The Committee next record a solemn declaration, that the treaty, which was then concluded, left the Rajah at the mercy of the Nabob, and bound, by a sense of self preservation, to seek for protection against him in every quarter. "We then expressed our firm opinion, that the peace, concluded *without the intervention of the Company,* would not be considered by the Rajah as any security to him; and that he would avail himself of the first opportunity of freeing himself from *his apprehensions of the Nabob.* The intelligence communicated to us by the Nabob of the Rajah's application to the Mahrattas and Hyder Ally for assistance, is, in some measure, confirmed by the advices transmitted to us by Mr. Mostyn from Poonah:1 Neither is the conduct of the Rajah, in this instance, to be wondered at. The apprehensions he before had have been increased by the publication of the Nabob's intention of reducing him; which has gained credit all over the country. He knows that, in our present situation, we cannot interfere, in the disputes between him and the Nabob; that the Nabob did not even allow his vakeel to visit the late President. Under these circumstances, it is not surprising, that the Rajah should endeavour to strengthen himself, by every means in his power, to enable him to withstand any attempts of the Nabob against him."1



That the Presidency had reason to pass over in silence, or at least with neglect, the complaints of the Nabob, respecting the payment of the Rajah's debt, sufficiently appears from the statement of the facts. Of fifty lacs, exacted as the compensation for peace, twelve lacs and a half were paid down. By mortgaging jewels and land, to the Dutch at Negapatnam, and the Danes at Tranquebar, he had contrived to pay the remainder, together with eight lacs for the peshcush of two years, leaving a balance of only ten lacs upon the whole.2

Notwithstanding the absence of criminality on the part of the Rajah, the Presidency resolved that they ought to destroy him. "It is evident," they say, "that in the present system,3 it is dangerous to have such a power in the heart of the province: for, as the Honourable Court have been repeatedly advised, unless the Company can engage the Rajah to their interest, by a firm promise of support in all his just rights, we look upon it as certain, that, should any troubles arise in the Carnatic, whether from the French or a country enemy, and present a favourable opportunity of freeing himself from his apprehensions of the Nabob, he would take part against him, and at such a time might be a dangerous enemy in the south. The propriety and expediency, therefore, of embracing the present opportunity of reducing him entirely, before such an event takes place, are evident."1



Never, I suppose, was the resolution taken to make war upon a lawful sovereign, with the view of "reducing him entirely," that is, stripping him of his dominions, and either putting him and his family to death, or making them prisoners for life, upon a more accommodating principle. We have done the Rajah great injury: We have no intention to do him right: This constitutes a full and sufficient reason for going on to his destruction. Such is the doctrine: The practical improvement is obvious. Do you wish a good reason for effecting any body's destruction? First do him an injury sufficiently great, and then if you destroy him, you have, in the law of self-defence, an ample justification!

In the opinion of the Presidency, no danger attended the operations required for the destruction of the Rajah: As to Hyder, he had too much business on his hands, and knew his own interest too well, to make the English just now his enemies on account of the Rajah: With regard to the Mahrattas, they were sure to invade the Carnatic, whenever they could expect to do so with any success; and that would happen neither sooner nor later on account of the reduction of Tanjore.2

The next point to consider was, the conditions upon which the Nabob should be accommodated with the destruction of the Rajah and the transfer of his dominions. The first condition was, that the Nabob should advance cash, or good bills, sufficient for the expense of the expedition. The second was, that all sorts of necessaries, excepting military stores, should be amply provided by the Nabob. The third was, that instead of paying for 7,000 sepoys, he should henceforth pay for 10,000. The condition, which the Presidency endeavoured before the first war to obtain, but which they afterwards gave up, that of reserving the disposal of Tanjore to the Court of Directors; and the maxim laid down by the Directors, and recognised by the Presidency in the case of the Marawars, viz. that it was for the interest of the Company to leave the minor chiefs in the Carnatic totally defenceless, as likely to aid the Nabob in those schemes of independence which he incessantly cherished; were on this occasion totally neglected.



The Nabob, in these cases, was accustomed to press his project eagerly, as long as he found the Presidency reluctant or undetermined; as soon as he found them engaged, and warm in the project, to manifest something of indifference, or aversion. So it happened, on the present occasion. The Nabob, after several conferences, told the President; “he would not be too pressing upon the expedition’s being undertaken, without it suited the Company’s affairs.” The Presidency, however, were in a very different disposition; they were determined, and impatient, to begin the operations immediately.1



The Nabob, without much difficulty, accepted the conditions; on which, the Presidency were eager to make for him the conquest of Tanjore; and it was agreed, that no peace should be concluded with the Rajah, unless it should be found to be absolutely impossible to effect his destruction. The General was furnished with his instructions on the 5th of July. The Nabob bargained with the troops, by a sum of money, for the plunder of Tanjore, if the place should be taken by storm. And on the 3d of August the army marched from Trichinopoly.

They encamped, after a skirmish, within a short distance of Tanjore, on the 6th of August. On the 13th, the following letter was received from the Rajah. “The friendship and support offered by the English to this country is a matter of universal celebration and report among all the Mahratta and Rajahpoot nations, as well as others. We have quietly submitted to the hard terms imposed on us by the Nabob; and have given him all that, by these means, he required. Some deficiency happened in the revenues of the mortgaged lands; for the payment of the sums so deficient, as well as the last year’s peshcush (though the latter was not yet become due) I borrowed of the

Soucars; and having engaged with them also for an additional sum, to discharge what was due to the young Nabob and other lesser accounts, I took bills for the whole amount, and sent them to the Nabob; who, having protested my bills,[1] has set on foot an expedition against me. Considering that no deviation of conduct can by any means be laid to my charge, and that I have fulfilled my engagements in respect of the payments I agreed to, I am confident you can never consent to this measure. Some offence should surely be proved upon me, before an expedition be undertaken against me: Without any show of equity to wage an unjust war against me, is not consistent with reason. This charitable country is the support of multitudes of people: If you, Sir, will preserve it from destruction, you will be the most great, glorious, and honoured of mankind. I am full of confidence, that you will neither do injustice, yourself, nor listen to the tale of the oppressor. I only desire a continuance of that support which this country has formerly experienced from the English, and you will reap the fame so good an action deserves."[1]



BOOK V. Chap. 4. 1773.

Ground was broken before Tanjore, late on the evening of the 20th of August; and a party was advanced to a commanding spot within 500 yards of the walls. On the 23d, the engineers had run their parallels to the destined extent, but had not time to erect a redoubt which was intended to secure their left. On the morning of the 24th, the enemy sallied in a considerable party, and attacked the trenches with musketry. They retired upon the brisk advancement of the grenadiers, but not without some loss to the English assailants. On the 27th, in the morning, the batteries were opened. About the same time the Presidency received from Mr. Mostyn, at Poonah, a letter, to say, that a dispute between the Peshwa's government, and that of Berar, afforded present occupation to the Mahrattas, and removed the danger of interruption to the expedition against Tanjore. The approaches were made, and the breaching batteries opened, early in the morning of the 14th of September. On the 16th a passage of twelve feet wide was completed across the wet ditch which surrounded the walls, and the breach was so considerable, that the enemy expected the assault by day-light the next morning, when 20,000 fighting men were prepared to defend the breach. This hour being permitted to pass, they expected no farther attempt till the evening; but when the sun was in the meridian, and intensely hot, and the garrison had mostly retired to obtain a little refreshment and repose, the English troops were drawn out without noise to the assault. The success of the stratagem was complete. The troops entered with scarcely any resistance, or any loss. And the Rajah and his family were taken prisoners in the fort.[1]

BOOK V. Chap. 4. 1773.

The Dutch had received the seaport town of Nagore and its dependencies, in assignment for the money which they had lent to the Rajah of Tanjore. It was the wish, neither of the English, nor of the Nabob, that they should enjoy the advantage of retaining these possessions. The first pretence made use of was, that assistance had been lent to the Rajah against the late expedition. Before the troops withdrew from Tanjore, a letter was written by the Nabob to the Presidency, recording the complaint, and demanding assistance to punish the offenders. It was also necessary to send information of the charge to the Dutch. They utterly denied the facts; and as there

appears to have been nothing to prove them, the charge was permitted to drop. Another resource remained. The Dutch had purchased Nagore. Upon this the Presidency gravely and solemnly declare: "As the Rajah of Tanjore held his lands of the Nabob in fee, he could not, agreeable to the feudal system, which prevails all over India, alienate any part of this country to any other power, without the consent of his liege lord, the ruler of the Carnatic Payen Ghaut."[1] Upon this foundation, they felt no scruple in joining with the Nabob to make war upon the Dutch. Yet it is abundantly certain, that such an idea as that of "land held in fee" could hardly enter into the mind of a native Indian, even in the way of imagination and conception. Such a thing as a feudal system or a liege lord, never had a moment's existence in India, nor was ever supposed to have, except by a few pedantic, and half-lettered Englishmen, who knew little more of the feudal system than the name. If this doctrine were true, the English had originally no just title, either to Calcutta or Madras. When they obtained the one from the Subahdar of Bengal, he was the vassal of the Mogul; when they obtained the other from the Nabob of Carnatic, he was the vassal of Nizam al Mulk, the Subahdar of Deccan. Besides, the Presidency themselves, had only two years before declared that no such thing as feudality existed in India; that the only right of one state over another was power; that the stronger uniformly exacted tribute of the weaker; but that legal dependance there was certainly none.[2] The troops advanced. The Dutch made a solemn protest against the injustice; but they were not in a condition to make effectual resistance; and they prudently retired. The Nabob complained of the cold-heartedness and supineness of his English friends, because they would not support him in attacking the ancient possessions of the Dutch. At length it was arranged, that the Dutch should be re-imbursed by the Nabob the money which they had advanced to the Rajah; and that they should give up to the Nabob the lands and jewels which they had received in payment or in pledge.[1]



BOOK V. Chap. 4. 1773.

When the former war with Tanjore was projected, the Nabob, though he would not consent that the English should garrison Tanjore, if taken, yet proposed that he himself should place in it a garrison of Europeans. This time he would not consent to even so much, but insisted upon it, that Tanjore should be garrisoned with his own troops.[2] The Presidency so far attended to humanity, and the suggestion of their own general, as to express their wishes to the Nabob for humane treatment of the Rajah and his family. But they were satisfied with very slight evidence of the gratification of those desires. The wretched Rajah and his mother addressed a letter, each of them, to the Nabob; telling him that they were remarkably well treated. These letters were shown to the Presidency, and the Presidency tell the Directors, "We have much satisfaction to learn, by letters from the Rajah and his mother to the Nabob, communicated to us, that they are treated with much attention and humanity in their confinement."[3] The Nabob could never be at a loss, upon such admirable terms as these, for a proof of any thing which he could possibly desire.

Intelligence of the dethronement of the Rajah, and of the transfer of his dominions to the Nabob, was not delayed by the Company's servants. It was received in London with all the documents and details, on the 26th of March, 1774. Three weeks elapsed before the departure of the last ships of the season;

but the Directors made no remarks upon the revolution in Tanjore. Upon so great a change effected in the state of their dominions, without advice or authority, the sovereign body, as if they had no opinion to express, that is, were incapable for the moment of executing the functions of government, maintained absolute silence. In the course of the summer various dispatches arrived, describing the subsequent measures to which the transfer of the Tanjore kingdom had given rise. No observations were elicited from the Court of Directors. During the winter of 1774, and more than two months of 1775, the same silence was observed; and, if acquiescence might be taken for approbation, the actors in India had reason to congratulate themselves upon a favourable construction of their conduct.

The secret history at that time of the East India House, that is, the history of the interests of the individuals by whom it was governed, even if it could be given upon such evidence as history confides in, which secret history seldom can be, would not, on the present occasion, be of any importance. The only point which deserves our attention is, the general result; that the East India Company is a governing body so constituted, no matter by what secret agency in the minds of individuals, as to be incapable of giving, or capable of withholding to give, for nearly twelve months, an opinion on one of the most important transactions to which their authority and power could be applied.

There was no little division, at that time, in the councils of the East India House. Early in the year 1775, the question was agitated of a successor to the Governor of Fort St. George. The Court of Directors, by a small majority, declared for Mr. Rumbold. A Court of Proprietors, called soon after to deliberate upon the subject, reversed their decision, by a small majority, and made choice of Lord Pigot.



This ancient Governor had returned to England about the end of the year 1763; and had been successively raised to the dignities of a baronet, and of an Irish peer. By the weight of his fortune, by his connexion with individuals, and the reputation of his services, he enjoyed a great influence in the Company; and after a residence of twelve years in England, discovered an inclination, or a wish, to resume the burthen of the Presidentship at Madras, and to rival the glory of Clive, by introducing the same reforms under the Presidency of Madras, as that illustrious Governor had introduced in Bengal. The decision in the Court of Proprietors gave the ascendancy to his party in the Court of Directors, and the gratification of his ambition was no longer delayed.

Respecting the revolution in Tanjore there was no indecision in the mind of Pigot; and no sooner was the ascendancy of his party determined, than it also disappeared in the East India House. The treaty of 1762, which gave the Rajah security for his throne, was the act, and a favourite act, of Governor Pigot. The subversion of it became the subject of severe condemnation in the Company's Courts. There was in the transaction, it is not to be doubted, enough to interest the feelings of any man who looked upon it with partial, or even impartial eyes; and to account for the zeal of Lord Pigot upon the most honourable motives. That his favourite dubash Moodoo Kistna, with whom he maintained a correspondence in England, had rented lands to a great

extent from the Tanjore Rajah; that he was offended with the Nabob, who, after appointing him his agent in England, had failed in those remittances which made the place
of agent desirable; and that an auction between two princes for the favour of the powerful servants of the Company promised a golden harvest to the relatives and connexions of the Directors, were allegations thrown out by the enemies of the new resolutions;[1] allegations which, if they had general surmise, and even general presumptions in their favor, were unsupported by particular facts.



On the 12th of April, the very day on which the Court of Proprietors met to choose new Directors, the Court of Directors proceeded at last to declare their decision on the business of Tanjore, and to prescribe the rules of future operation.

Notwithstanding their ambiguous language, and still more ambiguous conduct, they declared that they had been perfectly uniform in two things; in commanding that no addition should be made to the possessions either of themselves or the Nabob; and in condemning the policy of placing Tanjore under the dominion of that ruler; "more especially," they add, "as they on the spot were of opinion, that, on account of oppressions exercised by the Nabob in his own dominions, and of his inveterate hatred to the King of Tanjore, the Tanjoreans would submit to any power whatever, rather than to the Nabob." First they condemn, though after solemn thanks formerly given to the Governor who had carried it on, the war of 1771; declaring that though it would have been right to call the Rajah to account for arrears of tribute, and to interpose between him and the Marawars, it was wholly unjustifiable to make war upon him when he offered to submit to the arbitration of the company; and still more "on any account or pretence, or under any circumstances, to put the Nabob in possession of that kingdom."[1] They complain,
upon this subject, of their servants as sending them disingenuously incomplete information, and then taking their measures without authority.[2]

BOOK V. Chap. 4. 1775.

With regard to the second expedition, that in 1773, intended for the complete destruction of the Rajah, they declare that it was founded upon pretences which were totally false; 1. as the Rajah was not proved to have committed any offence; and, 2. as the destruction of him, instead of adding to the security of the Company, had only increased its dangers. They decree, therefore, that Mr. Wynch, their President, shall be removed from his office; that the members of their council shall be severely reprimanded; and, "unless their zeal for the interests of their employers shall manifest a proper sense of their lenity, that they shall certainly experience more rigorous marks of their resentment."[3]

After this retrospect of the past, the Directors immediately pen their regulations for the guidance of the future. They regarded two subjects; 1st, the restoration of the Rajah of Tanjore; and 2dly, the management of the Company's own possessions, on the coast of Coromandel; that is, the Northern Circars, and the jaghire lands in the neighbourhood of Madras. "We are convinced," said the Directors, addressing the Council of Madras, "that success must, in a great measure, depend upon the wisdom

of your councils, the integrity and firmness of your conduct, and in no small degree, upon the seasonable exertion of those peculiar abilities for which your Right Honorable President is so justly and eminently distinguished."



With regard to the King of Tanjore, the Presidency were first to provide security, by a proper guard, for the persons of him and his family; and next, but under certain conditions, to restore him to his dominions, as they existed in 1762. The conditions were, that he should receive a garrison of the Company's troops into the fort of Tanjore; assign lands for their maintenance; pay to the Nabob the peshcush of 1762; assist him with such troops alone as the Presidency shall join in requiring; form no treaty with foreign powers, except in concurrence with the English rulers; and neither directly nor indirectly furnish any assistance to their enemies.

For the better management of the Company's possessions, the Council were directed, "when affairs respecting Tanjore shall have been accommodated and finally adjusted," to form a committee, consisting of five members of the Council, who should make the circuit of the Northern Circars, and collect information of all those circumstances in the state of the country which government is chiefly interested in knowing; and after this information should be gained, to take the proper steps for letting the lands during a term of years, on principles similar to those on which the lands had been let in Bengal. Respecting the jaghire, which the Nabob hitherto had rented under the allegation, that the appearance, presented to the people of the country, of the exemption of any part of his dominions from his immediate jurisdiction, would be injurious to his authority; the Directors declared their dissatisfaction with the present arrangement, their determination to take the lands under their own control, unless the Nabob should submit to their conditions; and they directed their servants in the mean time to let them to him, only from year to year.[1]



Lord Pigot resumed the office of Governor of Fort St. George on the 11th of December, 1775. "Upon my arrival," says his Lordship, "I found a general reform was necessary in the settlement, to preserve the Company from ruin."[1] A "general reform" has many enemies; and those, for the most part, very powerful ones. The injunctions of the Directors were to proceed immediately to the restoration of the Rajah of Tanjore. It was, however, agreed that the communication should be made with all delicacy to the Nabob, to whom it was known that it would be unpleasing in the highest possible degree. There was no expedient to which Oriental artifice could have recourse which the Nabob left untried to ward off the blow. He endeavoured to make it appear that he had an undoubted right to the possession of Tanjore; he magnified the merit of his services and attachment to the Company; he enlarged upon the disaffection of the Rajah; he claimed the support which the letter of the King of England, brought by Sir John Lindsay, had promised him; he deprecated the policy adopted by the Company, of doing one thing by their servants in India, and the very reverse by their Directors in England, and declared that he was unable to understand them in this double capacity. He tried the tone of humility, he tried that of audacity. He sought to affect their sympathy by reminding them of the many Englishmen to whom he was indebted, and whom, if stripped of Tanjore, he would be less able to

pay: and of that confidence in their honour with which he had placed his residence, and that of his family, under the guns of Fort St. George. He offered to place an English garrison in the fort of Tanjore; and only entreated, that the country might not be taken out of his hands, till the
Company, who had proceeded upon partial information, should decide upon what he had to suggest.



The Council availed themselves of his offer to admit an English garrison into the fort of Tanjore; because it enabled them at once to set the Rajah at liberty, and guard his person. But they showed the Nabob that the commands of the Directors were peremptory in regard to the time of the restoration, and left them no liberty to grant the delay for which he applied. It seems to have been the expectation of the principal military officer belonging to the Presidency, Sir Robert Fletcher, that he should be the person by whom the immediate business of restoring the Rajah should be performed. But when the President signified his intention of proceeding for that purpose to Tanjore in person, the Council voted unanimously, that the business should be placed in his hands; and as the crop was on the ground, and the harvest approaching, that no time should be lost in giving possession of the country to the Rajah.

Sir Robert Fletcher, however, though he had joined in the vote for sending the President, proposed another for sending along with him two other members, under express and particular instructions of the Board; declaring that without this condition he would not have assented to the vote in favour of the President; that the board were not justified in the delegation of undefined and unlimited powers, except in a case of extreme necessity: and that, if this measure were drawn into a precedent, the effect would be, to serve the corrupt interests of individuals at the expense of the public. The proposal was rejected by a majority of the Council; but the President took with him by choice two members of the Council, and one of them a person who had voted for the deputation.

Lord Pigot set out on the 30th of March, and arrived at Tanjore on the 8th of April. On the 11th
the restoration of the Rajah was proclaimed. Instead of employing the troops of the Company to do nothing more than garrison the fort of Tanjore, the president got the Rajah to request that they might be employed for the protection of the whole country. And instead of assigning revenue barely to defray their expenses, to save the trouble and dispute which accounts are apt to produce, he offered to give a neat sum to cover all expenses, namely, four lacs of pagodas a-year. On the 5th of May, Lord Pigot returned to Madras, and having laid before the Council a copious diary of his proceedings, with all the documents which belonged to them, received a vote of approbation, which, with regard to the general measures, was unanimous.



Mr. Paul Benfield was a servant of the Company in the civil department, and as yet in one of the lowest situations. He had betaken himself to more lucrative functions, than the duties of his office; and had become not only a favourite of the Nabob, but the principal agent, in what was at that time one of the first concerns in the settlement, the lending of money.

It appears, that Mr. Benfield gave to Lord Pigot a general intimation of certain interests which he held in Tanjore, before the departure of that Lord for the restoration of the Rajah, and received from him a general disavowal of any intention to injure his rights. Immediately after the restoration of the Rajah was proclaimed, a letter from Mr. Benfield was delivered to Lord Pigot at Tanjore, in which he stated, that for money lent to the Nabob he had assignments upon the revenues of Tanjore, to the amount of 405,000 pagodas, equal to 162,000*l.;* and for money lent to individuals in Tanjore, assignments upon the present crop to the amount of 180,000 pagodas, equal to 72,000*l.;* making together, the immense sum of 234,000*l.,* lent by a junior servant of the Company, with a salary of a few hundred pounds a-year, and who was conspicuous among other things for keeping the finest carriages and horses at Madras.



Lord Pigot replied, that, in a case like this he could do nothing more than lay the circumstances before the Board. Mr. Benfield expressed dissatisfaction that the powers of government were not immediately exerted to procure him all that he desired; and he wrote to the Council, expressing his confidence that they would afford him "assistance to recover his property, while the Right Honourable President, under their commission, remained in authority over those countries." Certain Members of the Board were for proceeding immediately to consider the claims of Mr. Benfield. The majority, however, decided, that the consideration should be postponed till Lord Pigot's return.

A few days after the return of Lord Pigot to the Board, the application of Mr. Benfield was appointed for the subject of deliberation. Mr. Benfield was called upon for particulars and vouchers; but vouchers Mr. Benfield was unable to produce. The transactions, he said, were registered in the books of the Cutcherry; and the Nabob would acknowledge them. As for the books of the Cutcherry, they were never produced; and as for the acknowledgement of the Nabob, there were two questions; one whether the assignments of the Nabob, if the debts were real, gave any right to the revenues of Tanjore, now restored to the Rajah; another, whether the whole, demand and acknowledgement, taken together, were not a collusion between the Nabob and Benfield; a studied fraud upon the Company and the Rajah. For the debts, said to be due from individuals, which, in the specification, had dwindled down to 30,000 pagodas, there was nothing to give but the word of Mr. Benfield himself. After due consideration a majority of the Board came to the following decision: "That the Rajah of Tanjore, being put in full possession and management of his country by the Company's express orders, it is the opinion of the Board that it is not in their power to comply with Mr. Benfield's requests in any respect, those claims on individuals, which bear the appearance of having no connexion with government, not being sufficiently explained to enable the Board to form an opinion thereon, and the assignments of the Nabob not being admissible."



This resolution was passed on the 29th of May. On the 3d of June Mr. Brooke, one of the majority who had thrown out the claims of Mr. Benfield, entered a minute, in which he stated, that supposing Mr. Benfield to have *demanded* the assistance of the Council, he had voted against him; if he had then, as now, understood that he only

*requested* their assistance, he would have voted for him: he, therefore, moved, that the Board should reconsider their vote on the claims of Mr. Benfield; and gave his opinion, that the crop on the ground, at the time of the restoration of the Rajah, was by the Company meant to belong to the Nabob. The vote for reconsideration was supported by the majority. On the 13th of June, the subject being resumed, a motion was made by Lord Pigot that the vote of the 29th of May should be confirmed; it was negatived by a majority of seven to five. On the following day Lord Pigot was proceeding to move that "all the claims of Mr. Benfield were *private* and not *public* concerns," when a member of the Council claimed a right to priority. The claim of the member was founded upon the notice which he had given the preceding day of his intention to put certain motions.



The claim of Lord Pigot was founded upon the custom of the Presidency, corroborated by convenience, that the President should possess the initiation of business. The claims were put to the vote, when the question was decided in favour of the member; and he moved, that the crop sown during the time of the Nabob's possession be declared the Nabob's property, his assignments on it, therefore, good; and that the Rajah should be instructed to respect and to restore, if they had been disturbed, the pledges in corn which were held by Mr. Benfield. When all this was voted, the question of the President, whether the claims of Mr. Benfield were private or public, was finally considered. The majority thought them, "so far as they regard Mr. Benfield, private claims; so far as they regard the Nabob's assignments to Mr. Benfield, public."

The following point was agitated next. On the 28th of June, the President opened a proposal for establishing a factory at Tanjore. A motion to this effect was rejected by the majority on the 8th of July. As he could not obtain a factory, the President supposed that a resident would be useful. He moved that Mr. Russel, a member of the Council, and a closely connected friend of his own, should be appointed resident at Tanjore, and this was carried without much opposition.

Velore was the principal military station in the Carnatic, as a frontier fortress, in the line of invasion both to Hyder and the Mahrattas; it was therefore provided with the greatest number of troops, and regularly, as the post of honour, assigned to the officer second in command. Col. Stuart, the officer second in command, thought proper to consider Tanjore, where a small number only of troops were required, as at this time the military station of principal importance in the province; he therefore claimed it as his right,
and that claim the majority sustained.

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Though liberty had been restored to the Rajah, and his rights proclaimed, much was yet to be done to put the administration of the country fully in his hands. The struggle between the President and the majority in the Council now was, whether Colonel Stuart, who would manage the business agreeably to the views of the majority, or Mr. Russel, who would manage it agreeably to the views of the President, should have the opportunity of placing the administration in the hands of the Rajah.

Mr. Russel was one of the gentlemen named by the Court of Directors to form one of the Committee of Circuit to explore the Circars; and this Committee was directed to proceed upon its mission, as soon as the final settlement of affairs in Tanjore should be effected. The majority laid hold of this circumstance; and voted, as well for the immediate departure of the Committee to the northern Circars, as that of Colonel Stuart to his command in Tanjore. The President insisted, that neither was there any necessity for precipitating the departure of the Committee, nor was the business of Tanjore settled; that the Rajah, who believed that the interests which had dethroned him were now triumphant, and those which restored him overthrown, was in a state of apprehension bordering upon despair. He proposed that, for the termination of this unfortunate struggle, two members of the Board, who were stationed at the out settlements, and were not involved in the disputes, should be summoned to attend. This proposition was rejected. The President offered to be satisfied. if Mr. Russel was allowed to go to Tanjore for only a few days, to preserve the appearance of consistency in
the proceedings of the Council, and to quiet the alarms of the Rajah. This too was rejected.



Hitherto the proceedings of both parties, whatever name they may deserve in point of wisdom or virtue, were regular in point of form. Only one alternative now remained for Lord Pigot—the majority was either to be obeyed, or their authority was to be resisted. Lord Pigot resolved to resist, and the method which he pursued was as follows:

He assumed that the President was an integrant part of the Council; that it was not competent to perform any acts of government without him; and that he had a right to withhold his concurrence from any propositions which the majority might urge. This was pretty nearly the same doctrine which had suggested itself to Mr. Hastings in Bengal; but the practical application was somewhat different.

On the 19th of August, it was moved that a copy of instructions for Colonel Stuart, prepared by the commanding officer, should be taken into consideration. The President declared that he would not put the question. The obstruction presented a question of importance; and the majority resolved to adjourn. The following day the Council assembled, and the same motion was made. The President declared that he would not allow the question to be agitated at the Board. The majority, nevertheless, approved of the instructions, and prepared the draught of a letter to the officer at Tanjore, directing him to deliver over the command of the garrison to Colonel Stuart. The President declared that he would sign neither; affirmed that without his signature they could have no authority, and warned his opponents to desist. The minds of the majority were yet embarrassed, and they adjourned the Council for two days. On the 22d of August, the day on which they first assembled,
the majority produced a minute, in which they deny that the concurrence of the President is necessary to constitute an act of government; affirm that the vote of the majority constitutes an act of government; and that it tends to subvert the constitution, for the President to refuse either to put a question, or to carry into execution the decisions of the majority. The President proposed, that questions of so much importance should be left to the

decision of their honourable masters; and that here, till their pleasure should be known, both parties should allow the matter to rest.

This, too, was not agreeable to the wishes of the majority. They came to a resolution, that, as the President would not sign the instructions to Colonel Stuart and the letter to the officer at Tanjore, a letter should be written to the Secretary, directing him to sign them in the name of the Council, and transmit them as authoritative instruments of government to the parties addressed.

The letter was written, and approved by all the gentlemen of the majority. They began to sign it in order, and two of them had already written their names, when Lord Pigot took, or snatched it out of the hand of the man who held it. He then took a paper out of his pocket, and said he had a charge to present against two members of the Board, and named the two who had just signed the letter which he had snatched. The accusation was, that by signing orders to the Secretary to give instructions to Colonel Stuart, they had been guilty of an act, subversive of the authority of government, and tending to introduce anarchy. By the standing orders of the Company, any member of the Council, against whom a charge was preferred, was not allowed to deliberate or vote
on any of the questions relating to the charge. When the two accused members were excluded, the President had a majority by his own casting vote. It was therefore voted to suspend the members in question, and then the President had a permanent majority. After the vote of suspension, the Council adjourned to the following day, which was the 23d. The gentlemen of the former majority forebore to attend; but they sent by a public notary a protest, in which, beside denouncing the principal act of the following day, they, as the majority of the Board, declare themselves the governing body, and claim the obedience of the settlement. This protest was sent by the same agency to the commanders of his Majesty's troops, and to all persons holding any authority at Madras. In consequence of what he deemed so great an outrage, Lord Pigot summoned the Council again to meet at four o'clock, when they passed a vote, suspending the whole of the members who had signed the protest, and ordered Sir Robert Fletcher, the commanding officer, to be put under arrest, and tried by a court martial.



The opponents were not behind in violence. They speedily assembled, declared themselves a Council vested with all the powers of government, and resolved to arrest the person of Lord Pigot, and confer the command of the army, Sir Robert Fletcher being ill, on Colonel Stuart.[1] The task of performing the arrest of Lord Pigot was devolved on the Colonel,
who, by acquiescence, had accepted from him the command of the army. The greater part of the next day, the 24th, the Colonel passed in company, or in business, with his Lordship,
breakfasted with him as well as dined; and having accepted an invitation to sup at his house, and made his arrangements to arrest him by the way, was in the carriage of Lord Pigot along with him, when it was surrounded and stopped by the troops.

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As the point, for which all this confusion was created, was the extremely minute one, whether Mr. Russel should or should not go for a few days to Tanjore, it is not easy to believe, that something of importance did not remain at the bottom, which it was not the interest of the parties to disclose. One thing is certain, that the parties, and they had the best means of information, cast the most odious imputations upon one another, and charged the most corrupt and dishonourable motives. They were accused of desiring to have an opportunity of enriching themselves, the one party by sharing in the revenues of the Rajah, the other by sharing in those of the Nabob.1 The party who espoused the views of the Nabob seem to have been afraid, after the extremities on which they had ventured, to carry their own resolutions into effect. They had voted that the crop which was on the ground at the time of the restoration belonged to the Nabob, and ought to follow the assignments he had made; yet the Rajah was not disturbed in the possession of it; and the
debts, real or fictitious, to Benfield, remained at the end of their administration still undischarged.1



They proceeded to the further violence of suspending all those members of the Council, who had voted with the President; but it does not appear that any harshness attended his confinement, or that he was not indulged with every freedom, consistent with the means necessary to prevent his resuming his place in the government.

When intelligence was brought to England of the violent act of the Council of Madras, it excited among the members of the Company, and still more in the nation at large, both surprise and indignation. In the Court of Directors, the party who defended, or at any rate attempted to apologize for the authors of the late revolution, were nearly equal to the party by whom they were condemned. But in a Court of Proprietors, held on the 26th of March, 1777, a resolution was passed by a majority of 382 to 140, in which it was recommended to the Court of Directors to take the most effectual measures for restoring Lord Pigot to the full exercise of his authority, and for inquiring into the conduct of the principal actors in his imprisonment. In consequence of this proceeding it was, on the 11th of April, carried by a casting vote, in the Court of Directors, that Lord Pigot and his friends should be restored to the situations from which they had been improperly removed; that seven members of the Council, including the Commander in Chief, who were declared to have subverted the government by a military force, should be suspended from the service, and not restored without the immediate act of the Directors. But a vote of censure was at the same time passed on Lord Pigot, whose conduct in several instances was pronounced worthy
of blame. The means were not yet exhausted of defeating this turn of affairs. Not only were impediments accumulated, and placed in the way; but a fresh set of resolutions were brought forward, importing the recall of both parties, as the only mode of accomplishing that fundamental investigation which the importance of the occasion required. These propositions, in favour of which the ministers were supposed to have exerted all their influence, were voted by a majority of 414 to 317, in a General Court on the 9th of May. The attention of Parliament was also attracted. Governor Johnstone, who was distinguished for the part which he had taken in discussions relative to Indian affairs, moved, on the 22d of the same month, a series of resolutions, highly approving the

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conduct of Pigot, and the measures which had been pursued for his restoration, while they condemned the proceedings of his enemies, and the motion for his recall. Almost all the questions of English policy relating to the affairs of Carnatic underwent discussion in a long and animated debate, which was closed by a vote of no more, notwithstanding ministerial influence, than ninety to sixty-seven, against the resolutions.

After these proceedings, a commission was prepared under the Company's seal, bearing date the 10th of June, 1777, by which Lord Pigot was restored to his office; but he was at the same time directed, within one week after the dispatch of the first ship, which, subsequent to the date of his restoration, should proceed from Madras, to deliver over the government to his successor: and either by that ship, or the first that should follow, to take his passage to England. The members of the Council who had concurred in displacing Lord Pigot were recalled;
and the military officers, who had been chiefly instrumental in executing the arrest and confinement, were ordered to be tried by courts martial on the spot. Till inquiry should be made into the conduct of both parties in the recent scenes, when it would be seen which of the actors might deserve, and which might not deserve, to be removed from the service, the Directors thought proper to form a temporary government; in which Sir Thomas Rumbold, after the departure of Lord Pigot, was to succeed to the chair; John Whitehill to be second in council; and Major General Hector Munro, Commander of the Forces, to be third, without the power of any further advancement.



Before these orders were received in India, Lord Pigot had passed beyond the reach of honour or disgrace. His constitution, worn out by age, and the operation of a hostile climate, sunk under the inactivity of his situation, and the painful feelings which preyed upon his mind, after a confinement of somewhat more than eight months. Mr. Whitehill reached Madras on the 31st of August, 1777, and being the senior in council acted as President and Governor till the 8th of February following, when Sir Thomas Rumbold arrived.[1]

Once more the subject was taken up by the House
of Commons. On the 16th of April, 1779, Admiral Pigot, the brother of the deceased Governor, began the discussion with a history of the transactions which had led to the deposition of Lord Pigot, and with the heaviest charges against the actors in that scene: After which he moved a series of resolutions, affirming the principal facts, affirming also that orders had been given to hold courts-martial for the trial of the principal military officers engaged in the crime, and directing an address to his Majesty for the prosecution, by the Attorney-General, of four of the members of the Council, who had returned to England. The resolutions gave rise to considerable debate; but were finally adopted. Proceedings in the courts of law were immediately commenced; and on the 20th of December, the four members were tried for a misdemeanour, before a special jury; and found guilty. When brought up for judgment, a fine of 1000*l.* was imposed upon each. To men of their fortunes, this was a punishment hardly to be felt: Such is the difference, in the minds of English judges, between the crime of deposing the head

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of a government abroad, and that of writing a censure upon one of the instruments of government at home.[1]

When the northern circars were first delivered into the hands of the Company, it was judged expedient to govern the country for a time in the manner which was already established. The Circars of Rajamundry, Ellore, and Condapilly, were consigned, under a lease of three years, to a native, named Hussun Ali Khan, who had previously governed them, under the Nizam, with the state and authority of a viceroy. The remaining Circar of Cicacole was placed under a similar administration, but in the hands of a separate deputy.



A change was introduced in 1769. Administration by the agency of natives was discontinued: And the Circars were placed under the charge of Provincial Chiefs and Councils, a title and form which at that period the commercial factories were made to assume. Under the Chief and Council, formerly the Factory, of Masulipatam, were placed the districts of Condapilly, Rajamundry, and Ellore. The Chief and Council of Vizigapatam received in charge the southern parts of Cicacole: and at Ganjam, where the factory had been discontinued, a new establishment was made of a chief and council for those affairs of the country which could be most conveniently ruled from that as a centre. To these provincial boards, the financial, judicial, and, in short, the whole civil and political administration of the country, was consigned.

The disappointment in their expectations of pecuniary supply from the northern circars, as from their other dominions, and the sense which they entertained of the defects of the existing administration, had recommended to the Court of Directors the formation of the Committee of Circuit. This Committee were directed, by personal inspection, and inquiry upon the spot, to ascertain with all possible exactness, the produce, the population, and manufactures of the country; the extent and sources of the revenue; the mode and expense of its collection; the state of the administration of justice; how far the financial and judicial regulations which had been introduced in Bengal were applicable in the Circars; what was the condition of the forts; and the circumstances of the Zemindars or Rajahs; what the military force of each; the expenses both of his army and household; and the means which he possessed of defraying them. The Directors declared it to be their intention to let the lands, after the expiration of the present leases, for a term of years, as in Bengal; not, however, to deprive the hereditary Zemindars of their income; but leave them an option, either to take the lands which had belonged to them, under an equitable valuation, or to retire upon a pension. They avowed, at the same time, the design of taking the military power into their own hands, and of preventing the Zemindars from maintaining those bodies of troops, with which they were perpetually enabled to endanger the peace and security of the state.



Within a few days after the deposition of Lord Pigot, the new Governor and Council drew up the instructions of the Committee; and sent them to the discharge of their duties. They had made some progress in their inquiries; when Sir Thomas Rumbold took the reins of government at Madras, in February, 1778.[1]

In Council, on the 24th of March, the Governor represented, that on account of the diminution in the number of members, it was now inconvenient, if not impossible, to spare a sufficient number from the Council to form the Committee; that the Committee was attended with very great expense; that all the ends which were proposed to be served by it might be still more effectually accomplished if the Zemindars were sent for, the desired information obtained from the Zemindars, and the jummabundy, or schedule of rent, settled with them at the seat of government; that by this expedient the Zemindars would be made to feel more distinctly their dependance upon the government, both for punishment and protection; that intrigues, and the pursuit of private, at the expense of public interests, which might be expected in the Circars, would be prevented at Madras; and that an indefinite amount of time would be saved. For these reasons he moved, that the Committee of Circuit should be suspended, and that in future the annual rent of the districts should be settled at the Presidency, to which the Zemindars should, for that purpose, be ordered to repair. The Council acquiesced in his reasons, and without further deliberation the measure was decreed.



As soon as this intelligence reached the Zemindars, they were thrown into the greatest consternation. It was expressly urged by the provincial councils on the spot, that the Zemindars were in general poor, and hardly able to support their families with any appearance of dignity; that many of them were altogether unable to defray the expense of a distant journey, and of a residence for any considerable time at the seat of government; that the greater part of them were in debt, and in arrears to the Company; that they must borrow money, to enable them to undertake the journey, and still further incapacitate themselves for fulfilling their engagements; that their absence would greatly augment the confusions of the country, obstructing both the collection of the revenue, and the preparation of the investment; and that some of them laboured under the weight of so many years, and so many bodily infirmities, as to render the journey wholly impracticable.

The President and Council persevered in their original design; and a considerable number of the Zemindars were brought to Madras. Of the circumstances which followed, it is necessary that a few should be pointed out. In every case the Governor alone negotiated with the Zemindars, and regulated their payments; in no case did he lay the grounds of his treaty before the Council; in every case the Council, without inquiry, acquiesced in his decrees. Of all the Zemindars in the northern Circas, the most important was Vizeram Râz, the Rajah of Vizinagaram, whose territory had the extent of a considerable kingdom, and whose power had hitherto held the Company in awe. The character of the Rajah was voluptuousness and sloth; but along with this he was mild and equitable. Sitteram Râz, his brother, was a man who possessed in a high degree the talents and vices of a Hindu. He was subtle, patient, full of application, intriguing, deceitful, stuck at no atrocity in the pursuit of his ends, and was stained with the infamy of numerous crimes. Sitteram Râz had so encroached upon the facility and weakness of his brother as to have transferred to himself the principal power in the province. The yoke, however, which he had placed upon the neck of the Rajah was galling, and sustained with great uneasiness. Jaggernaut Râz, a

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connexion of the family, united by marriage with the Rajah, who had superintended the details of government, as Duan, or financial minister, and was universally respected as a man of understanding and virtue, had been recently deprived of his office, through the machinations of Sitteram Râz. The points which required adjustment between Vizeram Râz and the Company had suggested a use, or afforded a pretext, for calling him to the Presidency before Sir Thomas Rumbold arrived. Against this order he remonstrated, on the ground of his poverty, and of the detriment to his affairs which absence would induce. He offered to settle with the Council at Vizigapatam for any reasonable tribute or rent; and complained of his brother Sitteram Râz, whom he



described as engaged in machinations for his ruin. Sitteram had obeyed the very first summons to repair to Madras, and had negotiated successfully for the farm of one principal division of the lands. He carried another point of still greater importance; which was to receive from the Presidency the appointment of Duan to the Rajah. To this regulation the Rajah manifested the greatest aversion. The President addressed him in the following words: “We are convinced that it is a measure which your own welfare and the interest of the Company render indispensably necessary. But should you continue obstinately to withstand the pressing instances that have repeatedly been made to you by the Board, conjunctively as well as separately, we shall be under the necessity of taking such resolutions as will in all probability be extremely painful to you, but which, being once passed, can never be recalled.” To this Vizeram Râz made the following answer: “I shall consider myself henceforward as divested of all power and consequence whatever, seeing that the Board urge me to do that which is contrary to my fixed determination, and that the result of it is to be the losing of my country.” The reason which was urged by the President for this arbitrary proceeding was, the necessity of having a man of abilities to preserve the order of the country, and ensure the revenues. The Court of Directors, however, say, in their general letter to the Presidency of Madras, dated the 10th of January, 1781, “Our surprise and concern were great, on observing the very injurious treatment which the ancient Rajah of Vizianagaram received at the Presidency; when, deaf to his representations and entreaties, you, in the most arbitrary and unwarrantable manner, appointed his ambitious and intriguing brother, Sitteram Râz, Duan of the Circar, and thereby put him in possession of the revenues



of his elder brother, who had just informed you that he sought his ruin: For however necessary it might be to adopt measures for securing payment of the Company’s tribute, no circumstance, except actual and avowed resistance of the Company’s authority, could warrant such treatment of the Rajah.”[1] And in one of the resolutions which was moved in the House of Commons by Mr. Dundas, afterwards Lord Melville, on the 25th of April, 1782, it was declared, “That the Governor and majority of the Council of Fort St. George did by menaces and harsh treatment, compel Vizeram Râz, the Rajah of Visianagrum, to employ Sitteram Râz as the Duan, or Manager of his Zemindary, in the room of Jaggernaut, a man of probity and good character; that the compulsive menaces made use of towards the Rajah, and the gross ill treatment which he received at the Presidency, were humiliating, unjust, and cruel in themselves, and highly derogatory to the interests of the East India Company, and to the honour of the British nation.”

Nor was this the only particular in which the Presidency and Council contributed to promote the interest and gratify the ambition of Sitteram Râz. They not only prevailed upon the Rajah to be reconciled to his brother; they confirmed his adoption of that brother's son; and "agreed," say the Secret Committee of the House of Commons, "that all under-leases should for the future be made in the adopted Rajah's name; that his name should be used in all acts of government; and that Sitteram Râz his father, who was in reality to enjoy the power,
should be accepted of by the Board as a security for this young man."[1]



In the opinion of the Directors, even this was not all. They accused the Presidency of underselling the lands by a corrupt connivance with Sitteram Râz. "The report," they said, "of the Committee of Circuit, and the positive evidence of Sitteram Râz, warrant us in asserting that more than double the amount of the tribute for which you have agreed, might and ought to have been obtained for the Company. We are in possession," they add, "of one fact, which, so far as it extends, seems to convey an idea, that the Zemindars have been abused, and their money misapplied at the Presidency."[2]

The Directors alluded to the following fact; that Mr. Redhead, private secretary to Sir Thomas Rumbold, the Governor, had actually received from Sitteram Râz a bond for one lac of rupees, on condition of his services in procuring for the donor, the duanship of the Zemindary, a reconciliation with his brother, a confirmation of his son's adoption, the Zemindary of Ancapilly, and the fort of Vizinagaram; advantages, the whole of which Sitteram Râz obtained; and corruption, of which, though made known to the President and Council by the proceedings of a court of justice, they afforded to the Court of Directors no information.[3]

Another fact was; that to the same Mr. Redhead, as appeared by a codicil to his will, Ameer ul Omra, son of the Nabob, had an order from his father to pay a lac of rupees.

Another fact was; that two lacs and one thousand
rupees had been transmitted to Sitteram Râz, while at Madras; of which money, though he was greatly in arrear, no part was paid to the Company.



It further appeared; that according to one of the checks devised by the Company upon the corruption of their servants, if Sir Thomas Rumbold possessed in India any money on loan, or merchandize on hand, at the time of entering upon his office, he was by his covenant bound, before he proceeded to recover the money, or dispose of the goods, to deliver to the Board a particular account of such property upon oath: that upon an accurate examination of the records of the Council during the whole of Sir Thomas Rumbold's administration, no proceedings to that effect could be found: that Sir Thomas Rumbold, nevertheless, had remitted to Europe, between the 8th of February, the day of his arrival at Madras, and the beginning of August in the same year, the sum of 45,000*l.,* and, during the two subsequent years, a further sum of 119,000*l.,* the whole amounting to 164,000*l.* although the annual amount of his salary and emoluments did not exceed 20,000*l.*

Sir Thomas opposed the evidence of corruption which these transactions imported, by asserting, that he had property in India at the time of his return, sufficient to account for the remittances which he afterwards made. The evidence which he produced consisted in certain papers and books of account, which exhibited upon the face of them sums to a great amount. And one of the witnesses, examined before the Secret Committee of the House of Commons, stated his having heard in conversation from Sir Thomas Rumbold, that he had in Bengal, at the time of his last arrival in India, about 90,000*l.;* part in Company's cash; part in bonds, and mortgages at interest, on some of which three or four years' interest was due.[1]



The lands or taxes in the circars were let, some for ten years, some for five. The jaghire about Madras was re-let to the Nabob, not for one, but for three years. And in no case was any satisfactory inquiry performed.

The Directors, complaining that their orders, and the interests of the Company, had been equally disregarded, and that, while the dignity and feelings of the Zemindars were violated, the rights of the immediate cultivators were left without protection; pronounced upon the whole of these proceedings their strongest condemnation.

In the agreements formed with the Subahdar, or Nizam, respecting the five northern circars, in 1766 and 1768, it was arranged, that Guntoor, which was one of them, should be granted in jaghire to Bazalut Jung, his brother; to be enjoyed by that Prince during his life, or so long as the Subahdar should be satisfied with his conduct; and upon expiration of the interest of Bazalut Jung, to revert to the Company. About the latter end of the year 1774, the Governor and Council were informed by letters from the chief of Masulipatam, that a body of French troops, under the command of M. Lally, were retained in the service of Bazalut Jung, and received reinforcements and stores by the port of Mootapilly. The mention of a French force in the service of a native prince was sure to kindle the jealously of the English. The Presidency of Madras held the affair of sufficient importance to communicate with the Supreme Council of Bengal on the propriety of using measures to procure the removal of the French from the territories of Bazalut Jung: and received the authority of that Board, not only to insist with Bazalut Jung upon their immediate dismissal; but to prepare a body of troops for marching to his frontiers, and to threaten him, that "they would take possession of his country, and negotiate with the Nizam, even by an entire renunciation of the revenues, for the cession of it to the Company." It was deemed advisable to treat with the Nizam, as principal in the treaty of 1768, and a party to every agreement between the Company and Bazalut Jung: and they desired his co-operation for compelling his brother, either first to dismiss the Europeans from his service, and trust to the English the defence of Guntoor, which was their own; or, 2dly, to let that Circar to them at a rent determined by amicable valuation. The Nizam replied in friendly terms; declaring that he had sent a person of distinction to procure the removal of the French from the service of his brother; and that "every article of the treaty should remain fixed to a hair's breadth." From the date of these transactions, which extended to the beginning of the year 1776, though several representations had been received of the continuance of the French in the territory of Bazalut Jung, no ulterior measures were adopted by the Board until the 10th of July, 1778, when the President and Select Committee

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entered a minute, expressing a conviction of danger from the presence, in such a situation, of such a body of men. A negotiation, through the medium of the Nabob, without the intervention of the Nizam, was commenced with Bazalut Jung. That prince was now alarmed with the prospect presented by the probable designs of Hyder Ali, and well disposed to quiet his apprehensions by the benefit of English protection. On the 30th of November, the President presented to the Board a proposal, tendered, by Bazalut Jung, in which that Prince agreed to cede the Guntoor district for a certain annual payment, to dismiss the French from his service, and to accept the engagement of the English to afford him troops for the defence of his country. On the 27th of January 1779, when the treaty was concluded with Bazalut Jung, it was thought expedient to send to the court of the Nizam a resident; who should ascertain as far as possible the views of that Prince, and his connexions with the Indian powers or the French; obviate any unfavourable impressions which he might have received; and transact any business to which the relations of the two states might give birth. And on the 19th of April a force, under General Harpur, was ordered to proceed to the protection of the territory of Bazalut Jung.



In the contest with the Mahrattas, in which, at the Presidencies of Bengal and Bombay, the English were engaged, the Nizam had expressed a desire to remain neutral, though he had frankly declared his hatred of Ragoba, and his connexion by treaty with Pundit Purdaun, the infant Peshwa, that is, with the prevailing party of the Poona council; and though an alliance with the Berar government had been attempted by the Supreme Council, on the condition of recovering for that government some countries which had been wrested from it by the Subahdar of Deccan. When Mr. Holland, who was sent as resident by the Presidency of Madras, arrived at Hyderabad, the capital of the Nizam, on the 6th of April, he was received with every mark of respect, and with the strongest assurances of a desire to cultivate the friendship of the English. But when, at his audience, the resident proceeded to explain the transactions, which, without the participation of the Nizam, had taken place between the Company and his brother, the painful emotions of his Highness were visible; he read over the articles of the treaty of 1768; affirmed that it was violated by the conduct of the Presidency; disavowed the right of the English to interfere in the concerns of his family; declared that, if the treaty was to be regarded, the troops which, without his leave, were about to march into the country, possessed by Bazalut Jung, a dependant of the Subah, ought to be stopped; if the treaty was not to be regarded, he should be constrained to oppose them. To the apology urged by Mr. Holland, that the probability of an immediate attack by Hyder Ali left not sufficient time for consulting him, the Nizam replied that Hyder had no immediate intention to molest his brother, but was meditating a speedy attack upon Carnatic, to be conducted, like the former invasion of that province, by plundering and burning, while he avoided a battle. The Nizam was jealous of the presence of a British force with Bazalut Jung, who, with such assistance, he doubted not, would soon aspire at independence. The French troops he had taken into his own service immediately after they were dismissed by his brother; but he assured the British resident that he had adopted this expedient solely to prevent them from passing into the service of Hyder or the Mahrattas; and described them as of little value, the wreck of the army of Bussy, augmented by persons of all nations.

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This was a contingency, which, in their eagerness to see the French discharged by Bazalut Jung, the Presidency had somewhat overlooked. It was no doubt true, as they alleged, that had the Nizam consulted the friendship of the English, he would have ordered the French troops to the coast, whence with other prisoners they might have been sent on their passage to Europe.

In the Select Committee, on the 5th of June, it was proposed by the Governor, and agreed, that the *peschush* or tribute, of five lacs of rupees, which the Company were bound by their treaty to pay, in compromise, for possession of the Northern Circars, the Nizam should be solicited to remit. The payment of it had already been suspended for two years, partly on the pretence that the French troops were not dismissed, partly on account of the exhausted state of their finances. When this proposal was announced by Mr. Holland to the Nizam, he became highly agitated; and declared his conviction that the English no longer meant to observe the treaty, for which reason he also must prepare for war.



Mr. Holland, who had received instructions to communicate with the Supreme Council, conveyed intelligence of these transactions to Bengal, by sending, on the 3d of September, copies of the letters which had passed between him and the Presidency of Madras. On the 25th of October, the subject was taken into consideration at Calcutta, when the proceedings of the Madras Presidency, in forming a treaty with Bazalut Jung, without the interposition of his immediate sovereign, the Company's ally, and in withholding the payment, and proposing the abolition of the peshcush, underwent the most severe condemnation, as tending to impeach the character of the English for justice and faith, and to raise them up a formidable enemy, when they were already exposed to unusual difficulties and dangers. It was agreed, that the case demanded the interference of the Superior Board; and a letter was written on the 1st of November, 1779, to assure the Nizam that the intentions of the English government were truly pacific, notwithstanding the interpretation which he put upon the proceedings of the Council at Madras. Mr. Holland was directed to suspend his negotiations till he should receive further instructions from his own Presidency. Letters were also written to that Presidency, acquainting them, in terms studiously inoffensive and mild, with the aberrations which it appeared to the Supreme Council that they had made from the line of propriety and prudence. The Nizam declared the highest satisfaction with the friendly assurances which the Supreme Council had expressed. But their interference excited the highest indignation and resentment in the Council of Madras. On the 30th of December a minute was entered by Sir Thomas Rumbold, the President, in which he treats the censure which had been passed on their conduct as undeserved, and its language unbecoming, denies the right of the Supreme Council thus to interfere in the transactions of another Presidency, and argues that their controlling power extended to the conclusion alone of a treaty, not to the intermediate negotiation; he turns the attack upon the Bengal Presidency, enters into a severe investigation of the policy and conduct of the Mahratta war, which in every particular he condemns: this it was which had alienated the mind of the Subahdar, not the regulation with his brother, or the proposed remission of the peshcush; the retention of a peshcush offended not the conscience of the Bengal Presidency, when

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themselves were the gainers, the unfortunate Emperor of India the sufferer, and when it was a peshcush stipulated and secured by treaty for the most important grants. In terms of nearly the same import the letter was couched in which the Presidency of Madras returned an answer to that of Bengal, and along with which they transmitted the minute of their President.

The Presidency of Madras had not only taken Guntoor on lease from Bazalut Jung, they had also
transferred it, on a lease of ten years, to the Nabob of Arcot, though well aware how little the Directors were pleased with his mode of exaction, either in their jaghire, or in his own dominions.



The measure of their offences, in the eyes of the Directors, was now sufficiently full. In their letter of the 10th of January, 1781, after passing the severest censure upon the abolition of the Committee of Circuit, and the proceedings with the Zemindars of the four Northern Circars, on the treaty with Bazalut Jung, the transactions with the Nizam, and the lease of Guntoor to the Nabob, they dismiss from their service Sir Thomas Rumbold, President, John Hill and Peter Perring, Esquires, Members of their Council of Fort St. George; deprive of their seat in council Mr. Smith and Mr. Johnson; and express their strongest displeasure against the commander of their forces Sir Hector Munro.[1]

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# CHAP. V.

*War with the French—Pondicherry taken—War with Hyder Ali—Presidency unprepared—Colonel Baillie's Detachment cut off—Supreme Council suspend the Governor of Fort St. George, and send Sir Eyre Coote to Madras—Hyder takes Arcot, and overruns the greater part of the country—Lord Macartney, Governor of Fort St. George—Negapatnam and Trincomalee taken from the Dutch—Treaty between the Nabob of Arcot and Supreme Council—Assignment of the Nabob's Revenues—Tellicherry invested—Great Armaments sent from both England and France—Disaster of Colonel Brathwaite's Detachment in Tanjore—Madras reduced to a State of Famine—Death of Hyder Ali—Tippoo withdraws the Mysorean Army from Carnatic—Operations and Fate of General Matthews on the Coast of Malabar—Siege of Mangalore—The General at Madras, refusing to obey the civil Authority, is arrested and sent to Europe—French and English suspend Hostilities in consequence of Intelligence of the Peace in Europe—Operations of Colonel Fullarton in Coimbetore—Peace with Tippoo—Behaviour of Supreme Council to Presidency of Madras.*

War with the French, instead of being, as formerly, the most alarming to the English of all sources of danger in India, now held a very inferior station among the great objects which occupied their attention.

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In the beginning of July, 1778, intelligence was received in Bengal, which, though somewhat premature, was acted upon as certain, that war had commenced between England and France.

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Without waiting for a formal notification of this event, which might be only delayed till the French had made themselves strong, it was resolved by a stroke, decisive in their present defenceless situation, to take possession of the whole of the French settlements in India. With regard to minor places the attempt was easy; and Chandernagore, with the factories at Masulipatam and Carical, surrendered without resistance: Pondicherry was the object of importance, and it was resolved to lose no time in taking measures for its reduction. Instructions were sent to Madras, and reached it with unusual expedition. Major-General Sir Hector Munro, who commanded the Madras army, took post on an elevated ground, called the Red Hills, distant about a league from Pondicherry, on the 8th of August, and on the 9th summoned the place to surrender. But his preparations were still so backward, that it was the 21st of August before he took possession of the bound hedge, within cannon shot of the town, and ground was not broken till the 6th of September. It was broken in two places, with a view to carry on attacks upon both sides of the town at once.

The British squadron, consisting of one ship of sixty guns, one of twenty-eight, one of twenty, a sloop of war, and an East Indiaman, sailed from Madras, toward the end of July, under the command of Sir Edward Vernon, with a view to block up Pondicherry by sea. This squadron reached the scene of action about the time when Sir Hector

Munro encamped on the Red Hills and summoned the fort. The French squadron, under M. Tronjolly, consisting of one ship of sixty-four guns, one of thirty-six, one of thirty-two, and two East Indiamen armed for war, sailed immediately, and prepared for action. The two squadrons met and engaged on the 10th of August. The battle raged with great fury for the space of seventy-four minutes, when the three minor ships of the French squadron quitted the action, and in fifteen minutes after were followed by the rest. The English ships, which, as usually happened in engagements with the French, had suffered chiefly in their rigging, were unable to pursue the French, which had suffered chiefly in their hulls. The French squadron reached Pondicherry the same night. Sailing badly, and opposed by the winds and the current, it was the 20th before the English recovered their station. Early on the morning of the 21st the French squadron was perceived under easy sail standing out of Pondicherry road. During the day the alternate failure and opposition of the winds prevented the squadrons from closing; and towards night the English commander stood in for Pondicherry road, and cast anchor, expecting that the enemy, to whom it was an object of so much importance to keep open the communication of Pondicherry by sea, would proceed in the same direction, and commence the action on the following morning. M. Tronjolly availed himself of the night. His squadron was out of sight before the morning, and was no more heard of upon the coast.



The garrison of Pondicherry was commanded by M. Bellecombe, a man whom this abandonment was not sufficient to dismay. Notwithstanding the total destruction which the works of Pondicherry had sustained in the former war, its fortifications had been restored with great diligence, and it was defended by a garrison who availed themselves of all its advantages.

The English opened their batteries on the 18th of September, with the fire of twenty-eight cannon and twenty-seven mortars, and carried on their approaches with unremitting vigour; but the vigilance, activity, and enterprise of the garrison, compelled them to caution, and, together with the rains, which fell in torrents, retarded their operations. Towards the middle of October, having pushed a gallery on the south side into the ditch of the fort, having made a breach in one of the bastions, destroyed the faces of the two that were adjacent, and prepared a bridge of boats for passing the ditch; having also destroyed the face of the bastion on the opposite side of the town, and constructed a float for passing the ditch, they resolved to make the assault in three places at once, on the south side, on the north side, and towards the sea, where the enemy had run out a stockade into the water. All the marines, and 200 seamen, were landed from the ships. On the day first appointed for the assault, so much rain unexpectedly fell, as to swell the water in the ditch, blow up the gallery on the southern side, and damage the boats belonging to the bridge. The loss was diligently and speedily repaired. But M. Bellecombe, who had accomplished all that an able governor could perform, to retard the fall of the place, resolved not to throw away the lives of the gallant men who had seconded his endeavours, and the day before the intended assault proposed a capitulation. The English, by the generosity of their terms, and the liberality of their whole procedure, showed their high sense of the honour and gallantry of the enemy whom they had subdued. The garrison were allowed to march out with all the honours of war; and, at the request of M. Bellecombe, the regiment of Pondicherry was

complimented with its colours. After a delay of some months the fortifications were destroyed.

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The French now retained in India nothing but Mahé, a small fort and settlement on the coast of Malabar. On the 27th of November, the question of its reduction was agitated in the Council, when the pride of driving the French entirely out of India enhanced the apparent advantage of the conquest. The difficulties were not inconsiderable: the march of the troops over land, from one side of India to the other, was long and hazardous: the disposition of the native chiefs, through the territory of whom it would be necessary to pass, was not in all cases ascertained to be friendly: the constitution of Europeans would be apt to fail, under the difficulties of the march: there was not shipping sufficient to convey the expedition by sea: it was at the same time apprehended that Hyder Ali would view the enterprise with jealousy and dissatisfaction, and not regarded as impossible that he would directly oppose it. The importance, however, of having no such talents as those of Frenchmen to cope with in India, and of not leaving to them a place to which either troops or stores could be sent, though both Hyder and the Mahrattas had very convenient places with which they would have gladly accommodated them, appeared of sufficient magnitude to induce the Presidency to brave all dangers in undertaking an expedition against Mahé. Towards the end of December, it was planned, that the European portion of the expedition should be conveyed by sea; that the Sepoys should march over land; that they should rendezvous at Anjengo, and Colonel Brathwaite receive the command. On the 4th of February intelligence was received at Madras, of the disaster sustained by the army of Bombay, on its march to Poona. The danger to which this event might expose the expedition, now on its way to Mahé, underwent deliberation in the Council; but the confession of weakness, which would be implied in the recall of the troops, and the supposed importance of accomplishing the object in view, decided the question in favour of perseverance. Intelligence of the resolution of Hyder to resent the attack produced a hesitation; and the importance was discussed of gaining the friendship of that powerful chief by renouncing the enterprise; but after a short suspension, the design was resumed, and Colonel Brathwaite was instructed to anticipate resistance by velocity of completion. The expedition encountered far less difficulty than there was reason to expect: no opposition was made to the march: the fleet and the troops arrived safely at the place of rendezvous: and Mahé which was strongly situated, but totally destitute of supplies, surrendered on the 19th of March before a cannon was fired. It was occupied by the English till the 29th of November, when, Colonel Brathwaite's detachment being ordered to Surat to reinforce General Goddard, the fort was blown up.[1]

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Before Colonel Brathwaite was enabled to comply with his orders, and embark for Surat, he received a requisition from the chief and factory at Tellicherry for the assistance of the whole detachment. That settlement had drawn upon itself the resentment of Hyder by protecting a Nair chief who had incurred his displeasure. By the influence of Hyder, a number of the surrounding chiefs were incited to attack the settlement, which was closely pressed, at the time of the evacuation of Mahé. Not conceiving that he could be justified in leaving Tellicherry in its perilous situation, Colonel Brathwaite moved with

his detachment to its support. In consequence of the detention of those troops, the Council at Madras resolved to send another detachment to the assistance of Goddard, which were embarked in the months of January and February, 1780.[1]

In 1774, the divisions among the Mahratta chiefs afforded to Hyder an opportunity, which he dexterously and vigorously improved, of turning the tide in his affairs. He recovered speedily the territory which he had lost. He diligently employed the interval of repose which succeeded, in restoring order to his country, improving his revenues, augmenting the number and improving the discipline of his troops. His power soon appeared to be rapidly on the increase; and afforded alarm to the English, who, by their evasion of the treaty of 1769, were conscious of the hatred they had inspired, and were now jealous of a connexion between him and the French. He continued to extend his dominions, and increase his power, with little interruption, till the latter end of the year 1777, when the Mahrattas and Nizam Ali combined to chastise him. The Mahrattas, under Hurry Pundit and Purseram, penetrated into the Balagât country, with an army of 50,000 men; but upon the approach of Hyder, who hastened to oppose them, they retreated into the district of Adoni, where they came to an engagement on the 5th of January, 1778, and sustained a defeat.

Though Hyder was deeply exasperated against the Presidency of Madras for their continued evasion of treaty, and refusal of assistance, he was induced by the state of affairs to make a fresh proposal in 1778. Harassed, by the hostilities of the Poonah government,



he had been well pleased to support a pretender in the person of Ragoba: the English were now involved not only in disputes with the Poonah ministers, but actual operations for the reinstatement of that ejected chief: and in the beginning of July, 1778, Hyder, through his resident at Madras, made a new overture towards an alliance with the English, offering his assistance to establish Ragonaut Row in the office of Peshwa; and requiring only a supply of arms and military stores for which he would pay, and a body of troops whose expenses he would defray. The opinion of the Presidency appears to have been, that such an arrangement might be useful, more particularly to prevent the formation of a connexion between Hyder and the French: they even acknowledged their belief, that had not the treaty of 1769 been evaded, Hyder never would have sought other allies than themselves. The supreme Council, to whom reference was made, approved in general of an alliance with Hyder; but being at that time zealous to form a connexion with the Rajah of Berar, they directed a modification of the terms in regard to Ragoba, whose cause, they said, was supported, not as an end, but a means, and a means now deemed subordinate to the successful issue of the negotiation with Moodajee.

A friendly intercourse subsisted between Hyder and the French. He had been supplied by them with arms and military stores. A number of adventurers of that nation commanded and disciplined his troops; and they were united by a common hatred of the English power. A desire to save appearances, however, constrained Hyder to congratulate the English upon the reduction of Pondicherry; but, anticipating the

design of attacking Mahé he gave early intimation of the resentment with which he would regard any such attempt. Mahé was
situated in the territory of a petty prince on the western coast, who, with the other petty princes, his neighbours, were rendered tributary to Hyder, and ranked among his dependants. The merchants of various nations, it was declared by Hyder, had settlements, and performed traffic in his dominions; and all of them, as if they were subjects of his own, he would resolutely defend. To soften his animosity and prevent a rupture, which the dread of his power, and, above all, his apprehended union with the French, clothed in considerable terrors, there was sent to his presence, in January, 1779, a person, who, though empowered to declare the resolution of attacking Mahé, should assure Hyder of the desire which the Presidency felt to study his inclinations, and to cultivate his friendship. The messenger was received with but little respect, and the invasion of Carnatic was threatened as the retaliation for interfering with Mahé. At that particular moment, Hyder was engaged in the conquests of Gooti, of Carnoul, and Cudapah; the former belonging to the Mahratta chieftain Morari Row, the two last to their respective Nabobs, dependants of the Subahdar, and thence was hindered from taking effectual measures to defeat the expedition against Mahé. But the Presidency were now convinced of his decided aversion; and were informed of his intention to make peace with the Mahrattas, for enabling him the more completely to carry into execution his designs against the English. Their thoughts were called to the necessity of preparation; and they saw nothing but dangers and difficulties in their path. The Nabob, as he informed them, and as they knew well without his information, was destitute of money; and as destitute of troops, on whom, either for numbers or quality, any reliance could be
placed. Their own treasury was impoverished; and if the cavalry of Hyder should enter the country, neither could the revenues be collected, nor provisions be procured. More alive than they to the sense of danger, the Nabob urged the necessity of making peace with Hyder, by stopping the expedition to Mahé or, on the other hand, of making terms with the Mahrattas and the Subahdar. So far from attempting to conciliate either Hyder or the Subahdar, the Presidency formed with Bazalut Jung the arrangement which has been already described, respecting the Guntoor Circar and military assistance, and which, in the highest degree, alarmed and exasperated both. The detachment which under Colonel Harpur was sent to the assistance of Bazalut Jung, attempted to proceed to Adoni, through a part of Cudapah, which Hyder had lately subdued. His troops barricaded the passes; and the detachment, afraid of being surrounded, was obliged to march back and wait for subsequent orders. Hyder not only assured Bazalut Jung, by writing, that he would not permit the English, whom he described as the most faithless and usurping of all mankind, to establish themselves in a place so contiguous to his country, and so important as Guntoor; but in the month of November he sent a body of troops into the territory of that Prince, took possession of the open country, and joined with Nizam Ali his brother in threatening him with instant ruin, unless he broke off all correspondence with the English. In this emergency Bazalut Jung was constrained to forbid the march of the English detachment; and to request the restoration of Guntoor, as the only means of pacifying his brother and Hyder, and averting his fate. The question respecting the Circar came under deliberation of the



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Council on the 30th of December, when the decree was passed that it should not be restored.



Though its importance was considerable, because situated as it was between the territories of the Nabob, or, more properly speaking, of the English, in Carnatic, and the four Northern Circars, it completed the communication between their northern and southern possessions, and, by placing in their hands the port of Mootapilly, deprived Nizam Ali of all connexion with the sea, reduced him to the condition of a merely inland power, and in particular closed the channel by which French supplies could easily reach him; yet the embarrassment created in the Council, by the bargain they had concluded with the Nabob, for a ten years' lease of that Circar, contributed not less, it would appear, than all other inducements, to the resolution which they formed.

Under the apprehensions which the resentment and preparations of Hyder inspired, the Presidency, at the end of October, had presented to the Supreme Council the prospect of a rupture with that chieftain, the dangerous magnitude of his power, and their want of resources; had pressed upon them the necessity of forming a peace with the Mahrattas, as in that event Hyder would be restrained by his fears; they had also written in similar terms to General Goddard at Bombay. Soon after, when they were informed of the probability that hostilities would be renewed with the Mahrattas, they reiterated the statement of their apprehensions; and concluded that, destitute as they were of resources for all active operations, they could only collect their troops as much as possible, and wait to see what the resolutions of the Supreme Board would enable them to undertake.

Before the end of November, the Nabob, whose intelligence respecting the proceedings of the Indian powers was in general uncommonly good, informed the Governor, that a treaty had been formed, between Hyder and the Mahrattas, to which Nizam Ali had acceded, for a system of combined hostilities against the English. Though in his answer to the Nabob the Governor appeared to discredit the intelligence, it was not long before he was satisfied of its truth; and, in the letter, which, on the 31st of December, the Select Committee addressed to the Supreme Board, they represent the treaty between Hyder and the Mahrattas, as an undoubted fact. Still they were not so much impressed with a sense of imminent danger, as to be deterred from sending a body of troops to the assistance of Goddard, in lieu of those which were detained at Tellicherry; being in daily expectation of a regiment from Europe; conceiving themselves sufficiently strong to cover the principal garrisons; and deeming it vain, without cavalry, to attempt to protect the open country against the invasion of a vast body of horse. In the month of January, 1780, the President wrote to the Court of Directors, that, notwithstanding the alarms in which they had been held by the hostile appearances of Hyder and the Nizam, and notwithstanding the provocation which the support of Ragoba had given both to the Mahrattas and the Nizam, there was still a prospect of tranquillity; and in the following month, he repeated, in still stronger terms, a similar assurance. Till the month of June, no measures were pursued which had a reference to the war; and even then it was only commanded that Colonel Harpur's detachment, which had been transferred to the command of Colonel Baillie, should cross the Kistna, to be more in

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readiness, “in case of any disturbance in the Carnatic.” On the 19th of June intelligence was received from the officer at Velore, that Hyder had begun his march from Seringapatam, and that a great army was already collected at Bangalore. On the 28th of the same month, the Select Committee of Fort St. George declared, by letter to the Supreme Board, that Hyder had received from the French islands a great quantity of military stores; that his army, which he had been rapidly increasing for two years past, was now equipped for immediate service; that a part of it was already advanced to the borders of Carnatic; and that intelligence had been received of his being actually employed in clearing the road to one of the principal passes.



While the affairs of the Presidency were approaching to their present situation, a division had existed not only in the Council, but in the Select Committee itself. The President however and the General had combined; and they retained a majority in both. In contemplation of the resentment of Hyder, and the progress of his power, the party, the views of which were apt to discord with those of the leading members of the government, had strongly urged upon them, at various times, the necessity of making preparations against the invasion with which they were threatened by Hyder, and of which they had received intimation from various quarters. If the resources of the Nabob and the Presidency combined were unequal to the maintenance of an army sufficient for the protection of the open country, it behoved them at least to assemble the troops; which, scattered as they were in petty garrisons over a great extent of country, could not, in case of an emergency, be collected without a lapse of time; and of which the junction would become hazardous, and perhaps impracticable, if the country were pervaded by Hyder’s horse. The majority, indeed, had expressed their opinion of the necessity of having the troops collected in a body, and ready to act, previously to invasion. But they had not yet become persuaded that the danger was sufficiently imminent to render it necessary that preparation should begin.



On the 21st of July information was brought from the commander at Amboor, that Hyder and his two sons, with the principal part of his army, had come through the pass, and that his artillery was drawn up in the road to Changama. This intelligence, though it was confirmed from several quarters, was treated with slight regard by the party in power; and on the 23d, when Lord Macleod represented to the Governor, “That perhaps the report of Hyder’s invasion might be true, and that he thought at all events they ought to take measures to oppose him; the Governor answered, What can we do? We have no money. But added, We mean, however, to assemble an army, and you are to command it.”[1] The next day brought undoubted intelligence, that Porto Novo, on the coast, and Conjeveram, not fifty miles from the capital, had been plundered by the enemy.

The army, with which Hyder had arrived, was not less than 100,000 strong: Of his infantry, 20,000 were formed into regular battalions, and mostly commanded by Europeans: His cavalry amounted to 30,000, of which 2,000 were Abyssinian horse, and constantly attended upon his person; 10,000 were Carnatic cavalry, well disciplined, of which one half had belonged to the Nabob, and after having been

trained by English officers, had either deserted or been disbanded for want of ability to pay them: He had 100 pieces of cannon managed by Europeans, and natives, who had been trained by the English for
the Nabob: And Monsieur Lally, who had left the service of the Subahdar for that of Hyder, was present with his corps of Frenchmen or other Europeans, to the amount of about 400 men; and had a principal share in planning and conducting the operations of the army.



The arrival of Hyder, and the rapidity with which his cavalry over-ran the country, and spread ruin and desolation in a circle of many miles round Madras, filled Carnatic immediately with terror and dismay. The people fled from the open country to the woods, and the mountains; their houses were set on fire; the fields were left uncultivated, or the crops destroyed: Alarm succeeded alarm: Intelligence poured in from all quarters, that one place after another was assailed; till every part of the Carnatic frontier appeared to be entered, and even the northern Circars exposed to a similar fate.

On the 24th of July, the Select Committee assembled in deliberation. The object of greatest urgency was, to call the troops together, and form an army in the field. The European regiment at Poonamallee, that of Velore, the battalion of Europeans, and the four battalions of sepoys cantoned at Pondicherry, the battalion of sepoys, and the grenadiers of the European battalion at Madras, the battalion at Trichinopoly, and the artillery at the mount, received orders to be in readiness to march. Absent officers were summoned to join their corps; and all things necessary for an army in the field were ordered to be immediately prepared: Letters were sent to the other Presidencies and settlements: The Governor-General and Council were importuned for money; and informed, that, if the Presidency were assured of pecuniary means, and not embarrassed by
their ignorance of the state of affairs between the Bengal government and the Mahrattas, they would produce an attack on the possessions of Hyder on the western coast, by assistance sent to the detachment at Tellicherry, and the co-operation of his Majesty's fleet.



Colonel Baillie, who commanded the detachment in Guntoor, consisting of about 150 Europeans, infantry and artillery, and upwards of 2,000 sepoys, was instructed to operate a diversion, by attacking Cudapah, or some of the other possessions of Hyder. This step was vehemently opposed in council by the antagonizing party; as sure, they said, to fail in detaching from his principal object any part of the attention or forces of Hyder; and sure to enfeeble their defence at home, by the absence of so important a part of their forces, which ought to be directed to march without a moment's delay by the safest route to Madras. As an additional reason for persisting in their original orders, the Governor and his majority alleged their doubts of being able to procure provisions for a greater number of troops than the marching orders already embraced. But on the 31st of July, when a letter was received from Colonel Baillie, representing the difficulties he experienced in finding subsistence for his troops, or in detaining the bullocks absolutely necessary for his march, they altered their instructions, and directed him to proceed towards the Presidency, taking such a route as might offer a chance of intercepting some of the enemy's convoys.

By the majority, in which both the Governor and the General were comprised, it was resolved, that the troops should assemble, and the army should be formed at a place near Conjeveram; where they would be nearer to the stores of provisions laid up by the Nabob in the forts, and prepared to yield a readier support to the garrisons which the enemy might assault. To constitute the majority of the Governor, it so happened, that the voice of the General was requisite; and if he departed to take the command of the army, that majority would be lost. On the ground that his counsels at the Presidency were of more importance at this moment, than his presence with the army, it was moved and voted that he should not depart; and that the command of the army should be entrusted to Lord Macleod. When the plan of operations, however, and in particular that part of it which consisted in assembling the army at Conjeveram, was communicated to that officer, he represented the danger with which, now that the country was invaded, the separate detachments would march to a place so distant and exposed; preferred the security of forming a junction in the neighbourhood of Madras, and of not taking the field till an army should be assembled sufficient at least to cope with the principal bodies of the enemy's horse; and declared his aversion to adopt a responsibility in the execution of plans of which his judgment did not approve. These observations appear to have piqued the General, who insisted upon the advantage of assembling close to the scene of action, for the purpose of protecting the forts; and instead of acknowledging the difficulty of uniting the forces near Conjeveram, he ventured to pledge himself to the Committee for carrying that measure into effect. Upon this, it became a matter of necessity, that he should leave his seat in the Select Committee; but to preserve its majority to the party to which he belonged, a new expedient was devised. On the allegation, that his plans had no chance of support, and that his reputation, neither as an officer nor a man, was safe, if the managing power were to pass into the hands of the opposite party, it was, previous to his departure, proposed, and what was thus proposed, the majority which he helped to constitute had pre-ordained to decree, that a person, whom he named, should be appointed as an acting member of the Committee till his return. It naturally followed, that such proceedings should be severely criticized by the opposite party; and one member of the Council excited so much resentment by the asperity of his remarks, that the majority, first replied to him with greater intemperance than that which they condemned; then suspended him from his seat at the Board; and lastly the General wrote him a challenge.



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On the 2d of August, while preparations were making, and the army was not yet assembled, a project was adopted for sending a strong detachment toward the passes, with a view to intercept the enemy's convoys. Colonel Cosby was the officer chosen to command the expedition; and a force was provided for him, out of the troops stationed at Trichinopoly and Tanjore, strengthened by two regiments of the Nabob's cavalry from Tinivelly, which joined the detachment at Trichinopoly on the 27th of August. Several causes of retardation operated on the expedition; but the grand impediment arose from the disaffection of the inhabitants. The sort of partnership sovereignty, which the Nabob and the Company had established in Carnatic, had hitherto been extremely oppressive to the people, and had completely succeeded in

alienating their minds. Though Hyder was carrying devastation over the country, he was less detested as a destroyer than hailed as a deliverer. While Colonel Cosby found himself in the greatest distress for intelligence, which by no exertion he was able to procure; every motion of his own was promptly communicated to Hyder by the people of the country:1 He was disappointed and betrayed even by the district officers of the Nabob: As he advanced, his march became so much infested by parties of the enemy's horse, that all hope of any successful operation against the convoys was wholly cut off; and the danger which surrounded the detachment made it necessary to think of nothing but the means of re-uniting it with the army. A total want of intelligence reduced Colonel Cosby to mere conjecture in choosing his route; and he fell in with the army by accident, as it was retreating before Hyder, on the 12th of September near Chingliput.



Not only every day brought fresh intelligence of the conquest and devastation effected by Hyder; Madras itself on the 10th of August was thrown into alarm. A party of the enemy's horse committed ravages as near as St. Thomas's Mount; and the inhabitants of the open town began to take flight.

On the 14th of August, the General was obliged to report, that the place of rendezvous, which he had persisted in recommending, was unfit; the want of bullocks to carry provisions rendering the march impracticable. On his recommendation, it was therefore agreed, that the troops should meet at St. Thomas's Mount; and there wait till eight days' provisions, and bullocks to carry it, could be procured.

Colonel Brathwaite, after sending away from Pondicherry all the French officers capable of service, and taking an oath of fidelity from the principal Frenchmen that remained, commenced his march. He arrived at Carangoly on the 12th of August; and found it garrisoned by only a petty officer of the Nabob and twenty sepoys. They would have surrendered it, he was well assured, on the very first summons; and had it not by a singular oversight, as it commanded the only road by which Brathwaite could proceed, been neglected by the enemy, who had a large body of horse in its neighbourhood, the most serious consequences might have ensued. The country through which he passed after leaving Carangoly would have rendered it so difficult for him to escape, if attacked by the enemy, that he formed a very contemptible opinion either of Hyder's military skill or his means of offence, when he allowed so favourable an opportunity to be lost. On the 18th, after a hazardous and fatiguing march, Colonel Brathwaite arrived at Chinliput, when he received orders to join the army at the Mount.



After various speculations and reports respecting the plan of hostilities which Hyder would pursue, uncertainty was at last removed, by his marching towards Arcot, and taking ground before it on the 21st of August. The danger of that place excited no little interest and alarm. It was not only the capital of the province, but contained the principal portion of the very defective stores which the Nabob had provided; and afforded to Hyder a situation, highly convenient, both for the accommodation of his troops, and for spreading his operations over the province. From every quarter alarming intelligence arrived. The troops of Hyder were expected in the circar of

Guntoor, which had neither forts nor soldiers sufficient to oppose them, and where the Zemindars were disaffected to the Company and in correspondence with the enemy. An army of Mahrattas from Berar had marched into Cuttack, and brought into imminent danger the defenceless state of the northern circars. A body of Hyder's troops had united with the Nairs, and having driven the Company's troops from the Island of Durampatnam, threatened Tellicherry, with all the British possessions on the coast of Malabar. The enemy had appeared on the frontier of Madura, and the admiral of the fleet communicated to the President and Select Committee intelligence which he had received from Europe, and on which he relied, that a French naval and military force might soon be expected in India.



While pressed by dangers, thus extraordinary both in number and degree, the Presidency found their treasury empty; they had endeavoured to borrow money upon the Company's bonds with little effect, the loans of the Nabob bearing a better interest; they made urgent applications to the Nabob for pecuniary and other supplies, and received from him a deplorable picture of his own poverty and necessities, of the wretched and unproductive condition of the whole country, and the oppressive load of his debts, principally, he said, produced, by the money which he had expended and lost in the conquest of Tanjore: To a similar application made to the Rajah of Tanjore, the Rajah replied, with a truth not liable to dispute, that from the total exhaustion of his country by the recent conquest, and by the oppressive administration of the Nabob for several years, he was wholly incapable of furnishing any considerable supplies. By desertion for want of pay, or disbanding for want of ability to pay, the Nabob's army was greatly reduced. Even that reduced army was mutinous from the length of its arrears, and a source of apprehension rather than of hope.

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On the 25th of August, the General left the Presidency, and joined the army which was encamped at St. Thomas's Mount. Of cavalry, there was one regiment, belonging to the Nabob, but commanded by English officers, and it refused to march unless it received its arrears. The men were deprived of their ammunition and arms; and about fifty-six of them only consented to serve. The rest of the army consisted of the King's 73d regiment, one battalion of the Company's European troops, with the grenadiers of another, five battalions of sepoys, a company of marksmen, two troops of cavalry, and a large train of artillery, amounting, officers included, to 5209.[1] With the utmost difficulty as much rice had been provided as would serve the troops for eight days; the sepoys were obliged to be loaded with four days' supply; and the utmost efforts barely sufficed to procure bullocks to carry the remainder. The General, notwithstanding, insisted upon loading his march with a number of heavy cannon; of which, as he had no fortifications to attack, the use did not appear to be very remarkable. On the 26th, the army left the Mount, and, after a march of four days, reached the camp near Conjeveram. During the two last days, the rain had fallen with great violence, had broken the roads, and rendered the march, especially with heavy artillery, slow and fatiguing. The enemy's cavalry had pressed upon them in great numbers, and wounded and taken some of the men. The agent of the Nabob, who accompanied the army, and on whom the General depended to procure both provisions

and intelligence, informed him, that he had no power for procuring either the one or the other; and his only remaining resource was in the paddy in the fields about Conjeveram.

It had been concerted, that the detachment of Colonel Baillie should reach Conjeveram on the day after the arrival of General Munro and the army. But on the 31st, a letter from Baillie gave information that he had been stopped about five miles north from Trepassore by a small river which the rains had swelled. On the same day, it was reported by some deserters that Hyder had left Arcot, was crossing the river Palâr, and marching with his whole army toward Conjeveram. On the 3d of September, the same day on which Baillie crossed the river by which he had been impeded, the enemy encamped at five miles distance in front of the army near Conjeveram. The continuance of the rains, and the necessity of collecting the rice in the fields, and beating it for themselves out of the husk, greatly incommoded and harrassed the troops. On the 6th, the enemy moved his camp to the north-east; upon which the English advanced to a high ground about two miles upon the road towards Ballee and Trepassore, having the enemy at a distance of about two miles upon their left. While this movement was performing, Hyder had sent forward his son Tippoo Saib with a large body of the flower of his army to cut off the English detachment with Colonel Baillie, who had now advanced to Peerambaucum, distant from the main army about fifteen miles. Baillie made a disposition to resist a prodigious superiority of force; sustained a severe conflict of several hours; and at last repelled the assailants. By a letter on the 8th, he informed Munro, that upon a review after the battle he found

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the movement, requisite for joining him, beyond the powers of his detachment; and intimated the necessity, that the General should push forward with the main body of the army. The General now found himself pressed by dangers, to whatever quarter he turned. All his provisions consisted in a small quantity of paddy which he had been able to collect in a pagoda. If he moved, the enemy would occupy his ground, and cut him off from the means of subsistence. With the concurrence of his principal officers, he adopted an expedient, of which the danger was scarcely, perhaps, less formidable; that of still further dividing his little army, by sending a strong detachment, which, joining Baillie, might enable him to proceed. About nine o'clock in the evening of the 8th, Colonel Fletcher marched with the flank companies of the 73d regiment, two companies of European granadiers, one company of sepoy marksmen, and ten companies of sepoy grenadiers. The field pieces, which the General proposed to send with the detachment, Colonel Fletcher declined, as calculated to impede his march. The men left even their napsacks, and marched with only two days' provisions. Being joined by this detachment, Baillie was instructed to move in the evening of the 9th, and march the whole of the night. On that night the tents of the main army were struck, and the men lay on their arms. About twelve o'clock some cannon and musketry were heard; but they presently ceased, and all was still. A little before day break, a heavy firing of cannon and musketry was heard at a distance. It was soon perceived that the enemy's army had moved: The General gave orders to march by the right in the direction of the firing. After proceeding about four miles, he ordered guns to be fired, as a signal of his approach; and after a mile and a half, repeated the signal. A great smoke was suddenly

perceived, and the firing ceased. Supposing that Baillie had repulsed the enemy, the General led the army back into the road, in hopes to meet him. After marching about two miles, he met a wounded sepoy, who had escaped from the fight, and told him that Colonel Baillie was entirely defeated. The General concluded that the safety of the army depended upon its returning to Conjeveram; where it arrived about six in the evening, and where the arrival of more wounded sepoys confirmed the report of the disaster.

While the English general was placed in so complete an ignorance of the proceedings of the enemy, Hyder had intelligence of every transaction of the English camp: He was correctly informed of the route of Colonel Fletcher, the number and quality of his troops, the time of their march, and even the circumstance of leaving their cannon behind. He sent a strong detachment to intercept them. But, the sagacity of Fletcher suggesting suspicion of his guides, he altered his route, and, by cover of night, evaded the danger. The junction of the two detachments, after the defeat by Baillie of so large a portion of the enemy a few days before, struck alarm into the Mysorean camp. Even the European officers in the service of Hyder regarded the junction as a masterly stroke of generalship, intended for the immediate attack of his army both in front and rear. Lally himself repaired to Hyder, and intreated him to save his army from destruction by a timely retreat. The resolution of Hyder was shaken, till two of his spies arriving, assured him, not only that the English army at Conjeveram was not in motion, but that it was making no preparation to that effect. To his European officers this intelligence appeared so perfectly incredible, that they concluded the spies to be sold, and entreated Hyder not to incur his ruin by confiding in their report. Hyder immediately formed his plan. A difficult part of the road was enfiladed with concealed cannon; and large bodies of the best part of his infantry were placed in ambush on either side; a cloud of irregular cavalry were employed to engage the attention of the English main army in the direction of Conjeveram, while Hyder, with the main body of his army, lay to watch the attack.

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Colonel Fletcher joined with his detachment at half an hour after six in the morning of the 9th. They reposed during the day; and after the parade in the evening, Colonel Baillie gave orders to be in readiness to march. Between eight and nine o’clock, the men moved off toward the left by way of Subdeverim. The enemy began immediately to discharge their rockets; but, from the vigilance of the flanking parties, did little execution. A little after ten o’clock several guns opened on the rear. The detachment countermarched, and formed in line with the front toward Perambaucum. The enemy keeping up an incessant, though not very destructive fire, and discovering no inclination to advance, Colonel Baillie ordered his men to face to the right, and march into an avenue, which they had passed a few minutes before. The enemy’s cannon began to do great execution; when Baillie detached a captain, with five companies of Sepoys, to storm their guns. Though a water-course, which happened at that time to be unfordable, prevented this detachment from performing the service on which they were commanded, the intelligence of their march, which was immediately communicated to the enemy, threw their camp into alarm; their guns were heard drawing off towards the English front, and their noise and irregular firing resembled those of an army under a sudden and dangerous

attack. A strong conviction of the necessity of preserving every portion of the little army, with which the mighty host of the enemy was to be withstood, suggested, in all probability, both to Colonel Baillie and to the General, a caution which otherwise they would not have observed. For what other reason Colonel Baillie forbore to try the effect of an attack during the apparent confusion of the enemy; or, for what reason, unless a hope of being supported by the General with an attack on the opposite side, he did not, when the firing ceased, endeavour to proceed, but remained in his position till morning, it is not easy to divine. During the night, Tippoo, who had commanded only a detachment of the army in the preceding attack, had an opportunity of drawing his cannon to a strong post on the road, by which the English were obliged to pass; and of sending to his father advice, on which he immediately acted, of the advantage of supporting the attack with the whole of his army. At five o'clock in the morning Colonel Baillie's detachment began to advance. A few minutes after six two guns opened on their rear; and large bodies of horse appeared on their flanks. Four guns, which began to do considerable execution on their flanks, were successfully stormed; and the Pagoda of Conjeveram, the object of their hopes, and the termination of their perils and labour, began to appear; when they were informed, that the whole host of Hyder was approaching. "Very well," said Baillie, "we shall be prepared to receive them." And presently after, upwards of sixty pieces of cannon, with an immense quantity of rockets, began to play upon this little army. Great confusion was produced among the numerous followers of the camp, who were driven in upon the line; and Hyder's numerous



cavalry, supported by his regular infantry, and his European corps, bore upon every point of attack. Nothing ever exceeded the steadiness and determination with which this handful of men sustained the fury of their enemies. No effort could break their order; while Sepoys, as well as Europeans, repeatedly presented and recovered arms, with as much coolness and regularity, as if they had been exhibiting on a parade. Every attack of the enemy was repulsed with vast slaughter. Their courage began to abate; and even Hyder himself was perplexed. A movement executed by Colonel Baillie to the right, apparently with a view to attack the enemy's guns, increased the terrors of Hyder; and he consulted Lally on the propriety of a retreat: Lally replied, that as the main army of the English was probably advancing upon his rear, no expedient remained but to break through the detachment. When the heroic bravery of this little band presented so fair a prospect of baffling the host of their assailants, two of their tumbrils blew up; which not only made a large opening in both lines, but at once deprived them of ammunition, and overturned and disabled their guns. Their fire was now in a great measure silenced, and their lines were no longer entire; yet so great was the awe which they inspired, that the enemy durst not immediately close. From half after seven, when the tumbrils blew up, they remained exposed to the fire of the cannon and rockets, losing great numbers of officers and men, till nine o'clock, when Hyder, with his whole army, came round the right flank. The cavalry charged in separate columns, while bodies of infantry, interspersed between them, poured in volleys of musketry with dreadful effect. After the sepoys were almost all destroyed, Colonel Baillie, though severely wounded, rallied the Europeans who survived. Forming a square, and gaining a little eminence,

without ammunition, and almost all wounded, the officers fighting with their swords, and the men with their bayonets, they resisted and repelled thirteen attacks, many of the men when desperately wounded disdaining to receive quarter, and raising themselves from the ground to receive the enemy on their bayonets. Though not more than four hundred men, they still desired to be led on, and to cut their way through the enemy. But Baillie, despairing now of being relieved by Munro, and wishing, no doubt, to spare the lives of the brave men who surrounded him, deemed it better to hold up a flag of truce. The enemy at first treated this with contempt. After a few minutes, the men were ordered to lay down their arms; with intimation that quarter would be given. Yet they had no sooner surrendered, than the savages rushed upon them with unbridled fury; and had it not been for the great exertions of Lally, Pimoran, and other French officers, who implored for mercy, not a man of them probably would have been spared. The gallant Fletcher was among those who lay on the field of battle. About two hundred Europeans were taken prisoners, reserved to the horrors of a captivity more terrible than death. The inhuman treatment which they received was deplored and mitigated by the French officers in the service of Hyder, with a generosity which did honour to European education. "No pen," says an eye-witness, and a participator of their kindness,[1] "can do justice to the humanity of those gentlemen, without whose assistance, many of our officers must have perished: But their merit will live for ever embalmed in the hearts of all who felt or witnessed their beneficence."



Hyder withdrew to Damul, a place about six miles from the scene of action, and the next day returned to his camp, where he had left the tents standing, and baggage unmoved, when he marched to the attack of the unfortunate Baillie. He had acted, during the whole of these operations, under the greatest apprehension of the march of Munro, upon his rear. And had not that General been deterred, through his total want of intelligence, and his deficiency in the means of subsistence, from marching to the support of Baillie; had he fallen upon the rear of the enemy while the detachment was maintaining its heroic resistance in front, it is probable that the army of Hyder would have sustained a total defeat. On returning to Conjeveram, after intelligence of the fate of the detachment, the General found that the provisions, which he had been so unwilling to expose, amounted to barely one day's rice for the troops. Concluding that he should be immediately surrounded by Hyder's cavalry and cut off from all means of providing any further supply, he began at three o'clock the next morning to retreat to Chingleput, after throwing into a tank the heavy guns and stores which he could not remove. Hyder, informed of all the motions of the English army, sent a body of not less than 6000 horse, who harassed continually their flanks and rear, wounded same of the men, and cut off several vehicles of baggage. Through several difficulties, they reached, about eleven at night, a river, within a mile and a half of Chingleput, so deep, that the rear of the army passed only at nine o'clock on the following morning. At this place the General expected to find a stock of provisions; but, with all his endeavours, could hardly procure paddy for a day. Fortunately for Colonel Cosby, as he was about to make a forced march to Conjeveram, he met with one of the fugitive sepoys from Colonel Baillie's camp, upon whose intelligence he proceeded to Chingleput, and though considerably harassed by the enemy on his march, joined the army in safety on the

morning of the 12th. Leaving the sick, and part of the baggage, at Chingleput, the whole army, at six o'clock on the morning of the 13th, began their march for the Mount, at which they arrived in the afternoon of the following day. Nothing could exceed the consternation and alarm of the Presidency, which now trembled even for Madras; and destitute as it was not only of provisions but supplies of every kind, if Hyder had followed the English with his usual impetuosity, and with his whole army assailed the place, it is hard to tell how nearly, if not completely, he might have involved the Carnatic interests of the nation in ruin.[1]

On the 4th of September the Supreme Council in Bengal had deliberated upon the situation of the Presidency of Madras, and the propriety of adding to their pecuniary resources; but as the Supreme Council were still uncertain as to the reality of Hyder's invasion, or the success of the Presidency in raising money, it was agreed, that proceedings should be delayed till further intelligence.



The Supreme Council were highly dissatisfied with the Governor and Council of Fort St. George, who had not only passed the severest strictures on their policy, but, in the business with Nizam Ali, the Subahdar, had acted contrary to their declared inclinations, and even commands. The Madras Presidency, offended with the interference of the Supreme Council in their negotiation with the Subahdar, and with their own envoy, Mr. Holland, as an instrument in that interference, resolved that he should be recalled. The Supreme Council, being made acquainted with that resolution by Mr. Holland, and apprehending a greater estrangement of the mind of the Nizam by so abrupt a conclusion of the correspondence with the Company, came to an opinion, on the 14th February, 1780, that advantage would arise from appointing a person to represent themselves at the Nizam's court; and to obviate the appearance of disunion between the Presidencies, they made application to the Governor and Council of Madras, whose servant Mr. Holland more immediately was, for their permission to vest that gentleman with the office; and in the mean time directed him to remain with the Nizam till the answer of the Presidency was obtained. The offended minds of the Presidency, not satisfied with the recall of Mr. Holland, which had not produced an immediate effect, suspended him from their service. The Supreme Council, now freed from their delicacy in employing the servant of another Presidency, appointed Mr. Holland immediately to represent them at the court of the Subahdar.

They transmitted also their commands to the Governor and Council of Madras, under date the 12th of June, 1780, to make restitution of the Circar of Guntoor. No step however had as yet been taken in the execution of that measure by the government of Madras: and this the Governor-General represented, as a conduct which demanded the most serious consideration, and the decided interposition of the Sovereign Board.[1]



On the 25th, however, of the same month of September, when intelligence had arrived not only of the actual invasion of Hyder, but of the discomfiture of Baillie, and the retreat of the army to the vicinity of Madras, with the poverty and helplessness of the Presidency, and the general havoc of the province by a barbarous foe, the Governor-

General, regarding only the means of recovering the blow, and meeting the exigency with a clear judgment and a resolute mind, proposed, that all the faculties of their government should be exerted, to re-establish the power of the Company on the coast. He moved that the sum of fifteen lacs of rupees, and a large detachment of European infantry and artillery, should immediately be sent to the relief of Madras: he also moved that Sir Eyre Coote should be requested to take upon himself, as alone sufficient, the task of recovering the honour and authority of the British arms: and recommended that an offer of peace should be made without delay to the Mahratta state. Upon the joint consideration, first, of the indigence and dangers of the Bengal government; secondly, of the probability of mismanagement on the part of the government of Madras; and, lastly, of the resources which that government still possessed, Mr. Francis objected to the magnitude of the supply, and would have sent only one half of the money and none of the troops, while peace, he said, should be concluded with the Mahrattas on any terms which they would accept. It was agreed that Sir Eyre Coote, and not the government of Madras, in whom confidence could not be wisely reposed, should have the sole power over the money which was supplied: it was resolved, that the strong measure should be taken of suspending the Governor of Fort St. George, for his neglect of their commands in not restoring the Circar of Guntoor; and on the 13th of October, Sir Eyre Coote sailed from Calcutta, with a battalion of European infantry consisting of 330 men; two companies of artillery consisting of 200 men, with their complement of 630 Lascars, and between forty and fifty gentlemen volunteers. The prejudices of the Sepoys rendered it hazardous to attempt to send them by sea; and till the waters abated, which in the rainy season covered the low lands on the coast, it was not practicable for them to proceed by land. The intention, indeed, was entertained of sending by land four or five battalions in the course of the next or the ensuing month, but to that proceeding another difficulty was opposed. Moodajee Bonslah, the Regent of Berar, after showing a great readiness to meet the proposal of an alliance with the English, had afterwards temporised; and, though he afforded Colonel Goddard a safe passage through his dominions, declined all co-operation by means of his troops, and even evaded a renewal of the negotiation. When the disaffection of Nizam Ali towards the English was increased, that chieftain united his councils with the Poonah rulers, and with Hyder Ali, for the means of gratifying his resentments; and they joined in threatening the Regent of Berar, if he afforded assistance to the English. The Regent distrusted his means of resistance, and dared not to form the interdicted conjunction: Nizam and the Poonah chiefs even insisted that he should send an army to invade and ravage Bengal, and he was afraid to resist the command: as he had no intention however to bring upon himself the resentment of the English, he communicated to the Governor-General intelligence of the constraint under which he acted; and, though he sent into Cuttack an army of 30,000 horse, under his son Chimnajee Bonsla, he promised to contrive, by means of delay, that it should not reach the borders of Bengal, till the season of action was over, and the rains begun. When it did arrive, which was early in June, 1780, it was in such distress for want of provisions, as to find a necessity of applying to the Bengal government for aid. The policy of preserving, if possible, the relations of amity with the state of Berar, as well as the motive of making a suitable return for the accommodations afforded to Colonel



BOOK V. Chap. 5. 1780.

Goddard on his march, disposed the government to comply with its request. The army of Chimnajee Bonslah was in want of money no less than provisions; and on the 21st of September, an urgent request was tendered for a pecuniary accommodation, which the Governor-General privately, and without communication with his Council, in part supplied; at the same time intimating, that it depended upon the recall of that army from Cuttack, or its junction with the troops of the Company, to enable him to propose a public gratuity better proportioned to its wants. It might in these circumstances be presumed, that Chimnajee Bonslah would not hinder an English detachment to pass through Cuttack for Madras; but evil intentions on his part were still very possible; on that of Nizam Ali something more than possible; the hazard of a march by the countries which they occupied was therefore proportionally great.[1]



Sir Eyre Coote, with a passage fortunately expeditious, landed at Madras on the 5th November, and took his seat in Council on the 7th. He had been appointed bearer of the decree by which the Supreme Council suspended the Governor of Fort St. George, and this document he now produced. The Governor not only denied the competence of the Supreme Board to exercise the authority which they now assumed; but declared their decision precipitate and unjust, no contumacy appearing in his conduct to merit the punishment, which they arrogated to themselves unwarrantably the power to inflict. The majority of the Council however recognised the suspension; and the senior member of the Council succeeded to the chair.

During the interval between the retreat of Sir Hector Munro to the Mount, and the arrival of the Commander-in-Chief with the Bengal supplies, the Presidency at Madras had in vain importuned the Nabob for means which he had not to bestow. They appointed Colonel Brathwaite to the command in Tanjore; and recommending that a body of cavalry should be raised in that country, demanded the assistance of the Rajah for that purpose, as well as for provisions to the troops. They made restitution at last of the Guntoor Circar; and at the same time sent a letter to the Nizam, in which they advertised him of the compliance they had yielded to his desires; made apology for delay in paying the peshcush, and promised regularity, when the removal of the present troubles should place it more in their power. Partly the poverty and weakness of this Prince, partly his jealousy of Hyder, and partly the assurances which he had received from the Superior Government in Bengal, had as yet retained him inactive during the war which he had been eager to excite. The situation however of the Northern Circars was calculated to tempt his ambition. The troops, with the exception of garrisons for the three principal places, were all recalled; but the Sepoys in the Guntoor Circar refused to proceed by sea, and were obliged to be left at Ongole, while a mutiny was the effect of an attempt to embark those at Masulipatam and Vizigapatam. At the first of these places, order was restored by the address of the commanding officer. At Vizigapatam, however, they killed several of their officers, plundered the place, and went off, accompanied by five companies of the first Circar battalion. Apprehensions were entertained, that the Sepoys in the neighbouring Circar would follow their example; and that the Zemindars would deem the opportunity favourable to draw their necks out of the yoke. Sittaram Râz, who had been vested with so great a power by the favour of Governor Rumbold, stood aloof in a manner which had the appearance

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of design. But Vizeram Râz, his brother, who had just grounds of complaint, zealously exerted himself to suppress and intercept the mutineers, who at last laid down their arms, with part of their plunder, and dispersed.

Immediately after the battle of Conjeveram, Hyder marched to renew the siege of Arcot, defended by about 150 Europeans, and a garrison of the Nabob's troops. In the service of the Nabob, there was hardly found a man that was faithful to his trust. Discord prevailed between the officers of the Nabob, and those of the Company during the whole of the siege. The approaches of Hyder were carried on with a skill resembling that of the best engineers, and his artillery was so well served as to dismount repeatedly the English guns upon the batteries. After a siege of six weeks, the town which surrounded the fort was taken on the 31st of October, by assault; but the fort was strong and still might have defended itself for a considerable time. The favour with which Hyder found his cause regarded by the people he took care to improve, by the protection which he afforded to the inhabitants of Arcot, and the treatment of his prisoners: the applause of his generosity easily passed from the people without the fort to the people within: with the Nabob's officers he probably corresponded; the native troops almost all deserted: and the fort capitulated on the 3d of November. The officer who commanded in the fort, on the part of the Nabob, he took immediately into his service and confidence. Many other of the Nabob's garrisons had surrendered, with little or no resistance, generally upon the summons of Hyder's horse; and though an excuse was furnished, by the condition in which they found themselves with respect to the means of defence, nothing less than general treachery and disaffection seemed sufficient to account for the facility with which every place was given up. Hyder immediately supplied the forts with garrisons, repaired the works, and laid in provisions and stores. He proceeded with great expedition to put Arcot into the best possible state of defence. Every avenue which led to it from Madras, and from Madras to the forts which the Nabob or English still retained, were occupied by large detachments of his horse, and when need was, even by infantry, and fortified posts. By this means, the channel of communication, not only for supply, but even for intelligence, was almost wholly cut off.



BOOK V. Chap. 5. 1780.

Not deficient, either in the virtues which inspire affection, or in those which command respect, Sir Eyre Coote, as he was somewhat disposed to enlarge in praise of himself, so was somewhat apt to indulge in complaint of others. In the letters, which after his arrival in Carnatic he addressed to the Directors and the ministers of the King, he drew a picture in the darkest colours, not only of the weak and disastrous condition into which the country was brought, but of the negligence and incapacity, if not the corruption and guilt, of those servants of the Company, under whose management such misfortunes had arrived. It was, however, much more easy to point out what it was desirable should have been performed, than, with the defective revenue of the Presidency, to have performed it.[1] That Presidency had repeatedly represented both to the Supreme Council, and to the Directors, their utter incapacity, through want of money, to make any military exertion; and by both had been left to struggle with their necessities. It was the poverty of Carnatic, and the unwillingness of all parties to act

as if they believed in that poverty, much more, it is probable, than the negligence or corruption of the government, which produced the danger by which all were now alarmed.

According to the statement of the General, the whole army with which he had to take the field against the numerous host of Hyder, did not exceed 7000 men, of whom 1700 alone were Europeans.



Having put down in writing the view which he took of the situation of affairs, and the plan of hostilities which it appeared to him most adviseable to pursue, he called a Council of War, consisting of the three general officers at the Presidency, Sir Hector Munro, Lord Macleod, and Brigadier-General Stuart; laid the paper before them, and desired that, after the most mature consideration, they would give their opinions upon it separately in writing. As four of the principal strong holds of Carnatic, Velore, Wandewash, Permacoil, and Chingleput, represented by the Nabob as containing considerable stores, were invested by the enemy, the General proposed to begin with the operations necessary for their relief.1 Not contented with the sanction of the general officers, he deemed it meet, with a condescension to which the pride of military knowledge can seldom submit, to communicate the proceedings of the Council of War to the Select Committee, and to desire their opinion. All agreed in approving the plans of the General, and reposing unbounded confidence in his direction. As Wandewash was the place in most imminent danger, the first effort was directed in its favour. The probability that Hyder would not permit them, unopposed, to pass the river Palâr, it was gallantly and generously observed by Munro, was a motive rather to stimulate than repel, as the troops under their present leader he was confident would prevail, and nothing was, therefore, more desirable than to bring Hyder to a general action. On the 17th of January,



1781, the army, under the command of General Coote, marched from the encampment at the Mount. Hyder was struck with awe, by the arrival of the new commander, and the reinforcements from Bengal. So far from opposing the passage of the Palâr, he abandoned Wandewash with precipitation, as soon as the army approached. But this success was counterbalanced by the fall of the important fortress of Amboor, which commanded one of the passes into Carnatic. From Wandewash the army was on its march toward Permacoil, when intelligence was received by express, that a French fleet had arrived. This was an event by which attention was roused. The direction of the march was immediately changed; and the army, after a few days, encamped on the red hills of Pondicherry, with its front toward Arcot.

After the reduction of Pondicherry, the inhabitants had been treated with uncommon forbearance and generosity. The fortifications alone were destroyed. The people were allowed to trade under the protection of the English; and the officers to remain on their parole. Even upon the invasion of Hyder, when it was entirely evacuated by the English troops, the officers alone were sent to Madras. The flattering prospect of being speedily reinforced by their countrymen, of seeing themselves change places with the English, and of contributing something to the recovery in India of the glory and power of their country, tempted the Frenchmen of Pondicherry to forget the favours which they had received. They applied coercion to the English resident;

enlisted sepoys; and laid in provisions at Carangoly. Sir Eyre Coote made haste to disarm the inhabitants, to remove the provisions from Carangoly, and to destroy the boats. The French fleet, consisting of seven large ships, and four frigates, lay at anchor off Pondicherry. The English army was closely followed by large bodies of the enemy's horse; and on the 8th of February Hyder passed at the head of his army, within cannon shot of the English camp: marching, as was supposed, directly to Cuddalore. The English drums beat to arms; and while the enemy proceeded on one of the two roads which lead towards Cuddalore, the English marched parallel with them on the other, and encamped on the 9th with their right towards the ruins of Fort St. David, and their left towards Cuddalore. So feeble were the resources of the English General, that he was already reduced to a few days' provisions; and eager for a battle, as the most probable means of obtaining relief. He moved the army on the 10th from the cover of the guns of Cuddalore, leaving the tents standing, and placed himself in order of battle. He informed the men, as he rode along the line, that the very day which he wished for was arrived; and that they would be able in a few hours to reap the fruit of their labours. The English remained for three successive days offering battle to the enemy, which he was too cunning to accept; and on the fourth returned to their camp, with a great increase of their sick, their provisions almost exhausted, the cattle on which their movements depended dying for want of forage, Hyder in possession of the surrounding country, and an enemy's fleet upon the coast. The deepness of the gloom was a little dispelled by the sudden departure of that fleet, which, being greatly in want of water and other necessaries, and afraid of the English squadron which was shortly expected back from the opposite coast, set sail on the 15th of February, and proceeded to the Isle of France.



The inability, in the English army, to move, for want of provisions and equipments, and the policy of Hyder to avoid the hazards of a battle, prevented all operations of importance during several months. In the mean time, Hyder reduced the fortress of Thiagar; his cavalry over-ran and plundered the open country of Tanjore; and Tippoo Saib, with a large division of his army, laid siege to Wandewash.



On the 14th of June the fleet returned with a reinforcement of troops from Bombay. While absent on the western coast, Sir Edward Hughes had attacked the ships of Hyder, in his own ports of Calicut and Mangalore; and destroyed the rudiments of that maritime power which it was one of the favourite objects of his ambition to erect.

The want of bullocks, which were the draught cattle of the army, rendered the movement even of the English artillery heavy and slow. In hopes of being now supplied with provisions by sea while they remained upon the coast, the English proceeded to Porto Novo on the 19th of June, not only to put a stop to the ravages of the enemy in Tanjore and the neighbouring districts, but to yield protection to Trichinopoly, against which, it was evident, that Hyder was preparing to march. On the 18th, General Coote in person conducted a large detachment to the assault of the fortified Pagoda of Chillambram; where he was repulsed with very considerable loss. This event, which the English regarded as a heavy misfortune, produced the most

favourable results. At a time when they could by no means venture to carry their operations from the vicinity of the sea; when their imbecility was becoming dangerously visible; and when they might have been soon cooped up within the walls of Madras, this disaster sufficiently elevated Hyder, whose army had increased with the progress of his arms, to hazard a battle for the sake of preventing the advance of the English towards Trichinopoly; which, as holding in check the southern countries, was regarded by him as an object of great importance; and against which he was proportionally desirous that his operations should not be disturbed. He was dissuaded, it is said, but in vain, from this rash design, by the prudence of his eldest son; and advancing on the only road by which the English could proceed to Cuddalore, he took up an advantageous position, which he fortified with redoubts, while the English were obtaining a few days' provisions landed laboriously through the surf. Early in the morning of the 1st of July, the English army broke up the camp at Porto Novo, and commenced their march with the sea at a little distance on their right. To the other difficulties under which the English General laboured, was added a want of intelligence, partly from deficient arrangements, but chiefly, it is probable, from the disaffection of the people of the country, and the diffusion of Hyder's horse, who seldom allowed a spy to return. After a march of about an hour, the opening of an extensive prospect discovered a large body of cavalry drawn up on the plain. It was necessary to detach from the English army, small as it was, a considerable body of troops for the protection, from the enemy's irregular horse, of the baggage and the multitudinous followers of an Indian camp. The General formed the army in two lines, and advanced in order of battle. A heavy cannonade was opened on the cavalry which occupied the road before them. This dispersed the cavalry, and exposed to view a line of redoubts, commanding the road, and the enemy behind that line, extending on the right and left to a greater distance on the plain than the eye could command. The troops were ordered to halt; and the principal officers were summoned to council. The difficulties were almost insurmountable: The sea enclosed them on the right: Impracticable sand-banks on the left: To advance directly upon the fire of so many batteries exposed the army to a dreadful slaughter, if not extermination: And four days' provisions, which the men carried upon their backs, constituted the whole of their means of subsistence. While the Council deliberated, an officer, walking to a little distance, discovered a road cut through the sand hills. It was afterwards found to have been made by Hyder the preceding night, with a view to enable him, when the English should be storming the batteries in front, to throw them into confusion by falling on their flank; when his horse would rush from behind the batteries and complete their destruction. The army filed off into the newly discovered road, the sepoys unharnessing the wretched oxen, and drawing the artillery more quickly themselves. Hyder perceived the failure of his stratagem, evacuated his works, and moved exactly parallel with the English army: which, after passing the sand banks, turned and faced the enemy. A pause ensued, during which the General seemed irresolute, and some officers counselled a retreat. Several of the men fell under the fire of the enemy's guns, which had been removed with great expedition from the batteries, and placed in the line. The second line of the English army was commanded to occupy some heights in the rear. Hyder, soon aware of the importance of this position, sent a division of his army to dislodge them. The



BOOK V. Chap. 5. 1781.

first line of the English, led by Sir Hector Munro, now went forward to the attack; and at the same time another division of the enemy endeavoured to penetrate between the two lines, and attack the General in the rear. For six hours, during which the contest lasted, every part of the English army was engaged to the utmost limit of exertion. The second line upon the heights, skilfully and bravely commanded by General Stuart, not only repelled the several attacks which were made to force them from their advantageous ground, but successfully resisted the attempt which was made to penetrate between the lines, and rendered it impossible for the enemy to aim a stroke at the baggage towards the sea. The first line was thus left with undivided attention to maintain their arduous conflict with the main body of Hyder's army; where their admirable perseverance at last prevailed, and driving before them promiscuously, infantry, cavalry, artillery, they finally precipitated the enemy into a disorderly retreat. Had the English possessed cavalry, and other means of active pursuit, they might have deprived Hyder of his artillery and stores; and possibly reduced him to the necessity of evacuating the province. Their loss did not exceed 400 men; and not one officer of rank was either killed or wounded. The enemy's principal loss was sustained in the first attack upon the line on the heights, the strength of which they mistook, and advanced with too much confidence of success. In the rest of the battle, they fought chiefly at a distance, and with their artillery, which was skilfully served. The consequences of this victory were highly important. Hyder abandoned his designs upon the southern provinces. Tippoo raised the siege of Wandewash; and both retired with the whole of their army to the neighbourhood of Arcot.



The body of native troops, which it had been resolved by the government of Bengal to send by land to the assistance of Madras, was long detained by the negotiations, carried on, as well with the Berar government, as with Chimnajee, the Commander of the army in Cuttack. The distress of that Commander for money to pay his troops, and the proposal of a gratuity of thirteen, with a loan of ten, lacs of rupees; though distrust of the English power, now violently shaken, made his father shy; induced Chimnajee to engage for a safe passage to the troops. The detachment was placed under the command of Colonel Pearce; and about the end of March arrived at Ganjam, where it was long detained by the violence of an infectious disease. This, together with a great desertion among the sepoys, materially weakened the battalions; and their junction was not effected with Coote, who had returned to Madras, before the beginning of August.



The object which more immediately engrossed the desires of the English was the recovery of Arcot. As the want of provisions was the grand impediment to that enterprise, and as the enemy were reported to have laid in great stores at Tripassore, the siege of that place was undertaken, in hopes to supply the army for the siege of Arcot. But Tripassore, though it surrendered after a few days' resistance, was found to contain a small supply of provisions; and the advanced parties of Hyder's army, who was in full march to its relief, appeared in sight, before the English troops had taken full possession of the works. Hyder fell back a few miles to what he reckoned a lucky spot, a strong position on the very ground where he had defeated Baillie. And the English General, eager for another battle, which might relieve him from his

difficulties, came in sight of the enemy about eight o'clock on the morning of the 27th. The position of Hyder gave him great advantages, while his guns bore upon the approaching army, and the advance was rendered peculiarly difficult by a number of water-courses cutting the ground. The second line of the English army, consisting of two brigades, were directed to occupy a situation of some strength on the left, while the first line, consisting of three brigades, formed in face of six or eight cannon, which they were commanded to storm. No sooner had they pushed through some intervening underwood, than they found the guns removed from the front, and beginning to fire upon both their flanks; while at the same instant a tremendous cannonade opened on the second line. Sir Hector Munro, who commanded the first line, was ordered to join the second, which could hardly maintain its ground. The two lines having closed, and presenting the same front, were commanded to advance on the enemy's artillery. The intervening ground was not only difficult but impracticable; where the army stood, some protection was derived from a long avenue of trees. This was observed by the whole line; and Sir Hector Munro pointed it out to the General. "You talk to me, Sir, when you should be doing your duty." The army accordingly advanced; the men began to drop very fast; and grew impatient. A tumbril blew up, the second in the course of the day. At an impassable difficulty, the army came to a stand, and impatiently waited for orders. None arrived. Sir Hector Munro, seated sullenly by the only tree that was in the plain, refused to issue a single command. The battalions, opening for the purpose of giving way to the enemy's shot, had fallen into clusters, and become noisy. The second line broke into great confusion. Two hours did the army remain in this perilous situation, in which, had they been vigorously charged by the enemy's cavalry, they could scarcely have avoided a total defeat. It is probable that Hyder's experience had rendered it difficult for him to conceive that the English were in a state of confusion. Night advancing, he ordered his guns to be drawn off; and the English returned to the strong ground which the second line originally occupied. A conference was held among the principal officers, when the impossibility of remaining, and the danger of advancing, being apparent to all, one gentleman, in expressing his sentiments, made use of the word *retreat.* The General immediately swore, he had never *retreated* in his life. He added, that he would permit the army to *fall back.* Spies came in with intelligence that Hyder was preparing to attack the English army between midnight and break of day. The troops in consequence were ordered to pass the night under arms in front of the camp. The report was false, artfully given out by Hyder, to cover his intention of removing in the night, to a place more secure from surprise. The next day the English buried their dead, and collected the wounded; when, being masters of the field of battle, they fired the guns in token of victory. They now marched back to Tripassore; when Hyder, calling the march a *retreat,* proclaimed a victory, with all the pomp of war, to the nations of India.



BOOK V. Chap. 5. 1781.

The English suffered considerably more in this than in the previous action; and the enemy less. Of the privates not less than 600 were lost to the service. Several officers of distinction were wounded, and some were killed.

Affairs were now in great extremity. The moment seemed approaching when the army would be constrained to quit the field for want of provisions: Madras itself was threatened with famine: The fort of Velore was so exhausted of provisions, that it could not hold out beyond a short time longer; and the fate of Carnatic in a great measure depended on the fort of Velore. The greatest exertions were made to enable the army to march to its relief: Madras was for that purpose actually exhausted of the means of subsistence. The enemy were encamped at the pass of Sholingur on the road to Velore; to which the English came up on the 27th of September. A strong body was detached, in order to occupy a rising ground to the left of the enemy's encampment, while the main army advanced in a single line upon their front. Hyder, from his former experience, had concluded that Sir Eyre Coote would keep the whole of his troops together; and had only provided against a direct movement on his line. His good sense made him resolve not to change the disposition of his rude and unwieldy mass in the face of an enemy; and his only effort was to draw it out of the field. He endeavoured to alarm the detached portion of the English army with a feint; while, after a short firing, his guns were hurried off. His horse during these operations stood the fire of the English cannon, and suffered severely. Before he could extricate himself, and before night came to his aid, he had sustained a considerable loss, with the power of inflicting only a trifling injury in return.



The English were in no condition to press upon the foe. In the minor operations which succeeded, as in the whole course of the war, one of the most remarkable circumstances was, the extraordinary promptitude and correctness of Hyder's intelligence, who had notice of almost every attempt, even to surprise the smallest convoy, and in this important respect, the no less remarkable deficiency of the English. On the 26th of October, the General removed his camp to the neighbourhood of Palipett, where he obtained a quantity of rice. With this he afforded Velore a temporary supply; and was even encouraged to undertake the siege of Chittore. That place, not being provided for defence, capitulated in two days; while Hyder, obliged to humour his army, was unable to obstruct these operations. The month of November was now arrived, and every thing announced the falling of the monsoon floods, when the rising of the rivers, and the softening of the roads, would make the return of the English army extremely difficult; so far, too, from being supplied with subsistence, the army continued in a state of want; yet the General lingered where he was, apparently absorbed in his own chagrin. He was summoned from his reveries about the middle of the month, by intelligence of an attack upon Palipett and Tripasore. The rains fell upon him during his march: In the space of a few days the roads became so deep, that one elephant, three camels, a great number of bullocks, carriages, and horses, were left inextricably entangled in the mud: And the Polar was just fordable when he passed it on the 21st. On his approach, however, the enemy abandoned both Palipett and Tripasore: And after encamping a few days on the Coccalore plain, above Tripasore, he placed the troops in cantonments; having lost one third of the force with which, after his junction with Colonel Pearce, he marched in August from the Mount.[1]

BOOK V. Chap. 5. 1781.

At the Presidency, changes of more than ordinary importance had taken place during this campaign.



The state of affairs in Carnatic having greatly alarmed the Company in England, misfortune pointed resentment against the men under whose superintendence it had arrived; and, according to the usual process of shallow thought, a change of rulers, it was concluded, would produce a change of results. So much of misconduct having been imputed to the servants of the Company, a party appeared to be forming itself, even among the Directors and Proprietors, who called for an extension of the field of choice; and represented it as rather an advantage, that the chief governors in India should not be selected from the servants of the Company. It necessarily followed that a party arose who contended with equal zeal that by the Company's servants the stations of greatest power and trust in India ought exclusively to be filled. At a Court of Proprietors held on the 30th of November 1780, Mr. Lushington moved; "That it be recommended to the Court of Directors to appoint forthwith a Governor of Madras, and that it be earnestly recommended to them to appoint one of their own servants to fill that vacancy." It was on the other hand contended, that the *filtest* man, not a man of any particular class or order, ought always to be sought for the places on which the interests of the community principally depended; and that integrity, unshaken by the example of plunder and corruption, a character to lose and consequently one to save, by shunning the offences of former governors; were to be considered as the fittest qualifications in their new Governor of Madras. The Court adjourned without proceeding to a ballot; but on 23d of the same month the question was renewed. Lord Macartney, who had recently gained reputation by negotiating a commercial treaty with Russia, was pointed out to the choice of the Company; the advantages of a liberal education, of political experience, acknowledged talents and honour, were placed in the strongest point of view by the one party; the benefits of local knowledge, and of the motives to zeal, to industry, fidelity, and the acquisition of knowledge, afforded to the whole line of the Company's servants by the high prizes of the principal stations in the government of India, were amply displayed by the opposite party: And, on a division, it was decided by a majority of seventy-nine to sixty, that new men should be eligible to the office of Governors in India. The Court of Directors were guided by similar views; and on the 14th of December Lord Macartney was nominated Governor and President of Fort St. George. After a passage of four months, he landed at Madras on the 22d of June, 1781, and then first obtained intelligence that the country was invaded.

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He came to his office, when it, undoubtedly, was filled with difficulties of an extraordinary kind. The presence of a new Governor, and of a Governor of a new description, as change itself, under pain, is counted a good, raised in some degree the spirits of the people. By advantage of the hopes which were thus inspired, he was enabled to borrow considerable sums of money. Having carried out intelligence of the war with the Dutch, and particular instructions to make acquisition of such of their settlements as were placed within his reach, he was eager to signalize his arrival by the performance of conquests, which acquired an air of importance, from the use, as seaports, of which they might prove to Hyder, or the French. Within a week of his arrival, Sadras was summoned and yielded without resistance. Pulicat was a place of

greater strength, with a corps in its neighbourhood of Hyder's army. The garrison of Fort St. George was so extremely reduced, as to be ill prepared to afford a detachment. But Lord Macartney placed himself at the head of the militia; and Pulicat, on condition of security to private property, was induced to surrender.



Of the annunciation, which was usually made to the Princes of India, of the arrival of a new Governor, Lord Macartney conceived that advantage might be taken, aided by the recent battle of Porto Novo, and the expectation of troops from Europe, to obtain the attention of Hyder to an offer of peace. With the concurrence of the General and Admiral, an overture was transmitted, to which the following answer was returned, characteristic at once of the country and the man: "The Governors and Sirdars who enter into treaties, after one or two years return to Europe, and their acts and deeds become of no effect; and fresh Governors and Sirdars introduce new conversations. Prior to your coming, when the Governor and Council of Madras had departed from their treaty of alliance and friendship, I sent my vakeel to confer with them, and to ask the reason for such a breach of faith; the answer given was, that they who made these conditions were gone to Europe. You write that you have come with the sanction of the King and Company to settle all matters; which gives me great happiness. You, Sir, are a man of wisdom, and comprehend all things. Whatever you may judge proper and best, that you will do. You mention that troops have arrived and are daily arriving from Europe; of this I have not a doubt: I depend upon the favour of God for my succours." Nor was it with Hyder alone, that the new Governor interposed his good offices for the attainment of peace. A letter signed by him, by Sir Edward Hughes, and Sir Eyre Coote, the commanders of the sea and land forces, and by Mr. Macpherson, a Member of the Supreme Council, was addressed to the Mahrattas, in which they offered themselves as guarantees of any treaty of peace which might be contracted between them and the Governor-General and Council of Bengal; and declared their willingness to accede to the restoration of Guzerat, Salsette, and Bassein.

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The principal settlement of the Dutch on the Coromandel coast was Negapatam, near the southern boundary of Tanjore. This, Lord Macartney was desirous of adding to the rest of the conquests from the Dutch immediately after his arrival, but was over-ruled by the opinion of the Commander-in-Chief, who represented the importance of recovering Arcot, in the first instance, and of marching afterwards to the attack of Negapatam. The President was eager to avail himself of the assistance of the fleet and marines, in his design against Negapatam; assistance without which the object could hardly be accomplished, and which could only be obtained while the season permitted shipping to remain upon the coast. Though the General had been disappointed in his hopes of being able to attempt the recovery of Arcot, he continued in the north-western part of the province, apparently disposed neither to march to the attack of Negapatam, nor to spare for that enterprise any portion of his troops. To Lord Macartney the attainment of the object did not appear to be hopeless without him. The intimation, however, of a design to make the attempt brought back from the General an eager renunciation of all responsibility in the exploit, a pretty confident prediction of disappointment, and from disappointment, of consequences deplorable and ruinous.

The President declared that, convinced as he was of the propriety and hence obligation of the enterprise, he would not shrink from the responsibility. To avoid interference with the General not a man was taken from his army. Colonel Brathwaite, who commanded in Tanjore, and in whom the President complained that he found not all the alacrity which could have been desired, was directed with his troops to aid in the attack. The choice of a leader, too, was involved in difficulties. After the affront received by Sir Hector Munro, in the battle of the 27th of August, he retired as soon as possible from the army commanded by General Coote, under whom he served not again, and remained at the Presidency recruiting his health. It was to him that, in etiquette, the command of the expedition belonged; but Mr. Sadlier, with whom he had the violent dispute, was now a member of the Select Committee; and he refused to serve under orders or directions in which that gentleman should have any concern. The scruples of the General met a contrast in the liberality of the Committee; who readily consented, that he should receive his instructions from the President alone; and the President, with the Admiral of the Fleet, was empowered to form whatever arrangements the enterprise should require. On the 21st of October the seamen and marines were landed from the ships: on the 30th the lines and redoubts were attacked and carried; on the 3d of November ground was opened against the north face of the fort, and the approaches were pushed on with great rapidity: the Governor was summoned on the 6th, after a battery of ten eighteen-pounders was ready to open within three hundred paces of the walls; he refused to surrender; but on the 12th, after making two desperate sallies, and after one of the bastions had suffered from a formidable breaching battery, he offered to accept, and received, terms of honourable capitulation. The amount of troops who surrendered was 6,551, considerably greater than that of the besieging army.

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A large quantity of warlike stores, together with a double investment of goods, no ships having arrived from Holland for the investment of that or the preceding year, was found in the place. With Negapatam the whole of the Dutch settlements on that coast fell into the hands of the English; and the troops of Hyder began immediately to evacuate the forts which they had occupied in the kingdom of Tanjore. A body of 500 men were put on board the fleet, which sailed from Negapatam on the 2d of January, and proceeded to the attack of Trincomalee, a celebrated Dutch settlement on the island of Ceylon. It arrived before the place on the 4th, and on the 11th the best of the two forts which defended Trincomalee was taken by storm.[1]

BOOK V. Chap. 5. 1782.

The deplorable indigence of the Presidency; the feebleness of military operations unsupported by funds; the power of the enemy, and the diminished prospect of supplies from Bengal, presented to the eyes of Lord Macartney a scene of difficulties, from which it was hardly possible to discover any source of relief. Participating in the general aversion to believe that the Nabob was no less exhausted than the Company, and representing to that chief how great the interest which he, no less than the Company, had, in the expulsion of so dangerous a common foe, the President, at an early period of his administration, renewed the importunities of the government on the subject of a pecuniary supply. The Bengal government, by their letters, had already given a sanction to strong measures of coercion; declaring that, while every part of the Nabob's dominions, except the part retained by the English troops,

was in the hands of a foreign power, and could only be wrested from it by their exertions, the Nabob could no longer be looked upon as the proprietor of the country; and that such a combination of circumstances not only justified, but required, the immediate assignment of all his revenues, to defray the expenses of the war.[1] The President, expressing his desire to avoid this extremity, offered to accept a few lacs of pagodas as a temporary supply. This pressure upon the inability of the Nabob drew from him language of asperity and recrimination; and when importunately urged, he at last declared, that his future contributions were defined, by a treaty, which he had just concluded with the government of Bengal. The declaration, though it justly surprised the President and Council of Madras, was not at variance with the fact. The Nabob, who had tried the effect of an agency in England, both on the legislative and executive branches of the government, was advised to make trial of the same expedient on the controlling Board in India; and in March, 1781, he sent, on a commission to Calcutta, his duan or treasurer, together with Mr. Joseph Sullivan, a servant of the Company, whom, without the consent of the Presidency, he had appointed his agent. The object of the Nabob was to obtain, a clear recognition of his being the hereditary sovereign of the Carnatic, not subject to any interference on the part of the Company in the affairs of his government; a promise of exemption from all pecuniary demands, beyond the expense of ten battalions of troops, to be employed in his service; an admission of his right to name his successor, in pursuance of his wish to disinherit his eldest, in favour of his second son; a promise to add, by conquest, certain districts possessed by Hyder to his dominions, and to restore to him the kingdom of Tanjore; and, finally, the assistance of the Company, in forming a settlement with his European creditors.

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To this embassy the rulers of Bengal afforded a cordial reception. For the independence of the government of the Carnatic Prince, they undertook, in general terms: His requisition, respecting the ten battalions and the limit of his pecuniary contributions, was approved: His right to appoint his successor they recognised as already admitted: The conquest of certain districts possessed by Hyder, they declared to be as desirable on account of the Company's as the Nabob's interest: The restoration of Tanjore they informed him was not placed within the limits of their authority: With regard to his European creditors, they proposed, that after the addition to the principal sum of all interest due to the 21st of November, 1781, and after a deduction of one-fourth from all the debts which might have been transferred from the original creditors by purchase or otherwise, Company's bonds with the usual interest should be granted, and paid, according to a proportion which might be fixed, out of the assigned revenues: And upon these conditions it was proposed, but not without his own consent, that the Nabob should make over all the revenues of his country, during the war, to the Company; that his agents, in conjunction with persons appointed by the Presidency of Fort St. George, should perform the collections; and that as much only should be retained by the Nabob as was necessary for the disbursements of his family and government. Not only was this agreement transmitted to Madras, with instructions to consider it as possessing the validity of a treaty; but

Mr. Sullivan returned with credentials, as minister from the Governor-General and Council of Bengal at the Court of the Nabob.



Nothing is more pregnant with mischief than ill-worded and indefinite laws; and the best legislatures have as yet displayed but little of the art of rendering the language of their enactments unambiguous and certain. We have already contemplated the disputes with the Presidency of Bombay, occasioned by the loose and imperfect phraseology of the law which conferred the power of control upon the Presidency of Bengal. In that instance, the Supreme Council were even rebuked by their masters for carrying their pretensions beyond the intent of the Company, and that of the law; but on the present occasion they pushed their interference into the most immediate and important concerns of the Madras government; inveigled from their service and obedience the servants of that Presidency; and set up an agency of their own at Madras, which implied the suppression of the chief powers of the Governor and Council. Though the character of Lord Macartney was tinged with vanity as well as ambition, he possessed great temper and urbanity; and the Governor and Council of Madras, instead of treating this new assumption of power on the part of the Bengal government as an injury, expressed only their apprehensions that they were not free to divest themselves of powers, with which their employers had intrusted them, and for the exercise of which they would hold them responsible. They remarked, that they were therefore at liberty to consider the scheme of arrangements, which had been transmitted to them by the Supreme Board, as only materials to aid, not as commands to supersede their judgment. The words, they observed, in which the Supreme Council had appeared to sanction the independence of the Nabob, an independence which they had received the express and repeated commands of their employers to prevent, were so adroitly ambiguous, as in fact to evade the question, and were inconvenient only in so far as they tended to inflame the pretensions of that troublesome associate: but as, in the government of the country, there were certain departments in which it was assumed as necessary that the Company's government should take a share, and yet those departments and that share remained totally undefined, the vagueness and ambiguity of the words of the Supreme Board left the Madras Presidency, if bound to obey, without any rule to guide their proceedings. The article which regarded the ten battalions of troops appeared, they said, to them, to convey a power over their marches and operations, which the Court of Directors had ever been most anxious to withhold. The Nabob had requested the power of employing these troops in settling his country: The answer of the Presidency is worthy of record: "We wish to know what is meant by this article, before we form any judgment of its propriety: We know not how troops can be properly said to contribute to the settlement of a country: If it be meant that he should have the Company's forces to enable him to punish or extirpate any of his tributaries, and if it be proper to lend our forces for such a purpose, should we not plainly say so, without reserve or ambiguity?" If the Nabob was to have the troops, in all cases, upon his simple requisition, "he might soon," they add, "require, what he has hitherto in vain solicited from the Court of Directors, the means of attacking, contrary to their express commands, the principal tributary Rajahs who claim and depend upon the protection both of the Crown and the Company." If he was only to

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be assisted in those cases which the President and Council should approve, the clause, though void of meaning, was not exempt from mischief, as it tended to raise "a claim, which, being undefined, would be measured only by the wishes of the claimant." The right of the Nabob to nominate his successor, or to infringe the rule of primogeniture, they declined to discuss; but affirmed their total ignorance of any such admission of that right as the Governor-General and Council appeared to assume. That the mode which was proposed for collecting the revenues, by the agents of the Nabob and of the Company in conjunction, was calculated to produce altercations between the different parties, and to afford the agents of the Nabob a pretence for defalcations, alleging obstructions from the Company's servants, experience, they said, most fully evinced. Whether the defect proceeded from the want of intention on the part of the Nabob, or from his inability to ensure the obedience of his collectors, it had, through them, been found impossible to obtain the revenues. With regard to the arrangements in behalf of the creditors of the Nabob, they were unwilling to wear the appearance of opposing either the will of the superior Board, or the interest of the creditors; but they professed themselves ignorant, whether the creditors would regard the arrangement as advantageous, or the Directors would be pleased to find the Company pledged for bonds to so great an amount.

On the point, however, of the assignment, the situation of affairs, and the sanction of the Bengal government, appeared to the President and Council sufficient authority for urging the Nabob forcibly to concur with their views. With much negotiation it was at last arranged; that the revenues of all the dominions of the Nabob should be transferred to the Company for a period of five years at least; that of the proceeds one sixth part should be reserved for the private expenses of himself and his family, the remainder being placed to his account; that the collectors should all be appointed by the President; and that the Nabob should not interfere. By this deed, which bore date the 2d of December, 1781, the inconveniences of a double government, which by its very nature engendered discordance, negligence, rapacity, and profusion, were so far got rid of; though yet the misery and weakness to which they had contributed could not immediately be removed.

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It was not one spring alone of dissension which distracted the government of Madras. The species of independent authority which had been conferred upon the General produced many of the evils of a double government in the Presidency itself. The General had a susceptibility of temper, which, heightened by the infirmities of old age, by flattery, by the difficulties of his situation, and his want of success, made him take offence with the levity and hastiness of a child. The civil authority, deprived, in a period of war, of all share in the military arrangements, found the business of government withdrawn from their hands, and themselves degraded into a capacity little superior to that of agents for supplying the wants of the army. The visible loss of authority, by weakening their influence, diminished their resources; and persons were even discouraged from relieving them by loans. A situation like this was ill calculated to please a man of Lord Macartney's rank and pretensions. Aware of the uneasiness which it was probable he would feel, it was natural for the General to view him with

suspicion from the moment when he arrived. The mutual desire to save appearances preserved an uninterrupted intercourse of civilities,
till Lord Macartney discovered his design of attempting the conquest of Negapatam against the advice and without the co-operation of the General. From that moment the General gave way to his spirit of dissatisfaction and complaint; refused to attend the consultations of the Select Committee; quarrelled with every measure that was proposed; and even wrote to the Governor-General and Council that he suffered from interference with his authority, and, unless he were vested with power totally independent, that he would resign the command. Beside the loss of their authority, and the diminution of their power over even the sources of supply, the civil authorities lamented, that they possessed no control over the expenditure of the army, and that, from the total disregard of economy, in which, notwithstanding the ruinous poverty of the government, the General indulged, that expenditure was enormously great. It nevertheless appears, that Lord Macartney, aware of the importance not only of united efforts, but of the name and influence of Coote, entertained not an idea of withdrawing from him any portion of that authority with which he had been entrusted; and strove to preserve his good humour by studied forbearance and courtesy.[1]



The army had not been many days in cantonments, where they expected to repose during the remainder of the monsoon, when the fall of Chitore was announced
at Madras, and intelligence was received, that for want of provisions Velore would not be able to hold out beyond the 11th of January. No exertion was to be spared for the preservation of this important place. The treasury was drained to the last pagoda, to afford some pay to the army, which was deeply in arrear. But the exorbitant demands for equipment and conveyance were the principal source of difficulty and alarm. To carry the necessaries of thirty-five days for twelve or fourteen thousand fighting men, the estimate of the Quarter-Master was 35,000 bullocks. Not to speak of the money wanted for the purchase, so great a number could not be procured; nor was it easy to conceive how protection could be afforded from Hyder's horse to a line of so many miles as the march of 35,000 bullocks would of necessity form. The number of bullocks now in store was 8,000. With these and 3,000 coolies, or porters, whom he could press, it appeared to the President that the army might convey what was absolutely necessary; and the urgency of the case made the General disposed to wave his usual objections. Though with broken health, he joined the army on the 2d of January; but on the 5th he suffered a violent apoplectic attack, and the army halted at Tripasore. On the following day, he was so far revived as to insist upon accompanying the army, which he ordered to march. They were within sight of Velore on the 10th, and dragging their guns through a morass, which Hyder had suddenly formed by letting out the waters of a tank, when his army was seen advancing on the rear. Before the enemy arrived, the English had crossed the morass; when Hyder contented himself with a distant cannonade, and next day the supply was conducted safely to
Velore. As the army was returning, Hyder, on the 13th, again presented himself on the opposite side of the morass, but withdrew after a distant cannonade. On the evening of the 15th, the enemy's camp was seen at a distance; and a variety of movements took place on

both sides on the following day: After mutual challenges however, and a discharge of artillery, the contenders separated, and the English pursued their march to the Mount. The General expressed a desire of making a voyage to Bengal for the benefit of his health, but allowed himself to be persuaded to alter his design.[1]

After the capture of Mahé, the Madras detachment remained at Tellicherry, besieged by Hyder's tributary Nairs. Early in May, 1781, being urgently demanded for the defence of Carnatic, the detachment was relieved by Major Abington, who arrived with a force from Bombay. One of Hyder's principal generals, with a detachment from his army which greatly outnumbered the garrison, now carried on a vigorous attack. The utmost efforts of the besieged were incessantly demanded to counteract the operations of the enemy; and the commander was under the necessity of applying to Bombay both for provisions and troops. The answer declared the inability of the Presidency to make any further provision for the defence of Tellicherry, and the resolution to which they had been reluctantly brought of giving it up. His military notions of disgrace, and the still more important considerations of the cruel sacrifice which would thus be made of the lives and fortunes of the people in the place, as well as the doubtful possibility of withdrawing the troops, induced Major Abington to conceal the contents of the letter, and to remit a strong remonstrance against the orders which he had received. It produced the desired effect, and a packet was immediately dispatched from Bombay to assure him of speedy support. The arrival of his reinforcements determined this enterprising officer no longer to confine himself to operations of defence. Every thing being prepared for a sally, upon the signal of the clock striking twelve, the troops got under arms, on the night of the 7th of January, and at one in profound silence began to march. After passing a deep morass, and escaping the notice of the enemy's picquets, they stormed an advanced battery at break of day, and forming the line moved rapidly towards the camp, when the enemy fled in the utmost confusion, and their leader was wounded and taken. Master now of the surrounding country, Major Abington turned his thoughts to the re-establishment, in their respective districts, of the various chiefs whom Hyder had either rendered tributary or compelled to fly. Having, after this, demolished the enemy's works, and improved the defences of the settlement, he marched towards Calicut. On the 12th of February he took post within two hundred yards of the walls and the next day, a shell having fortunately blown up a part of the grand magazine, the garrison, exposed to an assault, immediately surrendered.



The hostilities of the French and English Governments, not contented with Europe and America as a field, at last invaded the two remaining quarters of the globe. A squadron of five ships of the line and some frigates, under the conduct of M. de Suffrein, together with a body of land forces, was prepared at Brest in the beginning of 1781; and sailed in company with the grand fleet bound to the West Indies under Count de Grasse at the latter end of March.

About the same period a secret expedition, with which for some time rumour had been busy, was prepared in England. The state of the Spanish colonies in South America, and the rich prizes which they appeared to contain, had pointed them out as the destined object to the public eye. But the war with Holland, and the importance of the conflict now raging

in India, communicated a different direction to the views of ministers: and the acquisition of the Cape of Good Hope, with the effectual support of the war in India, became the ends, for the accomplishment of which the enterprise was planned. One ship of seventy-four guns, one of sixty-four, three of fifty, several frigates, a bomb vessel, a fire-ship and some sloops of war composed the squadron; of which Commodore Johnstone, with a reputation for decision and boldness, received the command. A land force, consisting of three new regiments of 1,000 men each was placed under the conduct of General Meadows, who had purchased fame in the action at St. Lucia with d'Estaing. On the 13th of March, in company with the grand fleet destined for the relief of Gibraltar, the armament sailed from St. Helen's, and, including several outward bound East Indiamen, with store vessels and transports, amounted to upwards of forty sail. The secret however of this expedition had not been so vigilantly guarded as to escape the sagacity of the Dutch and the French. The armament under Suffrein was ultimately destined to reinforce the squadron now at the Isle of France; and to oppose the English fleet in the Indian seas. But the particular instructions of that officer were, in the first instance, to follow, and counteract the expedition of Johnstone, and above all his design upon the Cape of Good Hope. For the sake of water and fresh provisions, the English squadron put into Praya Bay in St. Jago, one of the Cape de Verd Islands; and having



no expectation of an enemy, cast their anchors as chance or convenience directed. A considerable proportion both of men and of officers, partly for business, partly for pleasure, were permitted to go on shore; and the decks were speedily crowded with water casks, live stock, and other incumbrances. On the 16th of April, after nine o'clock in the morning, a strange fleet, suspected to be French, was seen coming round the eastern point of the harbour; and Suffrein, separating from the convoy with his five sail of the line, soon penetrated to the centre of the English fleet. The utmost dispatch was employed in getting the men and officers on board, and preparing the ships for action. The French ship, the Hannibal, of seventy-four guns, led the van, and coming as close to the English ships as she was able, dropped her anchors with a resolution which excited a burst of applause from the British tars. She was followed by the ship of Suffrein, of equal force. Another of sixty-four guns anchored at her stern. And the two other ships, of sixty-four guns each, ranged through the fleet, firing on either side, as they proceeded along.[1] The ships being extremely near, and the guns being played with unusual fury, much destruction was effected in a little time. After the abatement of the first surprise, several of the Indiamen brought their guns to bear upon the enemy with good effect. Within an hour, the French ships at anchor had suffered so terribly, that the last of the three having lost her captain, cut her cables and began to withdraw. Thus deserted a-stern, and despairing of success, Suffrein followed her example and gave the signal to retreat.



the Hannibal alone remained, a mark to every ship the guns of which could be made to bear upon her; and displayed a resolution, which may be compared with the noblest examples of naval heroism. She had lost her fore-mast and bow-sprit; her cable was either cut or shot away; in the effort of hoisting more sail to get out of the fire, her main and mizen masts went overboard, and she remained as it were a hulk upon the water. Sustaining the weight of a dreadful fire, to which, enfeebled as she was, her returns were slow and ineffectual, she yet joined the rest of the ships at the mouth of the bay; and, being

towed off, erected jury masts, and proceeded with the fleet. An attempt on the part of the English to pursue was totally ineffectual. They sustained not any considerable loss, notwithstanding the closeness of the action, and the crowded situation of the ships. Their own steady and determined bravery counter-acted the effects of surprise, and baffled the well-concerted scheme of the enemy. They remained to refit and provide till the 2d of May, and on approaching the Cape ascertained that Suffrein had arrived before them. Though previous to the arrival of Suffrein that settlement, then supposed of great importance, was not in a condition to have offered any considerable resistance to the land and naval force under Meadows and Johnstone, it was now accounted vain to make on it any attempt. While the French fleet lay at anchor in False Bay, it appeared not to the Commodore impossible to make prize of a fleet of Dutch East Indiamen, in Saldanha Bay. Success depended on being able, by surprise and celerity, to prevent them from being run ashore and burnt. The end was pretty completely attained; as, out of five ships, four were secured. The Commodore in his own ship, with the prizes and most of the frigates, returned to Europe; the rest, together with the troops, proceeded to India. Suffrein, leaving a sufficient garrison for the protection of the Cape, sailed for the island of Mauritius; where he augmented the French fleet to ten sail of the line, one fifty gun ship, and several frigates. The English on the 2d of September stopped at the island of Joanna, to land and recover the sick, who now amounted to a third part both of the seamen and soldiers. They left the island on the 24th of the same month; were becalmed from the 11th of October to the 5th of November; at 260 leagues distance from Bombay, they were carried, by the shifting of the monsoon, to the coast of Arabia Felix; on the 26th of November anchored in Morabat Bay; on the 6th of December, the principal ships of war, having on board General Meadows and Colonel Fullarton with the chief part of the troops, proceeded in quest of Admiral Hughes; the remaining ships, and transports with part of two regiments, under the command of Colonel Humberston Mackenzie, left Morabat on the 9th; and arrived at Bombay on the 22d of January, 1782.



The Colonel remained only six days at Bombay, when he re-embarked the men, and set sail for Madras. On the 9th of February, at Anjengo, in the dominions of the King of Travancore, alarming intelligence reached him from the Coromandel coast; that Hyder Ali had over-run the whole of Carnatic with an immense army; that he threatened Tanjore, Marawar, Madura, and Tinivelly with destruction; that he had circumvented and cut off two British armies; that dissension, improvidence, and pusillanimity reigned at Madras; and that Fort St. George itself was insulted and endangered. To these statements was added intelligence, that the French fleet were at this time to assemble off Point de Galle; and that magazines for them had for some time been forming at Columbo and other ports in Ceylon. He called a Council of War; when he came to the determination, in consequence chiefly of the intelligence respecting the French fleet, rather to attempt a diversion on the Malabar side of Hyder's dominions, than to incur the chances of delay and danger attached to the voyage round to Madras. He landed his troops, amounting to scarcely a thousand men, at Calicut, on the 18th of February, where he joined Major Abington, and as senior officer assumed the command. He immediately took the field;

proceeded into Hyder's territories; drove before him the army which was left for the protection of those parts; and took several forts; when, the monsoon approaching, he returned to Calicut, and placed his little army in cantonments in the month of May.

The French fleet, with a body of land forces, forming part of the armament which under Bussy was destined to restore the influence of the French in India, left the islands a considerable time after the English sailed from Joanna; and the Admiral dying on his passage, the command devolved upon M. Suffrein, a man of great resource, of unwearied enterprise, and, in every respect, one of the best naval commanders whom France had ever produced. The English fleet, delayed and dispersed by the weather, incurred considerable danger of a very unseasonable rencounter; and the Hannibal, a fifty gun ship, being separated from the rest in a haze, unexpectedly found herself surrounded by the enemy, where, after a fruitless though gallant resistance, she was taken. The French fleet arrived on the Coromandel coast in the month of January, and intercepted several vessels bound to Madras with grain. Sir Edward Hughes, after taking Trincomalee, was obliged on the last day of January to set sail for Madras, being in great want of stores and provisions, his ships much decayed, and his crews diminished and sick. On his arrival at Madras, on the 11th of February, he learned that he had fortunately escaped the French fleet already upon the coast; but still found himself exposed to their attack in an open road with only six ships of the line, out of condition from long service, and almost destitute of supplies. By another fortunate chance (for had either squadron fallen in with the French, the most fatal consequences might have ensued), the ships which carried General Meadows and his army, consisting of one seventy-four, one sixty-four, and one fifty gun ship, arrived the next day in the road; and within twenty-four hours, Suffrein, with ten ships of the line, two ships, including the captured Hannibal, of fifty guns, six frigates, eight transports, and six prizes, hove in sight, reconnoitred Madras, and anchored a few miles to windward of the English fleet, which with the utmost diligence was making the necessary preparations for action. Deceived in his probable expectation of finding Sir Edward Hughes with only six sail of the line, not re-inforced, and of signalising his arrival by so decisive a blow as the destruction of the English fleet, he on the 14th passed Madras in line of battle to the southward. The English weighed anchor, and followed. On the 15th in the evening, the fleets passed each other, so near, as to exchange some shots. On the 16th, the English Admiral found an opportunity of making a push at the French convoy separated from the fleet, when he retook five of the vessels which had been captured on the coast, and a large transport laden with provisions, ammunition, and troops. On the 17th, after a variety of movements in which Suffrein still kept the weather gage, the two fleets came to action late in the day; and separated after a short conflict, on the approach of night, when the French steered to windward, and the English to Trincomalee.



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The French Admiral proceeded to Porto Novo, and landed 2000 men.[1] They were soon joined by a large detachment of Hyder's army, under the command of Tippoo his son, who had just been employed in inflicting upon the English one of the deepest wounds which they had sustained during the war. Colonel Brathwaite, with 100

Europeans, 1500 native troops, and 300 cavalry, stationed for the purpose of protecting Tanjore, lay encamped on the banks of the Coleroon, at a distance of forty miles from the capital of that name, exposed indeed on an open plain, but apparently secured by the intervention of several large and deep rivers, and the distance of the enemy. His position gave encouragement to Hyder. Tippoo, with 10,000 horse, an equal number of infantry, twenty pieces of cannon, and M. Lally, with his European corps 400 strong, surrounded Colonel Brathwaite before he had received even a suspicion of their march. His first endeavour was to reach Tanjore, or some other place of safety; but the superior force of the enemy rendered this impracticable. The next resolution was to make a brave defence; and seldom can the annals of war exhibit a parallel to the firmness and perseverance which he and his little army displayed. From the 16th to the 18th of February, surrounded on all sides by an enemy, who outnumbered them, twenty to one, did they withstand incessant attacks. They formed themselves into a hollow square, with the artillery interspersed in the faces and the cavalry in the centre. Tippoo laboured, by the fire of his cannon, to produce a breach in some of the lines, and as often as he fancied that he had made an impression, urged on his cavalry, by his presence, by promises, by threats, by stripes, and the slaughter of fugitives with his own hand. Repeatedly they advanced to the charge; as often were they repelled by showers of grape-shot and musketry; when the English cavalry, issuing from the centre, at intervals suddenly made by disciplined troops, pursued their retreat with great execution. After twenty-six hours of incessant conflict, when great numbers of the English army had fallen, and the rest were worn out with wounds and fatigue, Lally, at the head of his 400 Europeans, supported by a large body of infantry, covered on his flanks by cavalry, advanced with fixed bayonets to the attack. At this tremendous appearance, the resolution of the sepoys failed, and they were thrown into confusion. The rage of barbarians was with difficulty restrained by the utmost efforts of a civilized commander. Lally is reported to have dyed his sword in the blood of several of the murderers, before he could draw them off from the carnage. It is remarkable, notwithstanding the dreadful circumstances of this engagement, that out of twenty officers, only one was killed, and eleven wounded. And it is but justice to add, that Tippoo treated his prisoners, especially the officers and wounded men, with real attention and humanity.



The arrival of so important an aid as that of 2000 Frenchmen, augmented to an alarming degree the army of Tippoo. Cuddalore yielded to their united force on the 3d of April, and afforded a convenient station both naval and military for the French. In the mean time Sir Edward Hughes left Trincomalee, having effected the most necessary repairs, and arrived at Madras on the 12th of March. Towards the end of that month, the French Admiral slipped from Porto Novo, hearing that a fleet of English Indiamen had arrived upon the coast. As soon as his departure was known at Madras, Sir Edward Hughes got under weigh; but had not lost sight of the flag-staff of the fort, when he fell in with the fleet, of which the French were in quest, consisting of seven Indiamen and two line of battle ships, having a king's regiment on board. He ordered the men of war to join him, and proceeded to land a reinforcement and stores for the garrison at Trincomalee. His policy was to avoid an engagement till this service was performed. Suffrein, on the other hand,

whose crews were sickly, and his provisions wearing low, was eager to fight. The two fleets came in sight on the 8th of April; but the English Admiral held on his course, and the French followed, during that and the three succeeding days, when, having made the coast of Ceylon, about fifteen leagues to windward of Trincomalee, the English bore away for it during the night. This appears to have been the opportunity for which Suffrein was in wait; for having gained the wind of the English squadron, he was seen on the morning of the 12th crowding all the sail which he could carry in pursuit, while the English were so alarmingly close upon a lee shore that one of the ships actually touched the ground. A severe conflict ensued, in which the intrepid resolution of the English again counterbalanced the disadvantages of their situation; and the fleets, after suffering in nearly an equal degree, were parted by the night. So much were both disabled, that they lay for seven days within random shot, only to prepare themselves to sail; and retired, the English to Trincomalee, the French to the Dutch harbour of Battacolo, without on either side attempting to renew the engagement.

The English army, who had now been some months in cantonments, took the field on the 17th of
April. The object first in contemplation was to relieve Parmacoil; but on arriving at Carangoly, the General found it already surrendered. On the 24th the army encamped near Wandewash, on the very spot on which Sir Eyre Coote defeated the French General Lally in 1760. The general orders boasted of the victory, and a double batta was issued to the troops; but on the next day, on account of water, the position was shifted to the other side of the fort. Hyder and his French auxiliaries lay encamped on a strong post, on the red hills near Parmacoil, from which, on the approach of the English, they removed to another in the neighbourhood of Kellinoor. As the magazines of Hyder were deposited in the strong fort of Arnee, Sir Eyre concluded that a march upon that place would draw the enemy to its assistance, and afford the opportunity of a battle. He encamped on the 1st of June within three miles of the place; and Hyder passing over a space of forty-three miles in two days, took up his head-quarters at Chittapet, on the evening of the same day. Before the dawn of the following morning, the English army were in motion toward Arnee; but with the first of the light, a heavy cannonade was opened on their rear. The troops came twice to the right about, and the baggage was brought twice through the files, before it was possible to discover whence the firing proceeded. A Council, which was called, and deliberated in great uncertainty, agreed in opinion, that an attack was to be expected on the rear, and the army was immediately drawn up to receive it. The enemy's horse, in the mean time, occupied the circumjacent grounds, more elevated than the low spot which was occupied by the English, and considerably galled them; while Hyder, dexterously detaching a division of his army
under Tippoo, carried off the treasure from Arnee, gave instructions to the commandant, and reinforced the garrison. Having accomplished his object, he retired as the English advanced; and one of his guns, and a tumbril which stuck in the bed of the river, were the only trophies of the day. Deeming it vain to attempt the reduction of Arnee, the English on the 7th were considerably advanced on their march back to Madras, when a regiment of European cavalry, which Sir Eyre Coote called his grand guard, were



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drawn into an ambuscade, and either killed or taken prisoners. After attempting without success to lead the enemy into a similar snare near Wandewash, on the 9th, the General proceeded on his march, and on the 20th arrived at Madras.

On the 29th of that month, by a letter from the Governor-General to Lord Macartney, the conclusion of peace with the Mahrattas was announced at Madras. Sir Eyre Coote, as solely invested with the power of war and peace, of his own authority, and without consulting the Governor and Council of Madras, proposed to Hyder, or rather summoned him, to accede to the treaty concluded between the English and the Mahrattas, to restore all the forts which he had taken, and within six months to evacuate Carnatic; otherwise, the arms of the Mahrattas would be joined to those of the English, in order to chastise him. Lord Macartney, alarmed at so daring an assumption of the whole power of the Presidency, is accused of having diverted the mind of Hyder from peace, by teaching him to doubt the validity of any agreement with the General, in which the Governor and Council had not a part.[1] But Hyder too well knew the politics of India to receive great addition to his apprehensions from the threats of the General; and was too well acquainted with the intrigues of Madras to receive new lights from the communication, even if it had been made, which was thus imputed to Lord Macartney. To retain the negotiation more completely independent of the civil authority, the General moved from Madras, on the 1st of July, and lessened his distance from Hyder. Sir Eyre was a most unequal match for the Mysorean, in the arts of diplomacy, and allowed himself to be duped. Hyder amused him in the neighbourhood of Wandewash, till the army had wholly consumed not only their own rice, but also that of the garrison; and till he had completely arranged with the French Admiral a plan of combined operations for the reduction of Negapatam. He then demanded a little time for deliberation, and, suddenly, withdrawing his vakeel, left the General in total darkness with regard to his designs.



Sir Eyre Coote was obliged to return to Madras; and good fortune alone defeated the train which was laid for the reduction of Negapatam. Suffrein, in sailing to Negapatam, was descried by the English fleet, and in spite of every attempt to gain the road without fighting, was by the skilful movements of the Admiral constrained to venture a battle. After refitting at Ceylon, both fleets had returned to the coast about the end of June, the French to the port of Cuddalore, the English to that of Negapatam. Weighing anchor about three in the afternoon on the 3d of July, the English Admiral steered in a southerly direction in order to gain the wind of the enemy, and about 11 o'clock on the following day the action commenced. It was close, warm, and general. After an hour and a half, during which the fire had been equally well maintained on both sides, the French line appeared to be getting into disorder; and the English began to cheer themselves with the hopes of a speedy and glorious victory, when a sudden alteration in the wind disturbed their order of battle, afforded an opportunity to Suffrein, of which he dexterously availed himself, to form a line with those ships which had suffered the least, for covering the disabled part of his fleet, and induced the English Admiral to collect his scattered ships. At the approach of evening he cast anchor between Negapatam and

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Nagore.[1] The French, having passed the night about three leagues to leeward, proceeded the next morning to Cuddalore; and the English fleet, though it saw them, was too much disabled to pursue. The English Admiral, after remaining a fortnight at Negapatam, arrived at Madras on the 20th, in order to refit. In the mean time Suffrein had proceeded with characteristic activity, a quality in which he was never surpassed, in preparing his fleet, for sea at Cuddalore. He was a man, that, when the exigency required, would work for days, like a ship's carpenter, in his shirt. He visited the houses and buildings at Cuddalore, and, for want of other timber, had the beams which suited his purpose taken out. To some of his officers, who represented to him the shattered condition of his ships, the alarming deficiency of his stores, the impossibility of supplying his wants in a desolated part of India, and the necessity of repairing to the islands to refit; the whole value, he replied, of the ships was trivial, in comparison with the object which he was commissioned to attain; and the ocean should be his harbour, till he found a place in India to repair them. On the 5th of August, the Governor of Fort St. George was informed, that the French fleet was already not only prepared for sea, but had actually sailed to the southward on the 1st of the month; that the first division of the French reinforcements expected from Europe was actually arrived at Point de Galle; and that the second, with Bussy himself, was daily expected. Greatly alarmed for the fate of Trincomalee, and even of Negapatam, the President and Committee deemed it requisite to quicken the preparations of the Admiral, whose activity equalled not his courage and seamanship, by a letter, in which they drew his attention to this intelligence, and to the danger which every day was incurred, while an enemy's fleet kept the sea, without a British to oppose it. The jealousy of the Admiral was acute; of the time for sailing, he replied, that he was the judge; that he was not responsible for his conduct to the government of Madras; and that he should proceed to sea with his Majesty's squadron under his command, as soon as it was fit for service.[1] He did not proceed to sea before the 20th of August; when he sailed to Trincomalee, and found it already in the hands of the enemy. Suffrein, after proceeding to Point de Galle, where he was joined by the reinforcements from Europe and two ships of the line, anchored in Trincomalee Bay on the 25th; landed the troops before day the next morning; opened the batteries on the 29th; silenced those of the garrison before night; and summoned the place the following morning. Eager to anticipate the arrival of the English fleet, Suffrein offered the most honourable terms. The forts were surrendered on the last of the month, and Hughes arrived on the 2d of September.



Early on the following morning the French fleet proceeded to sea; when the English were eager to redeem by a victory the loss of Trincomalee. The French had twelve, the English eleven sail of the line; the French had four ships of fifty guns, the English only one. The battle began between two and three in the afternoon, and soon became general. After raging for three hours with great fury in every part of the line; the darkness of the night at last terminated one of the best fought actions then recorded in the annals of naval warfare. The exertions of Suffrein himself were remarkable, for he was ill seconded by his captains, of whom he broke no fewer than six, immediately after the engagement. Fortunately for the French fleet, they had the island of Trincomalee at hand, to receive them; but in crowding into it in the dark, one ship struck upon the

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rocks, and was lost; and two others were so much disabled, that ten days elapsed before they were able to enter the harbour. Suffrein then described them as presents which he had received from the British Admiral; who, regarding the proximity of Trincomalee as a bar to all attempts, and finding his ammunition short, immediately after the battle proceeded to Madras.

Hyder, upon the disappointment of his plan against Negapatam by the rencounter between the French and English fleets, returned upon his steps; and proceeded toward his magazine at Arnee. Upon the return of the English army to Madras, a plan had been concerted for the recovery of Cuddalore. The return, indeed, of Hyder, by alarming the General for the safety of Wandewash, made him wish to lessen rather than increase his distance from that fort; but after a day's march, having learned that Hyder had passed the river Arnee, he proceeded in the direction of Cuddalore, and on the 6th of September
encamped on the red hills of Pondicherry. Intelligence, here received, of the fall of Trincomalee, of another action between the fleets, and of the intention of the British Admiral to return to Madras, induced the General, who had sustained a second paralytic attack, to return to the same place with the army.



The Presidency were thrown into the utmost agitation and alarm by an unexpected event; the refusal of the Admiral to co-operate in the enterprise against Cuddalore; and the declaration of his intention to proceed to Bombay and leave the coast during the ensuing monsoon. If the coast were left unprotected by a British fleet, while the harbour of Trincomalee enabled the enemy to remain, and while Hyder was nearly undisputed master of Carnatic, nothing less was threatened than the extirpation of the English from that quarter of India. Beside these important considerations, the Council pressed upon the mind of the Admiral, the situation of the Presidency in regard to food; that their entire dependance rested upon the supplies which might arrive by sea; that the stock in the warehouses did not exceed 30,000 bags; that the quantity afloat in the roads amounted but to as much more, which the number of boats demanded for the daily service of his squadron had deprived them of the means of landing: that the monthly consumption was 50,000 bags at the least; and that, if the vessels on which they depended for their supply were intercepted, (such would be the certain consequence of a French fleet without an English upon the coast,) nothing less than famine was placed before their eyes. The Admiral was reminded that he had remained in safety upon the coast during the easterly monsoon of
the former year, and might still undoubtedly find some harbour to afford him shelter. A letter too was received express from Bengal, stating that Mr. Ritchie, the marine surveyor, would undertake to conduct his Majesty's ships to a safe anchorage in the mouth of the Bengal river. And it was known that Sir Richard Bickerton, with a re-inforcement of five sail of the line from England, had already touched at Bombay, and was on his way round for Madras.



The Admiral remained deaf to all expostulations. In the mean time intelligence was received that the enemy were preparing to attack Negapatam. The President had already prevailed upon Sir Eyre Coote to send a detachment of 300 men under

Colonel Fullarton into the southern provinces, which, since the defeat of Colonel Brathwaite, had lain exposed to the ravages of Hyder, and were now visited with scarcity, and the prospect of famine. Within two days of the former intelligence, accounts were received that seventeen sail of the enemy's fleet had arrived at Negapatam, and that the place was already attacked. The most earnest expostulations were still addressed to the Admiral in vain; and the morning of the 15th of October exhibiting the appearance of a storm, the fleet set sail and disappeared. The following morning presented a tremendous spectacle to the wretched inhabitants of Madras; several large vessels driven ashore; others foundered at their anchors; all the small craft, amounting to nearly 100 in number, either sunk or stranded; and the whole of the 30,000 bags of rice irretrievably gone. The ravages of Hyder had driven crowds of the inhabitants from all parts of the country to seek refuge at Madras, where multitudes were daily perishing of want. Famine now raged in all his horrors; and the multitude of the dead and the dying threatened to superadd the evils of pestilence. The bodies of those who expired in the streets or the houses without any one to inter them, were daily collected, and piled in carts, to be buried in large trenches made for the purpose out of the town, to the number, for several weeks, of not less, it is said, than twelve or fifteen hundred a week. What was done to remove the suffering inhabitants to the less exhausted parts of the country, and to prevent unnecessary consumption, the Governor sending away his horses and even his servants, could only mitigate, and that to a small degree, the evils which were endured.[1] On the fourth day after the departure of Sir Edward Hughes and his fleet, Sir Richard Bickerton arrived, with three regiments of 1,000 each, Sir John Burgoyne's regiment of light horse, amounting to 340, and about 1000 recruits raised by the Company, chiefly in Ireland; but as soon as Sir Richard was apprized of the motions of Sir E. Hughes, he immediately put to sea, and proceeded after him to Bombay. Sir Eyre Coote also, no longer equal to the toils of command, set sail for Bengal; and General Stuart remained at the head of the army, now encamped at Madras, with provisions for not many days, and its pay six months in arrear.



The exclusive power over the military operations, which had been entrusted to Coote, and which, though it greatly impeded the exertions of the President, motives of delicacy and prudence forbade him to withdraw, belonged, under no pretext, to General Stuart; and the Governor and Council proceeded to carry their own plans into execution, for checking the profuse expenditure of the army, and making the most advantageous disposition of the troops. A reinforcement of 400 Europeans was dispatched to co-operate with the Bombay army in effecting a diversion on the western side of Hyder's dominions; 300 of the same troops were sent to the northern Circars against an apprehended invasion of the French; and 500 to strengthen the garrison at Negapatam. Fortunately for the English, the French had no information or conception of the unprotected and starving condition in which Madras had been left. It remained unvisited, even by a few frigates to intercept the corn ships: and from Bengal and the Circars considerable supplies were received. An event also arrived, of such magnitude, as to affect the views of almost every state in India, and suddenly to cheer the gloom which darkened the prospects of the English. Their great enemy Hyder Ali, who began his career in one of the lowest situations of life; who, totally

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destitute of the benefits of education, raised himself to be the sovereign of a great empire, and displayed a talent for government and for war, of which they had met with no example in India, died at Chittore in the beginning of December, at an age not exactly ascertained, but certainly exceeding eighty; when his destined successor Tippoo was at a great distance; having been detached to the western coast to oppose Colonel Humberstone's invasion.

That officer, after remaining at Calicut from the end of May till the beginning of September, proceeded to Palacotah, a strong fort, situated about a mile from Palacatcherry, and commanding the great southern pass between the coasts, with an army consisting of more than 900 British troops, and 2000 Bombay sepoys; beside 1,200 sepoys with European officers and serjeants, furnished by the King of Tanjore; and a proportional train of artillery, of which however they were obliged, for want of draught bullocks, to leave the whole of the heavy part, and one half of the remainder by the way. They remained before Ramgurree from the 20th of September to the 6th of October. Being deserted in the night, it was garrisoned with convalescents, and made the centre of a chain of communications. After taking another fort on the 14th, they approached Palacatcherry; and on the 18th, without much difficulty, dispersed the enemy, who met them at about three miles distance from the fort. To take Palacatcherry, without heavy artillery, was, after three days' inspection, considered impossible; and the army were ordered to march at four o'clock on the morning of the 22d, in order to occupy a camp at several miles distance, till the battering cannon should arrive. Unfortunately, the officer who conducted the retreat, instead of putting the line to the right about, ordered them to countermarch, which threw the baggage and stores to the rear. Apprized of all their motions, the enemy dexterously watched them, in a narrow defile, till all except the rear guard and the baggage had passed, when the enemy suddenly made an attack, and the whole of the provisions, and almost all the ammunition, fell into their hands. It now only remained for the English to make their retreat to the coast with the greatest expedition. They were attacked from every thicket; exceedingly harassed both on flanks and rear; during the two first days they hardly tasted food; and on the 18th of November, when they reached Ramgurree, the fortifications of which, as well as those of Mangaracotah, they blew up, they received intelligence that Tippoo Saheb, with 20,000 men, whom the weakness of the English in Carnatic had enabled Hyder to detach for the protection of his western provinces, was advancing upon them with rapid marches, and already at hand. They had marched but a few miles on the following morning, when Tippoo's advanced parties opened a cannonade on their rear. Fighting every step of the march, they arrived towards dark at the river Paniané, which appeared impassable. After a painful search of two hours a ford was found, which, though it reached up to the chin of an ordinary man, they resolved to attempt, and happily passed with the loss of but two black women, among the followers of the camp. The enemy, expecting to find them an easy prey in the morning, had totally neglected to watch them during the night. Next day they reached the town of Paniané, against which the operations of Tippoo were immediately commenced. Before dawn on the 28th of November, the enemy, divided into four columns, including a portion of Lally's corps, with that officer himself at their head, made a strong assault upon the English lines, as yet incomplete. They had dislodged a body of sepoys, and were in



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possession of the guns, before the English troops got under arms; when the forty-second regiment, advancing with fixed bayonets, threw them into confusion. They made various attempts to rally, but with considerable slaughter were compelled to retreat. Tippoo continued the blockade, and was understood to be meditation another attack, when he received the news of his father's decease. He departed immediately with a few horse, leaving orders for the army to follow.

No sooner was intelligence received of the death of Hyder, than Lord Macartney, aware of the feeble
cement of an Indian army, and justly estimating the chances of its dispersion, if, at the moment of consternation, it were vigorously attacked, expressed his eagerness for action. General Stuart, instead of seconding this ardour, either by having the troops in readiness, or putting them in motion, was employing his time and his talents in squabbles with the civil authority. Slight symptoms of military impatience, under the command of the Company's servants, had, at different times, already appeared. But it was under Coote, that it first assumed a formidable aspect. The independant authority which was yielded to that commander corrupted the views of the military officers; and General Stuart was well calculated to uphold a controversy on the subject of his own pretensions. From the moment of his elevation to the command of the troops, and to a voice in the deliberations which regulated their actions, he is accused of having diligently objected to almost every proposal; and of having filled the records of the Company with teasing discussions on his own dignity, privileges, and emoluments. The King's officers, indeed, from an early period of their services in India, assumed an air, proportionate, as they imagined, to the dignity of the master whom they served; and they now, under General Stuart, distinctly asserted the doctrine of being at liberty to obey, or not to obey the Company, as they themselves held fit. A doctrine which implied the extinction of the civil authority, and went to subvert the government of the Company, appeared to Lord Macartney to demand an explicit and decisive resistance. The Committee agreed with him in recording a declaration; That when the King lent his troops for the service of the Company, and when they passed from the pay of the



King into the pay of the Company, their obedience to the Company, till the period of their recall, was a condition necessary and understood: That the King reserved to himself the regulation of their interior economy; but with regard to their operations, gave them not so much as instructions; which were left exclusively to the Authority, for the service of which they were employed. The General, having thought fit to deliver to the Committee what he called an answer to this declaration, and therein to assert a right of judging when he should obey, and when not, received by the unanimous resolution of the Committee, a positive order to send no commands or instructions, except on business of discipline or detail, to any of the King's or Company's officers without the approbation of the Committee. To these decisive measures General Stuart abstained from any direct or declared resistance; and rather chose to thwart the views of the President and Council by placing obstacles in their way. Upon their earnest application, when the news arrived of the death of Hyder, that the army should march, the General affected to disbelieve the intelligence; and, if it was true, replied, that the army would be ready for action in the proper time. When the fact was ascertained, and

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the remonstrances were redoubled; when letters were daily received, describing the importance of the moment for striking a decisive blow; when the commanding officer at Tripasore sent express intelligence, that the whole of the enemy's camp was in consternation, that numbers had deserted, and that, in the opinion of the deserters, the whole army, if attacked before the arrival of Tippoo, would immediately disband and fly into their own country, the General declared the army deficient in equipments for marching at that season of the year; though for upwards of a month he had been receiving
the strongest representations on the necessity of keeping it in readiness for action, with offers of the utmost exertions of the government to provide for that purpose whatever was required.



Tippoo, in the mean time, had admitted no delay. Having reached Colar, where he performed the accustomed ceremonies at the tomb of his father, he pursued his course to the main army, which he joined between Arnee and Velore, about the end of December. The address and fidelity of the leading officers, who concealed the fatal event, had been able to preserve some order and obedience among the troops till he arrived; when the immediate payment of their arrears, and a few popular regulations, firmly established Tippoo on his father's throne. Shortly after his arrival he was joined by a French force from Cuddalore, consisting of 900 Europeans, 250 Caffrees and Topasses, 2,000 sepoys, and twenty-two pieces of artillery; while at this time the whole of the British force in Carnatic, capable of taking the field, amounted to no more than 2,945 Europeans, and 11,545 natives.

On the 4th of January the army at last took the field. On the 5th of February they marched. On the 8th they arrived at Wandewash, where the enemy appeared. On the 13th the General advanced and offered battle; when the enemy retired in haste and disorder towards the river. He withdrew the garrison from Wandewash and Carangoly, which it was held impracticable to maintain; and blew up the fortifications of both. He then marched towards Velore, and at that place received intelligence that Tippoo Saib was retreating from Carnatic, that he had ordered Arcot to be evacuated, and two sides of the fort to be destroyed.

Tippoo was recalled, not only by the care of establishing his government, but of meeting a formidable invasion on the western coast, which had already approached the vitals of his kingdom.



The English army, which had been left unobstructed on his departure from Paniané, about the beginning of December, proceeded about the end of that month, the sepoys by land to Tellicherry, the European part, by sea, to Merjee, about three hundred miles north of Paniané. In January, General Mathews, with an army under his command, from Bombay, arrived at Merjee, and summoned to his standard the rest of the troops on that part of the coast. He took by storm the fort of Onore, and reduced some other places of smaller consequence; and about the middle of the month, with a force consisting of about 1,200 Europeans, eight battalions of Sepoys, and a proportionate quantity of artillery and Lascars, moved toward the great pass which is known by the appellation of the Hussaingurry Ghaut. The ascent consisted of a winding road of about five miles in length, defended by batteries or redoubts at every turning. The army entered the pass on the morning of the 25th, and chiefly with the bayonet carried

every thing before them, till they reached a strong redoubt at the top of the Ghaut; this appeared impregnable; but a party clambering up the rocks, came round upon it behind, and the whole of the pass was placed in their power. The next day they advanced to Hyder-nagur, or Bednore, the rich capital of one of the most important of all the dependencies of Mysore. They were on their march with no more than six rounds of ammunition for each man, when an English prisoner arrived, with terms from the Governor, and a proposal to surrender not only the city of Bednore, but the country and all its dependencies. With the capital, most of the minor forts made a ready submission; but Ananpore, Mangalore, and some others, held out. Ananpore, after violating two flags of truce, stood the storm, and was carried on the 14th of February.



In Mangalore, a breach being effected, the commander, unable to prevail upon his people to maintain the defence, was obliged to surrender. In these transactions, particularly in the reduction of Onore and Ananpore, the English army have been accused of a barbarity unusual at the hands of a civilized foe. It appears not, however, that quarter, when asked, was refused; but orders were given to shed the blood of every man who was taken under arms, and some of the officers were reprimanded for not seeing those orders rigidly executed.1 After the acquisition of Mangalore, the General, with a portion of the army, returned to Bednore, where the flames of discord were kindled by pretensions to the spoil. A vast treasure amounting to eighty-one lacs of pagodas, 801,000*l.* besides a quantity of jewels, was understood to have been found in Bednore. Of this, though the army was in the greatest distress for want of money, having received no pay for twelve months, some of the troops for a longer time, the General positively refused to divide any part. The most vehement complaints and remonstrances ensued. Refractory proceedings were severely, if not arbitrarily punished; and three of the leading officers, Colonel Macleod, Colonel Humberstone, and Major Shaw, left the army, and, proceeding to Bombay, laid their representations before the Governor and Council. So flagrant to the Governor and Council did the conduct of the General appear, that they superseded him; and appointed Colonel Macleod, the next in rank, to take the command in his stead. Suspicions of his rapacity blazed with violence; but it ought to be remembered, that he lived not to vindicate his own reputation; and that in circumstances, such as those in which he was placed, suspicions of rapacity are easily raised.



Colonel Macleod, now Brigadier-General, and Commander-in-Chief, returning to the army with the two other officers, in the Ranger snow, fell in with a Mahratta fleet of five vessels of Geriah, on the 7th of April. This fleet was not, it appears, apprised of the peace; and Macleod, full of impatience, temerity, and presumption, instead of attempting an explanation, or submitting to be detained at Geriah for a few days, gave orders to resist. The Ranger was taken, after almost every man in the ship was either killed or wounded. Major Shaw was killed, and Macleod and Humberstone wounded, the latter mortally. He died in a few days at Geriah, in the twenty-eighth year of his age, and was lamented as an officer of the most exalted promise; a man, who nourished his spirit with the contemplation of ancient heroes, and devoted his hours to the study of the most abstruse sciences connected with his profession.

During this interval, the forty-second regiment was sent from Bednore to seize some forts below the Ghauts; the army was dispersed in detachments, to occupy almost every town and mud fort in the country; nothing, it is said, was dreamt of but riches; intelligence, fortifications, and subsistence, were all equally neglected. In this state of supine insensibility, Tippoo suddenly appeared on the 9th of April, drove in a detachment stationed four miles distant at Fattiput, seized the town of Bednore with a considerable
quantity of ammunition neglectfully remaining without the magazine; laid siege to the fort; and sent detachments to occupy the Ghauts, and surrounding country. The English in Bednore were then cut off from retreat; the fortifications ruinous, their ammunition expended, their provisions law, and their numbers diminishing by disease and fatigue as well as the sword. Honourable terms being promised, they surrendered by capitulation on the 30th of April; but instead of being sent according to agreement to the coast, they were put in irons and marched like felons to a dreadful imprisonment in the strong fortresses of Mysore. To apologize for this outrage upon the law of even barbarous nations, Tippoo charged the English with a violation of the articles of capitulation in robbing the public treasure; and the suspicions which were attached to the character of the General have given currency to a story that he ordered the bamboo of his palanquin to be pierced and filled with pagodas.



After this important success, Tippoo proceeded to Mangalore, in which the remains of the English army collected themselves, with such provisions as the suddenness of the emergency allowed them to procure. On the possession of Mangalore, the chief fortress and the best harbour of Canara, Tippoo, as well as his father, set an extraordinary value. On the 16th of May a reconnoitering party of his horse appeared on a height near the town. On the 20th the picquets, on the 23d the outposts of the garrison were driven in, and the investment of the place was rendered complete.

During the march of Tippoo from Carnatic to the western side of his kingdom, and the operations which preceded his arrival at Mangalore, the following
occurrences took place at Madras. As soon as the General ascertained the departure of the enemy, he returned with the army, and on the 20th of February encamped near the Mount.
The policy of supporting the English army in Bednore against the army of Tippoo, by strong incursions on the southern and eastern parts of his dominions, presented itself, in the strongest point of view, to the Governor and Council. The army stationed in Tanjore and the southern provinces received orders to march towards the west; and to General Stuart it was recommended, to march upon Tippoo's frontier in the direction of Velore. Any such movement he declared to be impossible; and while the army remained inactive, Suffrein, whom the British fleet had not yet returned to oppose, found no difficulty in landing Bussy, with a reinforcement of French troops at Cuddalore. It was an object of great importance to recover possession of that place, before the works should be strengthened, and the army of Tippoo, with the French troops which were with him, should be able to return. To all the expostulations of the Governor and Council, the General is accused of having replied, only by the statement of wants and difficulties, operating as grounds of delay. About fourteen days after the time fixed upon by himself, that is, on the 21st of April, in consequence of

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peremptory commands, he marched with the army towards Cuddalore. Contrary to his pledge, that he would not recall to his assistance the southern army, without the strongest necessity, of which he engaged to apprise the Committee, he secretly wrote to the Commanding Officer three days before his departure, to join him with the greatest part of the force under his command. By this abuse of their confidence, the Committee were induced to withdraw the discretionary power over the southern army, which they had granted at his request. The march from Madras to Cuddalore, about 100 miles, is usually performed in twelve days. General Stuart had no obstruction either to meet or to fear; he was, to a degree unusually perfect, supplied with all the requisites for his march; yet he spent forty days upon the road, that is, marched at the rate of less than three miles a day, though the chance of success mainly depended upon dispatch, and the Admiral, who was to co-operate with the expedition, declared that he could not, for want of water and provisions, remain before Cuddalore till the end of June. The fleet had returned to Madras on the 12th of April, augmented to seventeen sail of the line, four frigates, and some smaller vessels; and soon after, a fleet of ten Indiamen, and three store ships, with 1,000 recruits to the army, arrived under convoy of the Bristol man of war, after a narrow escape from the squadron of Suffrein.



The army arrived at Cuddalore on the 7th of June, where the enemy had already thrown up, and almost completed, considerable works. An attack was to be made on these works on the 13th, in three several places at once; and it was planned to give the signal by firing three guns from a hill. Amid the noise of firing, a signal of this description could not be heard; and the attacks were made at three several times. The English were repulsed; but the enemy quitting, in the pursuit, a part of their works, which were dexterously occupied by a division of the English army, were thrown into consternation, and withdrew. This attack had nearly incurred the ruin of the English army, and left sixty-two officers, and 920 men, almost all Europeans, either dead or mortally wounded on the field. The English lay upon their arms during the night in expectation of an attack, which the troops, fatigued and unprotected, would have found it difficult to sustain. But the spirit of Bussy was chilled by age and infirmities; and he restrained the impetuosity of his officers, who confidently predicted the destruction of the British army.



On the following day Sir Edward Hughes, and Suffrein, who had followed him from Trincomalee, arrived with their respective fleets. The English remained at anchor till the 16th; on the 17th, and two succeeding days, the fleets performed a variety of movements for the purpose of gaining or keeping the wind; and about four o'clock on the 20th they engaged. The English consisted of eighteen sail, the French only of sixteen, and so leaky, that most of them it was necessary to pump during the battle: yet Suffrein, by dexterous management, contrived in several instances to place two of his vessels upon one of the English, of which five were but little engaged. The combatants were parted by night, and the next day the French were out of sight, but appeared at anchor in the road of Porto Novo on the morning of the 22d. The British Admiral, deeming it inexpedient to attack them, only offered battle, and then made sail for Madras. It has been both asserted and denied that Suffrein weighed, and stood

after him: but it is certain that he arrived at Cuddalore on the following day. He immediately proceeded to land as many men as he could spare from the fleet; and measures were concerted between him and Bussy for the most vigorous operations. They made a sally on the 25th, which was repulsed; but a grand effort was preparing for the 4th of July; and so much were the English reduced by the sword, by sickness, and fatigue, that the most fatal consequences were probable and feared. Sir Edward Hughes at Madras, and the British army exposed to Suffrein and Bussy at Cuddalore, presented a dismal prospect
to the imaginations of the Governor and Council; when
intelligence was received of the signature in Europe of a treaty of
peace between the English and French. It was immediately
resolved, though official intelligence had not yet arrived, to send a flag of truce to Bussy, recommending an immediate cessation of arms. To this proposal the French commander acceded, with less difficulty than might have been expected. Bussy even consented to invite Tippoo to a participation in the peace, and to send positive orders to the French troops to retire immediately from his service.



Upon the evacuation of Carnatic by Tippoo, the occasion was not omitted of making to him an overture of peace by means of a Brahmen, in the confidence of the King of Tanjore. A favourable answer was remitted; but a point of etiquette, for which the Governor was a great stickler, leading to another on the part of Tippoo, broke off the negotiation. To the application from Bussy, however, an answer was returned in little more than a month, offering peace upon certain conditions, and expressing a desire to send two ambassadors to Madras. Upon the arrival of the vakeels it appeared that a peace, upon the basis of a mutual restitution of conquests, might easily be made; and for the acceleration of so desirable an event, especially on account of the prisoners, to whose feelings, and even lives, a few weeks were of importance, it was deemed expedient to send three commissioners along with Tippoo's vakeels, to expedite on the spot the business of negotiation.

Measures, in the mean time, were pursued for creating a diversion in favour of the detachment besieged in Mangalore. The two divisions of the army which were stationed for the protection, the
one of the northern, the other of the southern provinces, were
reinforced; and instructed to threaten or attack the enemy in that part of his dominions to which they approached. The division in the south was, in the opinion of Colonel Fullarton, by whom it was commanded, augmented sufficiently to penetrate into the very heart of Mysore, and possibly to attack the capital itself.



Amid these proceedings, the contentions which prevailed between the heads of the civil and military departments were hastening to a decision. Along with the flag of truce which was forwarded to the French, it was resolved in the Committee to send orders for the recall of General Stuart to the Presidency, as well because they could not depend upon his obedience, as because they deemed it necessary to hear the account which he might render of his conduct. After a temporary neglect of the commands of the Committee, the General thought proper to leave the army and proceed to Madras; where, superseding mutual explanations, the customary disputes

were renewed and inflamed. The Governor at last submitted to the Committee a motion, that General Stuart should be dismissed from the Company's service. In the minute by which this motion was introduced, the misconduct of the General in the expedition to Cuddalore, and the acts of disobedience, which were sufficient in number and magnitude to imply the transfer of all power into his hands, were stated as the principal grounds of the proposed proceeding; to which the votes of the Committee immediately imparted their unanimous sanction. Stuart, however, announced his determination to retain the command of the King's troops; and Sir John Burgoyne, on whom, as second in rank, the command would devolve, intimated his intention to obey the orders of General Stuart. Decisive acts were now inevitable. The Town Adjutant, accompanied by the Governor's Private Secretary, and a party of sepoys, proceeded to the villa of the General, and brought him quietly a prisoner to the fort; where he remained a few days, and was then embarked for England.



The original plan, to the execution of which the army in the south was destined, was, that it should penetrate on the one side, and the army under Colonel Humberstone at Paniané on the other, into the country of Coimbetore, forming a line of communication from the one coast to the other, through the middle of Tippoo's dominions. In this scheme, which was framed and suggested by Mr. Sullivan, the gentleman at the head of the civil department in the Trichinopoly district, was included a negotiation for raising disturbance against Tippoo in his own dominions, by setting up the pretensions of the deposed Rajah of Mysore. In the months of April and May, 1783, the forts of Caroor, Aravarcouchy, and Dindigul, were reduced; but the exhausted state of the country, not more from the ravages of the enemy, than the disorganization of the government, cramped the operations of the army by scarcity of supplies. The first object of Colonel Fullarton, who took the command of the southern army, was to augment the field force by battalions from Tanjore, Trichinopoly, and Tinivelly; and, vigorously aided as he was by the chief civil servants of the Company, not only to procure supplies, but soothe the minds, and conciliate the favour, of the different classes of the people. It was not before the 25th of May, 1783, that he began to march from Dindigul towards Daraporam. The reduction of this place, which fell on the 2d of June, afforded one incident, which, being a characteristic circumstance, deserves to be stated. It was impossible to approach so near the fort as to determine with precision the most advantageous point of attack. One spy explained the circumstances of the place to the Commanding Officer, and another to the Adjutant-General. Each of these officers drew a plan from the description which he himself had received; and they coincided so exactly both with one another, and with the facts, that a body of troops marched in a dark night, crossed a river, and occupied a strong position within 400 yards of the fort, where the batteries were constructed which effected the breach. The accuracy with which the Indian spies convey the idea of a fort even by verbal communication, and still more by models made of clay, is represented as not surprising only, but almost incredible. The orders which General Stuart, unknown to the Committee, dispatched to the southern army, stopped them at this point in their career of conquest; and they were within three miles of the enemy's camp when they received intelligence that hostilities with the French had ceased, and that an armistice was concluded with Tippoo. In the interval Colonel Fullarton had

proceeded with great activity in restoring obedience and order in Madura and Tinivelly, in which, during the distress of the Madras government, almost all the Polygars had revolted. According to Fullarton, the management of the province by the Company's and the Nabob's servants had been corrupt and oppressive, and hence pregnant with disorder, in the extreme. One single exception he produces, Mahomed Issoof Khan. "While he ruled these provinces, his whole administration denoted vigour and effect: his justice was unquestioned, his word unalterable, his measures were happily combined and firmly executed, the guilty had no refuge from punishment. On Comparing," says the English commander, "the state of that country with his conduct and remarks, I found that wisdom, vigour, and integrity, were never more conspicuous in any person of whatever climate or complexion."[1] In the month of August, when the reinforcements had joined him from the army at Cudnalore, and the Polygars were sufficiently reduced and humbled to be disposed to a general submission, this Commander moved towards the frontier of Mysore, under instructions to remain inactive, while the result was uncertain of the negotiation with Tippoo. In the interval thus afforded, among other arrangements, Colonel Fullarton established a system of intelligence, under a defect of which the English had laboured during the whole of the war; and established it in such perfection, even into the heart of the enemy's country, that, "during many months," to use his own expressions, "of continued marching, through a country almost unexplored, he never once failed in his supplies, nor did any material incident escape his knowledge." On the 18th of October, when the supplies of the army were almost exhausted, intelligence arrived, that Tippoo had recommenced hostilities against Mangalore. Colonel Fullarton had long meditated an enterprise against Seringapatam, but none of the forts, directly in the route, were sufficiently strong to be confided in as an intermediate magazine, or, in the event of failure, as a place of retreat. It was therefore determined to march upon Palacatcherry, which was one of the strongest places in India, commanded the pass between the coasts, and secured a communication with a great extent of fertile country. After a march of great difficulty, much impeded by woods and incessant rain, the army reached Palacatcherry on the 4th of November. They immediately commenced and carried on their operations with great vigour; but the strength of the place, and the active resistance of the garrison, threatened them with a tedious siege. On the 13th, two batteries were opened, and before sun-set the defences of the enemy were so much impaired, that their fire was considerably abated. At night Captain Maitland took advantage of a heavy rain to drive the enemy from the covert way, and to pursue them within the first gateway, to the second: Here he was stopped, but gallantly defended himself, till additional troops arrived; when the enemy, alarmed by the idea of a general assault, called for quarter, and put the English in possession of the fort. The army then marched to Coimbetore, which they reached on the 26th of November, and which surrendered before they effected a breach. They had now the conquest of Seringapatam, and the entire subversion of the power of Tippoo, full in their view. The brave garrison of Mangalore had long baffled his whole army, which had suffered severely by a perseverance in the siege during the whole of the rains. A chain of connected operations could now be carried on by the army of Colonel Macleod on the western coast, and that of Fullarton in the south. The army of the north was acting in Cudapah, in which and the neighbouring provinces the power of Tippoo was ill



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established. All the petty princes on the western coast were supposed ready to shake off their dependance. The co-operation was confidently expected of the Hindu inhabitants of Mysore, of whom the Brahmens were in correspondence with the English. Fullarton had provided his army with ten days' grain, repaired the carriages, and made every arrangement for pushing forward to Seringapatam, with nothing but victory
sparkling in his eye; when he received, on the 28th of November, commands from the Commissioners, appointed to treat with Tippoo, to restore immediately all posts, forts, and countries, lately reduced, and to retire within the limits occupied on the 26th of July. He had made some progress in the execution of these commands, when he received, on the 26th of January, directions to re-assemble the army, and prepare for a renewal of the war.



The negotiators, whom the President and Council had dispatched to the presence of Tippoo, for the purpose of accelerating the conclusion of peace, had not attained their object without many difficulties and considerable delay. Scarcely had they entered the territory of the enemy, when they were required, and almost commanded, to surrender Mangalore, which they regarded as the chief security for the lives and restoration of the English prisoners in the hands of Tippoo. On their approach to Seringapatam they were made acquainted with the intention to conduct them to Mangalore. No communication was allowed between them and their unfortunate countrymen, when they passed Bangalore, and other places in which they were confined. Their letters, both to and fro, were intercepted. Upon complaining they were informed, that Colonel Fullarton, notwithstanding the commencement of their mission for peace, had taken and plundered the forts of Palacatcherry and Coimbetore. Not aware that the proceedings of Fullarton were justified by the intelligence which he had received of Tippoo's breach of faith to the garrison at Mangalore, they sent their commands to that officer to restore the places, which, since the date of their commission, had fallen into his hands. After a tedious and harassing journey, through a country almost impassable, in which some of their attendants and cattle actually perished, they joined Tippoo at Mangalore, where he had wasted almost a year, and a considerable portion of his army.



The force with which, in the month of May, in the preceding year, he invested Mangalore, is stated at 60,000 horse, 30,000 disciplined sepoys, 600 French infantry, under the command of Colonel Cossigny, Lally's corps of Europeans and natives, a French troop of dismounted cavalry, commanded by an officer of the King of France, irregular troops to the amount of many thousands, and nearly one hundred pieces of artillery. The British garrison consisted of 696 Europeans, including officers, and 2850 black troops, besides pioneers, and camp followers. The operations of the enemy proceeded with so much activity, that on the 27th of May they had completed eleven embrasures, which the English made an effort to destroy, but were repulsed. On the 29th, large stones, some of them weighing 150 pounds, began to be thrown by mortars into the town. As often as they lighted upon soft earth, they buried themselves without mischief: When they fell upon houses, they laid them open, where no materials could be had to repair them, to all the inclemency of the monsoon: When they fell upon a

substance harder than themselves, they were dashed into a thousand pieces; and even the wounds and lacerations which were produced by the splinters proved peculiarly destructive, hardly any person surviving who received them.

From batteries erected on the north, the east, and the south, a heavy fire was constantly maintained; the feeble fortifications on the northern side were entirely dismantled on the 4th of June; on the 7th a practicable breach was effected in the wall; and the English, especially as a flag of truce had been rejected, looked for an immediate assault. In the mean time they repulsed with the bayonet repeated attacks on the batteries which they had erected without the fortress; repeatedly silenced the batteries of the enemy, and spiked their guns, which were as often expeditiously repaired. Masked batteries were opened, and the approaches of the enemy brought so near, that they threw fascines on the covered way, and edge of the glacis. On the 4th of July, the assault was undertaken. A body of troops, armed with knives, of the shape of pruning hooks, two feet long, and with spears mounted on light bamboos of a prodigious length, rushed into a tower on the left of the eastern gate, while the line marched forward to support them. The enterprise did not succeed. The assaulting party were so warmly received, that they were soon disposed to retreat. On the 6th a general attack was made on the northern covered way, which, though very fierce and obstinate, was also repulsed. The garrison were now obliged to defend themselves from almost daily attempts to penetrate into the fort, while they severely suffered both from scarcity and disease. At last intelligence arrived of the peace between France and England, with the orders of Bussy to the French to co-operate no longer in the hostilities of Tippoo. The French envoy made some efforts to effect a pacification; but even during the suspensions of hostilities, which were frequently terminated, and frequently renewed, Tippoo continued his operations. A trait of Indian humanity ought not to be forgotten. During the progress of hostilities, and especially after the prospect of peace, the enemy's centinels in many instances beckoned to the men to get under cover, and avoid their fire; a generosity which the English were well disposed to return. At last, after a long and intricate correspondence, a cessation of hostilities, including the garrisons of Onore[1] and Carwar, was concluded on the 2d of August. Of this agreement one important condition was, that the English garrison should three times a week be furnished with a plentiful market of provisions, at the rates of Tippoo's camp. This was evaded, and prices were daily, in such a manner, increased, that a fowl was sold at eight, and even twelve rupees; and other things in a like proportion. At last the market was wholly cut off; and horse flesh, frogs, snakes, ravenous birds, kites, rats, and mice, were greedily consumed. Even jackals, devouring the bodies of the dead, were eagerly shot at for food. The garrison had suffered these evils with uncommon perseverance, when a squadron appeared, on the 22d of November, with a considerable army under General Macleod. Instead of landing, the General, by means of his secretary, carried on a tedious negotiation with Tippoo; and having stipulated that provisions for one month should be admitted into the fortress, set sail with the reinforcement on the 1st of December. Even this supply was drawn from damaged stores bought of a navy agent, and of the beef and pork, not one in twenty pieces could be eaten even by the dogs. Another visit, with a similar



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result, was made by General Macleod, on the 31st of December. The desertion of the sepoys, and the mutiny of the Europeans, were now daily apprehended; two-thirds of the garrison were sick, and the rest had scarcely strength to sustain their arms; the deaths amounted to twelve or fifteen every day; and at last, having endured these calamities till the 23d of January, the gallant Campbell, by whom the garrison had been so nobly commanded, offered, on honourable terms, to withdraw the troops. The Sultan was too eager to put an end to a siege which by desertion and death had cost him nearly half his army, to brave the constancy of so firm a foe; and they marched to Tellicherry, with arms, accoutrements, and the honours of war.



The negotiating commissioners, whose journey had been purposely retarded, were now allowed to approach. The injuries which the English had sustained, since Tippoo had joined in the business of negotiation, were such, as in a prouder state of the English mind, would have appeared to call for signal retribution: But the debility and dejection to which their countrymen were now reduced, and their despair of resources to continue the war, impressed the negotiators with a very unusual admiration of the advantages of peace; and meeting the crafty and deceitful practices of Tippoo with temper and perseverance, they succeeded, on the 11th of March, 1784, in gaining his signature to a treaty, by which, on the general condition of a mutual restitution of conquests, peace was obtained.[1]

It is only necessary, further, to relate the manner in which the treaty was ratified by the Governor-General and Council; and to explain the mode in which, during these momentous transactions, the relations between the Supreme and Subordinate Presidency were maintained. Lord Macartney was not only of superior rank to the highest of the Company's servants in India, but in him was set one of the first examples of elevating a servant of the King to a high station in that country; and of intercepting the great prizes which animated the ambition of the individuals rising through the several stages of the Company's service. To these causes of jealousy were added, recommendations and injunctions, which had been pressed upon so many governors, and which had not failed to involve in odium and difficulties as many as had attempted to obey them; recommendations and injunctions, of peculiar urgency, to correct abuses and effect retrenchments. Though the accomplishments and talents of Lord Macartney, which were not of an ordinary kind, and a considerable propensity to vain glory might have added to the flames of discord, the calmness of his temper, his moderation, and urbanity, were well calculated to allay them. He was aware of the sentiments to which, among the members of the superior government, his appearance in India was likely to give origin; and lost no time in endeavouring to avert the jealousy which might naturally arise. He not only assured the Governor-General of the sentiments of esteem, and even of admiration, with which all that he knew of his administration inspired him, but openly disclaimed all designs upon the government of Bengal; and declared that the objects were not Indian to which his ambition was directed. Mr. Hastings met his professions with similar protestations, both of personal regard, and of desire for co-operation. He also expressed his regret that the suddenness of the arrival of Lord Macartney had not allowed him the opportunity to furnish to that nobleman the explanation

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of certain acts, by which the Supreme Government might appear to him to have passed beyond the limits of its own province, and to have taken upon itself an authority which belonged to the Presidency of which he was now at the head.

Of the acts to which Mr. Hastings made allusion, one was, the treaty, into which, in the beginning of the year 1781, he had entered with the Dutch. The object of that measure was to obtain, through the Governors of Colombo and Cochin, a military force to assist in the expulsion of Hyder from Carnatic; but as these Governors acted under the authority of the government of Batavia, for whose sanction there was no leisure to wait, a tempting advantage was represented as necessary to prevail upon them to incur so unusual a responsibility. The negotiation was carried on through the medium of the Director of the Dutch settlements in Bengal; and it was stipulated that for 1000 European infantry, 200 European artillery, and 1000 Malays, who should be paid and maintained by the Company, during the period of their service, the province of Tinivelly should be ceded to the Dutch, together with the liberty of making conquests in the neighbourhood of Cochin, and the exclusive right to the pearl fishery on the whole of the coast south from Ramiseram. In name and ostent, the sovereignty of the Nabob Mahomed Ali was not to be infringed; and the treaty, framed and concluded for him, was to be ratified by his signature. The small value of the cession, and the extreme danger of Carnatic, were urged as the motives to induce compliance on the part both of the Nabob, and of the Presidency of Madras. The ideas, however, of the Nabob, and of the Presidency of Madras, differed very widely from those of the Governor-General,



respecting the value both of what was to be given and what was to be received. They not only set a high estimate on Tinivelly, but treated the offer of a body of troops, when they were much less in want of troops than of money to pay and maintain those which they had, as a matter of doubtful utility. In consequence, they declined to forward the treaty, transmitting their reasons to the Court of Directors. And the accession of the Dutch to the enemies of England, of which Macartney carried out the intelligence, superseded, on that ground, all further proceedings.[1]

Of the transactions, which Mr. Hastings might expect to impress unfavourably the mind of the noble President, another was, that of which the history has already occurred; the engagement into which he and his Council had entered, for setting aside the intervention of the Government of Madras, and transacting directly with the Nabob of Arcot. Under the same predicament was placed the negotiation into which the Governor-General and Council of Bengal had entered with Nizam Ali, the Subahdar of Deccan, for obtaining from that Prince the aid of a body of his horse, and for ceding to him in return the Northern Circars. Though a treaty to this effect had been fully arranged, yet as the orders for carrying it into execution had not been dispatched when Lord Macartney arrived, Mr. Hastings paid him the compliment of submitting it for his opinion. On this occasion also, the Governor-General represented, as of vast importance, the aid which the Company was thus to receive; and ascribed but little value to the territory which they were about to surrender, both as it yielded a trifling revenue, and, being a narrow

strip along the coast, was, by its extent of frontier, difficult to defend. Here again the opinions of the Governor-General found themselves widely at variance with those of the Governor of Fort St. George. Lord Macartney stated the net revenue for that year of the four Northern Circars, not including Guntoor, at 612,000 pagodas; he affirmed that to the English the defence of territory was easy, not in proportion to its remoteness from the sea, but the contrary, as a communication with their ships enabled the troops to move in every direction; that as manufacturing districts, the Circars were of great importance to the Company's investment; that they would be important in a still higher point of view, as forming a line of communication between Bengal and Carnatic, and giving to the English the whole of the eastern coast, when they should be augmented by Guntoor and Cuttack; and that the friendship of Nizam Ali was of no value, both as no dependance could be placed on his faith, and as the expense of his undisciplined and ungovernable horse would far outgo the utility of their service. On all these accounts Lord Macartney declared, that, without the special command of his employers, he could not reconcile it to his sense of duty to consent to the treaty which was proposed. Mr. Hastings gave way; but a diffidence so marked of his judgment, or his virtue, did not lessen the alienation towards the government of Madras, with temptations to which the situation of the Governor-General so largely supplied him.

The first occasion on which his measures gave uneasiness to the government of Madras, was furnished by the complaints of Coote, whom that government found it impossible to satisfy with power. Instead of interposing with their authority to allay the unreasonable dissatisfactions of the querulous General, and to strengthen the hands, at so perilous a moment, of the government of Madras, the supreme Council encouraged his discontent, and laid their exhortations upon the Presidency of Madras, to place themselves in hardly any other capacity than that of Commissaries to supply his army, and while they continued responsible for the acts of the government, to retain with them hardly any other connexion, in no degree to possess over them any substantial control. As the coolness on the part of the Governor-General seemed to Macartney to increase, and to threaten unfavourable consequences, which it was of the utmost importance to avert, he sent to Bengal, in the beginning of the year 1782, his confidential secretary Mr. Staunton, in whose judgment and fidelity he placed the greatest reliance, to effect a complete mutual explanation, and, if possible, to secure harmony and cooperation. With this proceeding Mr. Hastings expressed the highest satisfaction, and declared his "anxious desire to co-operate with Lord Macartney firmly and liberally for the security of the Carnatic, for the support of his authority, and for the honour of his administration." But, even at the time when he was making these cordial professions, and entertaining Mr. Staunton with the highest civilities in his house, he signed, as President of the Supreme Council, whose voice was his own, a letter to the President and Council of Madras, in which, with an intimation of a right to command, they say they "do most earnestly recommend, that Sir Eyre Coote's wishes in regard to power may be gratified to their fullest possible extent: and that he may be allowed an unparticipated command over all the forces acting under British authority in the Carnatic." Though Macartney announced his determination to act under this recommendation, as if it were a legal command, he yet displayed, first in a private letter to the Governor-General, to which no answer was

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ever returned, and also in a public communication, in the name of the Select Committee of the Council of Madras, his opinion, that the measure, as it regarded either the antecedent conduct of the governor and Council of Madras, or the nature of the case, was destitute of all reasonable ground; calculated to involve the Madras government in difficulties; and liable to produce the most dangerous consequences. Of the rooted enmity of the Governor-General he regarded this proceeding as a decisive proof. And from this time but little between the Presidencies was preserved even of the appearance of concert.

Of the inconvenience to themselves of the transfer which the Supreme Council had ordered of the powers of the Presidency, one instance speedily occurred. Upon a requisition to send a detachment from Madras to Bombay, the President and Council were obliged to return for answer, that compliance no longer remained in their power, since all authority over the troops resided in the General. It is remarkable enough that this incident, which, with others of the like description, might have been so easily foreseen, determined the Supreme Council to revoke the orders which they had formerly given, and by explaining away the meaning of their former words, to substitute a new regulation for the degree of power with which the General was to be supplied. A great diminution, following close in succession upon a great enlargement of power, was not likely to produce a healing effect upon such a temper as that of Coote. He now insisted upon relinquishing the command of the army; and on the 28th of September, 1782, sailed for Bengal. Measures for giving him satisfaction were there concerted between him and the Supreme Council; and he departed from Bengal in

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the following spring to resume the command. It has been historically stated, and without contradiction, That nothing but an accident prevented the two Presidents, even at that trying moment, from plunging their countrymen in India into something of the nature of a civil war: That Coote was dispatched with powers to resume the military command, exempt from dependance upon the Madras government: And that to this illegal subversion of the authority of the subordinate Presidency Lord Macartney was determined not to submit.[1] The death of the General happily prevented the chance of a struggle. The ship, in which he was proceeding from the Ganges to the coast, was chased several days by some of the French cruisers, and at times in imminent danger; the extreme anxiety of this situation operating upon the irritable and enfeebled frame of the General, accelerated a third fit of apoplexy, and terminated his life on the 26th of April, only three days after landing at Madras. To such an extreme the distrust of the supreme government was now carried, that a sum of ten lacs of rupees from Bengal, which arrived a few days after, could not be received, because the person who brought it had orders to deliver it not to the civil government, but into the hands of Sir Eyre Coote. From this time the Governor-General and Council withheld from Macartney, not only the powers which were necessary for effecting by negotiation a division among the enemies of the English, but all instruction with respect to their views of peace and war; and, instead of those supplies which they had hitherto afforded in considerable quantity, they forbid the Carnatic Presidency to draw on the government of Bengal for a single rupee. Repeated applications were sent, before any answer was received, for instructions in regard to the treaty which

Tippoo had declared his willingness to form. It was not till after the commissioners had departed that any were received; and when they came, they were so equivocally worded, that whatever course the Carnatic Presidency might pursue, their conduct would equally stand open to blame.[1]

The treaty of peace with Tippoo was transmitted for ratification to Bengal. In the absence of Mr. Hastings, who was then at Lucknow, it was acknowledged and signed by the Supreme Council, who were vested with all the powers of government. It was returned in due form. It was, then, with the requisite solemnity, transmitted to Tippoo. The receipt of it was acknowledged. And this great transaction was closed.

After a number of months had elapsed, a fresh copy of the treaty was received from Bengal, having the signature as before of the Members of the Council at Calcutta, and the additional signature of the Governor-General at Lucknow. To this instrument was annexed a declaration, that the Nabob Walaw Jaw had a right to be included in the treaty; and a command to the President and Council of Madras, "at their peril," to transmit the ratification of the treaty in its second form to Tippoo.

For understanding this transaction, it is necessary to recollect, that the Nabob, and along with him, his mischievous agents, expressed their uneasiness at the unhappy state of his affairs, by imputing blame to the Governor, and obstructing the government. The Supreme Council had taken part with the complaints, not only of the General, but also of the Nabob. To



all practicable arrangements for peace, that dependant, ambitious, and insatiate, chief, had shown aversion, and in particular a poignant abhorrence of Hyder Ali and his son. Important as the blessings of peace had now become to the exhausted resources of him and the Company, he treated with unreserved disapprobation the terms of any treaty which, to the Presidency, it seemed practicable to obtain; and neither gave his consent, nor appeared to desire to become a party, to the arrangement which they endeavoured to effect. The treaty of 1769, in which the Nabob was not included as a party, nor his name mentioned, appeared to furnish a precedent to justify a treaty in which, though his participation was not expressed, his interests were secured. And as it was absolutely necessary, on behalf of the Company, that the Nabob should not have the power of breaking a treaty, essential to their interests, though by him violently condemned, it was held a great advantage to place it on a foundation independent of his will. Besides, previously to the negotiation, the Supreme Council were so far from holding up the Nabob, as a necessary and a principal party, that they did not even direct the communication to him of their instructions, or hint the propriety of taking his advice. The complaint, however, which on this account the Nabob had been instigated to raise, the Supreme Council treated now as a matter of infinite importance; and to Lord Macartney they appeared to be actuated by a wish to multiply the embarrassments of his administration. Considering the jealous temper of Tippoo, his distrust of the English, and his perpetual apprehension of treachery and deceit, Lord Macartney was convinced, that to present to him a second ratification of a treaty, after the first had been received as final and complete, could only serve to persuade him that either on the first or second of

these occasions imposition was practised; and that hostility should anticipate the effect of hostile designs. The danger of such a result determined the President to brave the resentment of the superior government, and exonerating his council from responsibility, he declared his readiness to submit to suspension, as the consequence of his refusal to obey the orders of the governing Board. The situation of Mr. Hastings himself became about this time too alarming, however, to leave him inclination for a stretch of his authority; and the disobedience of Lord Macartney was followed by no unpleasant result.[1]

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# CHAP. VI.

*Financial Difficulties—Campaign of General Goddard on the Bombay side of the Mahratta Country—Attack on the Bengal side—Peace with Scindia—Supreme Court of Judicature—Efforts of the Supreme Court to extend its Jurisdiction — Their Effects upon Individuals — Upon the Collection of the Revenue—Upon the Administration of Justice — Interference of Parliament claimed—Granted—The Chief Justice placed at the Head of the Sudder Duannee Adaulut — Chief Justice recalled — Judicial and Police Regulations — Provincial Councils abolished, and a new Board of Revenue set up.*

BOOK V. Chap. 6. 1780.

We return to the events which, during these great transactions in the south, had taken place in Bengal, and other parts of the British dominions in India.

Before the commencement of the war with Hyder, the finances of the Company in every part of India had become a source of distress. The scanty resources of Bombay, which seldom equalled the expenditure of a peace establishment, had not, even with the supplies which had been sent from Bengal, sufficed to save that Presidency from the necessity of draining the channels of loan, and from sinking in arrear so deeply, even with the pay of the army, that the General, in the month of August, 1780, declared it was no longer fit to be depended upon.1 Even Bengal itself, though it had enjoyed entire tranquillity, and had only contributed to the maintenance of Goddard's army, and to other feeble operations against the Mahrattas, was so completely exhausted, that, in August, 1780, the Supreme Council were again reduced to the expedient of contracting debt; and before the end of the year, when exertions in favour of Carnatic were required, they were obliged to announce to the Directors the probability of a total suspension of the investment.1

BOOK V. Chap. 6. 1780.

In the important consultations of the 25th of September, 1780, upon the intelligence of the fatal irruption of Hyder, it was resolved, that terms of peace should be offered to the Mahrattas, through the mediation of the Rajah of Berar; and on the 2d of October a draught of a treaty was prepared, according to which all conquests made by the English were to be surrendered, with the exception of the fort of Gualior, destined for the Rana of Gohud, and of that part of Guzerat which had been ceded to Futty Sing Guicowar: Should the fort of Bassein, however, be taken by the English forces, before the final agreement, it was proposed to cede, in its stead, all the territory and revenue which they had acquired by the treaty of Poorunder. Of this draught, a copy, with power of mediation, was sent to the Rajah of Berar; and at the same time letters were written to Nizam Ali, to the Peshwa, to Scindia, and to the Poonah ministers, apprising them of the terms on which the English government was ready and desirous to conclude a treaty of peace.

BOOK V. Chap. 6. 1780.

On the 16th of October General Goddard, reinforced by a body of Europeans from Madras, and relieved from apprehension of Holkar and Scindia by intelligence that an attack would be made upon their dominions from the upper provinces of Bengal, put the army in motion from Surat. The roads were still so deep, and the rivers so full, that they were unable to reach their ground before Bassein till the 13th of November. From the strength of the place, and the number of the garrison, the General deemed it necessary to carry on his operations with regularity and caution. A battery of six guns and six mortars, within nine hundred yards of the fort, was completed on the morning of the 28th. Under cover of its fire, approaches were carried on to a spot within 500 yards of the wall, where a battery of nine heavy guns was opened on the morning of the 9th of December, while a battery of twenty mortars began to play upon one of the parapets. On the morning of the 10th, when a practicable breach was nearly effected, the fort made an offer of surrender, but in consequence of some demur the fire was renewed, and next morning the enemy yielded at discretion.

After the reduction of Bassein, the General repaired to Bombay for the purpose of settling with the Committee the further operations of the army, and there received intelligence of the irruption of Hyder into Carnatic, and the destruction of Colonel Baillie's detachment. An attack, which might operate as a diversion, on the western side of Hyder's dominions, was pressed upon the Presidency of Bombay by that of Madras; and at the same time arrived from the Supreme Council intelligence of their designs respecting peace with the Mahrattas, and a copy of the treaty which it was intended to offer. Though directed immediately to obey a requisition in writing from the Peshwa to suspend hostilities, General Goddard and the Committee of Bombay were exhorted to prosecute the war with vigour, till such time as that application should arrive. After several fluctuations of opinion, it was determined not to evacuate Tellicherry; as a place which, though burthensome to defend, might ultimately be of importance for commencing an attack upon the dominions of Hyder: And, notwithstanding the desire of the Committee to secure Concan, or the country below the Ghauts, it was resolved, upon the recommendation of the General, to occupy the passes of the mountains, and to threaten the enemy's capital, advancing into the country as far as might appear consistent with the safe return of the army. The terror which might thus be inspired was expected to operate as the most effectual inducement to peace; and that terror would be the more powerful, as the two leading chiefs, Scindia and Holkar, were understood to be occupied in the defence of their own dominions against the attack carried on from Bengal.



The army marched from Bassein about the middle of January. The Mahratta force in Concan was computed at 20,000 horse and foot, with about fifteen guns. It was commanded by Hurry Punt Furkea, and posted on the road to B'hore Ghaut, by which, as the easiest of the passes, and that leading most directly to the Mahratta capital, it was expected that the English would endeavour to ascend. Notwithstanding the numerical superiority of the enemy, they offered little resistance in the level country, and with only a few slight skirmishes, the English reached the foot of the pass on the 8th of February. The enemy had ascended; and from intelligence it appeared that they had assembled in great force to dispute the

BOOK V. Chap. 6. 1781.

passage. Holkar, whom the attack from Bengal had been too feeble to retain on the opposite side of the Mahratta country, and who had left Scindia as sufficient to cope with the force by which he was assailed, had lately joined the Poonah army, of which the whole was encamped near the top of the Ghaut. The General, who saw the advantage of audacity and dispatch, resolved to storm the pass the very night of his arrival. The storming party, which consisted of the grenadiers, headed by Captain Parker, entered about midnight, and with consummate gallantry, forcing the enemy from every battery and post which they occupied, reached the summit at five o'clock in the morning.

At the top of the Ghaut, the English army were not distant more than forty-five miles from the Mahratta capital. On the 12th, a person arrived, commissioned, as he said, by Nana Furnavese, the Poonah minister. His object was, to declare the earnest desire of the Minister to obtain the friendship of the English; but he brought with him no credentials to authenticate his mission. For this, he apologized, by the doubts which Nana felt of the disposition towards him entertained by the English. Goddard was not willing that a mere adherence to forms should obstruct the acquisition of peace. He instructed him to assure the minister of the readiness with which the English would second his views for a termination of the existing contests and the formation of an alliance against their respective enemies. Among other circumstances, the Mahratta agent affirmed, that the copy of the treaty which had been sent for transmission to the Regent of Berar, the Regent, who had not approved of it, had declined to forward. The General, therefore, transmitted to the minister a copy, together with information of his being vested with full powers to treat; and agreed to wait eight days for an answer. The answer arrived within the time prescribed, containing a simple and explicit rejection of the terms. Fully acquainted with the progress of Hyder in Carnatic, and regarding the eagerness of the English for peace, as a declaration of inability for war, the Mahrattas, at this juncture, expected greater advantages from continuing, than terminating hostilities. To the application of the Supreme Council to Moodajee, that he would employ his mediation between them and the Poonah government, an answer was not received till the 9th of January, 1781; and when it did arrive, it contained so many objections to the treaty, and even advanced so many pretensions, on the part of Moodajee himself, that it not only convinced them of the little prospect of peace, but brought in doubt the sincerity of the former professions of that person himself.



Notwithstanding this disappointment in the hopes of peace, and the approach of the English army to the capital of the enemy, Goddard, convinced that possession of the capital, which the enemy had determined to burn, would by no means ensure the attainment of his object, declined any further progress into the interior of the country; and recommended a system of defensive warfare, permitting the return of the Madras troops to the coast of Coromandel, both for assistance against Hyder, and to lessen the pressure upon the Bombay finances.

After maintaining their post with little disturbance at the head of the Ghauts till the 17th of April, the English descended secretly during the night. The difficulty of supplying the troops with

BOOK V. Chap. 6. 1781.

provisions, while the enemy, it was found, could descend by other passes, and intercept their convoys; together with the expense of fortifying the post at the top of the Ghauts, appeared to surpass the advantage of maintaining it. The enemy descended in pursuit the following day. The route from the bottom of the hills to the coast was about twenty-four miles, through a country full of bushes, thickets, and narrow defiles. This was highly favourable to the irregular and unexpected assaults of the Mahrattas, who greatly harassed the English during the three days of the march; but though several lives were lost, and among the rest that of Colonel Parker, the second in command, no material impression was made, nor any loss sustained of the baggage and stores. The Mahratta army re-ascended the Ghauts; and the English, left in possession of Concan, prepared, with the Madras detachment, which the reduced state of the battalions now rendered it desirable to retain, to remain at Callian through the approaching monsoon.1

On the Bengal side of the Mahratta country, it was determined, notwithstanding the eminent services of Major Popham, to supersede that officer in the command, and relieve his corps by that of Colonel Carnac, who, having already advanced into the territory of the Rana of Gohud, was, about the beginning of the year 1781, commanded to penetrate, at the head of five battalions of sepoys, towards Oogein, the capital of Scindia. The force employed in this service, as it was too small to prevent Holkar from returning to assist in turning the balance against Goddard, so it was too feeble to intimidate even Scindia alone, and seems to have been saved from destruction, or at any rate from flight, by nothing but a fortunate exploit. Having reached Seronge, in the month of February, it was surrounded by a powerful enemy; its supplies were cut off; it was harassed on all sides; the princes, expected to join it, stood aloof; it was reduced to distress for want of provisions: and the commanding officer was obliged to apply by letter for the troops stationed at Futtyghur, under Colonel Muir, to enable him to retreat into the country of the Rana. Colonel Muir arrived at Gohud on the 29th of March. But before this time Colonel Carnac was reduced to such extremity, that on the 23d of the same month he had summoned a council of war, in which Captain Bruce, the officer who commanded the storming party at the taking of Gualior, recommended, as the only possible means of preserving the army, to make that very night an attack upon the camp of Scindia. After some debate and hesitation, the resolution was adopted. At sunset on the 24th, the army moved from their ground, and after a march of thirteen hours arrived at the camp. The surprise was, happily, complete; and all the terror and confusion ensued which usually result from a nocturnal assault unexpectedly falling upon a barbarian army. The enemy dispersed, and fled in disorder, leaving several guns and elephants, with a quantity of ammunition, in prize to the victor.



Colonel Muir was so retarded, by want of cattle for the conveyance of provisions, and by other difficulties,1 that he arrived not at Antry till the 4th of April; and, as senior officer, upon joining Carnac, he assumed the command. In order to overcome the backwardness of the Rana of Gohud, whom the apparent feebleness of the English led to temporize, and even to intrigue with Scindia, directions were given to place him in possession of the fort of Gualior, which had

been professedly taken only for him. Though the English were now enabled to remain within the territory of Scindia, they were too feeble to undertake any active operations; and spent several months in vain endeavours to induce the Rana of Gohud, and the neighbouring chieftains, to yield them any efficient support. In the mean time the army of Scindia lay close to that of the English, which remained at Sissai, a place within the Mahratta dominions, several days' march beyond the frontiers of Gohud. The Mahratta horse daily harassed the camp, and cut off the supplies. And the troops were reduced to great distress, both by sickness and want of provisions.1 Happily the resources of Scindia, too, were not difficult to exhaust; and he began seriously to desire an end of the contest. About the beginning of August, an overture was made, through the Rana of Gohud, which the English commander encouraged; and on the 16th of that month, an envoy from Scindia, with powers to treat, arrived in the English camp. Similar powers were transmitted to Colonel Muir. Negotiation commenced; and on the 13th of October a treaty was concluded. All the territory which the English had conquered on the further side of the Jumna was to be restored to Scindia: On the other part, Scindia was not to molest the chiefs who had assisted the English, or to claim any portion of the territory which the English had annexed to the dominions of the Rana of Gohud: It was also agreed, that Scindia should use his endeavours to effect a peace between the English and their enemies, Hyder Ali, and the Peshwa.1



During these proceedings the Governor-General and Council were involved in other affairs of no ordinary importance.

When the wisdom of parliament embraced the subject of the government of India, and by its grand legislative effort, in 1773, undertook to provide, as far as it was competent to provide, a remedy both for the evils which existed, and for those which might be foreseen, a Court of Judicature was created, to which the title of Supreme was annexed, and of which the powers, as well as the nomination of the judges, did not emanate from the Company, but immediately from the King. It was framed of a Chief Justice and three puisné Judges; and was empowered to administer in India all the departments of English law. It was a court of common law, and a court of equity; a court of oyer and terminer, and gaol delivery; an ecclesiastical court, and a court of admiralty. In civil cases, its jurisdiction extended to all claims against the Company, and against British subjects, and to all such claims of British subjects against the natives, as the party in the contract under dispute had agreed, in case of dispute, to submit to its decision. In affairs of penal law, its powers extended to British subjects, and to another class of persons, who were described, as all persons directly or indirectly in the service of the Company, or of any British subject, at the time of the offence.

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In the establishment of this tribunal, the British legislature performed one important act of legislative wisdom. They recognized, and by adopting they sanctioned, the principle, that to leave any part of the emoluments of judges, as so great a portion of them in England is left, to be made out of fees extracted from the suitors in their own courts, is an abuse; an infallible cause of the perversion of judicature. They enacted that a sufficient salary should be fixed for the judges; that no additional emolument, in the shape of fees, or in any other, should accrue from their judicial functions. A sure

temptation to exert, for the multiplication of suits and of their expenses, the great powers of judges, was so far, accordingly, taken away; and that oppression which is inflicted upon the public by the unnecessary delay, vexation and expense of judicial proceedings, was in part deprived of its fundamental and most operative cause.1

On the principal ground, however, the parliament, as usual, trode nearly blindfold. They saw not, that they were establishing two independent and rival powers in India, that of the Supreme Council, and that of the Supreme Court; they drew no line to mark the boundary between them; and they foresaw not the consequences which followed, a series of encroachments and disputes, which unnerved the powers of government and threatened their destruction.2



The judges had not been long in the exercise of their functions, when the effects of their pretensions began to appear. The writs of the Supreme Court were issued at the suit of individuals against the Zemindars of the country, in ordinary actions of debt; the Zemindars were ordered to Calcutta to make appearance, taken into custody for contempt if they neglected the writ, or hurried from any distance to Calcutta, and, if unable to find bail, were buried in a loathsome dungeon.1 In a minute of General Clavering, Colonel Monson, and Mr. Francis, dated the 11th of April, 1775, they declare that process of this description had been issued into every part of the provinces. "Zemindars," they add, "farmers, and other proprietors of the lands, have been seized upon their estates, and forcibly brought up to the Presidency, at the suit or complaint of other natives, and detained there, or obliged to give bail, according to the nature of the case." By these proceedings, the minds of the natives were thrown into the utmost consternation and alarm. They saw themselves surrounded with dangers of a terrible nature, from a new and mysterious source, the operations of which they were altogether unable to comprehend. The principles of English law were not only different, in many important respects, from those to which they had hitherto been indebted for the protection of every thing which they held dear; but opposite and shocking to some of their strongest opinions and feelings. The language of that law; its studied intricacies and obscurities, which render it unintelligible to all Englishmen, who have not devoted a great part of their lives to the study of it; rendered it to the eye of the affrighted Indian, a black and portentous cloud, from which every terrific and destructive form might at each moment be expected to descend upon him. Whoever is qualified to estimate the facility and violence with which alarms are excited among a simple and ignorant people, and the utter confusion with which life to them appears to be overspread, when the series of customs and rules by which it was governed is threatened with subversion, may form an estimate of the terrors which agitated the natives of India, when the process of the Supreme Court began to operate extensively among them.

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The evils, not of apprehension merely, but of actual suffering to which it exposed them, were deplorable. They were dragged from their families and affairs, with the frequent certainty of leaving them to disorder and ruin, any distance, even as great as 500 miles, either to give bail at Calcutta, a thing, which, if they were strangers, and the sum more than trifling, it was next to impossible they should have in their power;

or to be consigned to prison for all the many months which the delays of English judicature might interpose, between this calamitous stage, and the final termination of the suit. Upon the affidavit, into the truth of which no inquiry whatsoever was made; upon the unquestioned affidavit of any person whatsoever; a person of credibility, or directly the reverse, no difference; that the individual prosecuted was within the jurisdiction of the court, the natives were seized, carried to Calcutta, and consigned to prison, where, even if it was afterwards determined that they were not within the jurisdiction of the court, and of course that they had been unjustly prosecuted, they were liable to lie for several months, and whence they were dismissed totally without compensation. Instances occurred, in which defendants were brought from a distance to the Presidency, and when they declared their intention of pleading, that is, objecting, to the jurisdiction of the court, the prosecution was dropped; in which the prosecution was again renewed, the defendant again brought down to Calcutta, and again, upon his offering to plead, the prosecution was dropped. The very act of being seized was, in India, a circumstance of the deepest disgrace, and so degraded a man of any rank, that, under the Mahomedan government, it was never attempted, except in cases of the greatest delinquency.[1]



Not only the alarm which these proceedings diffused throughout the country, but the effects with which they threatened to strike the collection of the revenue, strongly excited the attention of the Company's servants and the members of their government. To draw from the ryots the duties or contributions which they owe, is well known to be a business of great detail and difficulty, requiring the strictest vigilance, and most minute and persevering applications. Any thing which strikes at the credit of the Zemindar, farmer, or other functionary, by whom this duty is performed, immediately increases the difficulty, by encouraging the ryot in the hope of defeating the demand by evasion, cunning, obstinacy or delay. The total absence of the functionary, called away to attend the proceedings of the Supreme Court, his forcible removal; or the ignominious seizure of his person, went far to suspend the collections within his district, and to cut off the source of those payments for which he was engaged to the Company.



It had been the immemorial practice in India, for that great branch of the government entrusted with the collection of the revenue, to exercise the department of jurisdiction which regarded the revenue, to decide in that field all matters of dispute, and to apply the coercive process which was usual for enforcing demands. These powers were now exercised by the Provincial Councils, and the courts established, by the name of Duannee Adaulut, under their authority. The mode of decision was summary, that is, expeditious, and unexpensive; and the mode of coercion was simple, and adapted to the habits and feelings of the people. One or more peons, a species of undisciplined soldiery, employed in the collections, was set over the defaulter, that is, repaired to his house, and there watched and restrained him, till the sum in demand was discharged. In a short time the Supreme Court began to interfere with these proceedings. The defaulters were made to understand by the attorneys, who had spread themselves pretty generally through the country, that if they would throw themselves upon the Supreme Court, they would obtain redress and protection. They were taught, as often

as any coercive process was employed by the judges of revenue, to sue out a writ of Habeas Corpus in the Supreme Court; where it was held competent, and was in practice customary, for the judges to set them at liberty upon bail. This excited still more violently the apprehensions of the members of government, in regard to the collection of the revenue. As the disposition to withhold the payment is universal and unremitting in India, and never fails to lay hold of every occasion which affords any chance either of
delay, or evasion; they apprehended that such a resource, held up to the people, would breed a general tendency; and they concluded, with justice, that if, in the innumerable cases in which compulsion was necessary, it could only be exercised through the tedious, laborious, and expensive forms of English law, the realizing of a revenue in India was a thing altogether impossible.



While the Company exercised the office of Duan, in other words, that department of government which regarded the collection of the revenue, and in civil cases the administration of justice, they had been careful to keep up the appearance of the Nizamut, or remaining branch of the ancient government, in the person of the Nabob; and to him, the penal department of judicature, under the superintendance of the Naib Duan, or deputy Nabob, appointed by the Company, had in particular been entrusted. To this government of the Nabob; which, though totally dependent upon the servants of the Company, and subservient to their will, was yet the instrument of a great portion of all that security for order and protection which existed in the country; the Supreme Court declared, that they would pay no regard. In their representation, under date of the 15th of January, 1776, the Governor and Council complain to the Court of Directors, that Mr. Justice Hyde had declared publicly on the bench, “The act of parliament does not consider Mubaruck al Dowla as a sovereign prince: The jurisdiction of this court extends over all his dominions:” That Mr. Justice Le Maistre had said, “With regard to this phantom, this man of straw, Mubaruck al Dowla, it is an insult on the understanding of the Court, to have made the question of his sovereignty: But it comes from
the Governor-General and Council: I have too much respect for that body to treat it ludicrously, and I confess I cannot consider it seriously:” And that the Chief Justice had treated the Nabob, “as a mere empty name, without any real right, or the exercise of any power whatsoever.”



By these pretensions, the whole of that half of the powers of government which were exercised in the name of the Nabob, was taken away and abolished. By another set of pretensions, the same abolished. By another set of pretensions, the same abolition was effected of the other half, which, in the character of Duan, were exercised in the name of the Company.

In the same address, the Governor-General and Council add the following statement: “Mr. Le Maistre, in his late charge to the grand jury, declares that a very erroneous opinion has been formed by the Governor-General and Council, distinguishing the situation of the East India Company, as Dewan, from the common condition of a trading company; he makes no scruple of avowing a decided opinion, that no true distinction, in reason, in law, or justice, can or ought to be made, between the East

India Company as a trading company, and the East India Company as Dewan of these provinces. With respect to the management of the territorial revenue, he is pleased to declare, that the only true interpretation of the act of parliament is, that our management and government is not exclusive, but subject to the jurisdiction of the King's Court; and that it will be equally penal for the Company, or for those acting under them, to disobey the orders and mandatory process of the King's Court, in matters which merely concern the revenues, as in any other matter or thing whatsoever." The Governor and Council then declare; "By the several acts and declarations of the judges, it is plain, that the Company's office of Dewan is annihilated; that the country government is subverted; and that any attempt on our part to exercise or support the powers of either, may involve us and our officers in the guilt and penalty of high treason; which Mr. Justice Le Maistre, in his charge, expressly holds out, *in terrorem,* to all the Company's servants and others, acting under our authority."



It would be difficult, in any age or country, to discover a parallel to the conduct, which this set of judges exhibited, on the present occasion. Their own powers, as it was impossible for them not distinctly to see, were totally inadequate to the government of the country; yet they proceeded, contrary to the declared, though badly expressed, intention of the legislature, to avail themselves of the hooks and handles,[1] which the ensnaring system of law, administered by them, afforded in such abundance, to draw within their pale the whole transactions of the country; not those of individuals only, but those also of the government. That this was to transfer the government into their hands is too obvious to require illustration. When a government is transferred from one to another set of hands, by a simple act of despotism, every branch of authority is directly supplied; the machine of government remains entire; and the mischief may be small, or the advantage great. But when the wheels of government were threatened to be stopped by the technical forms of a court of English law; and when nothing but those forms and a set of men who could ostensibly perform nothing but through the medium of those forms and the pretence of administering justice, was provided to supply the place of the government which was destroyed, a total dissolution of the social order was the impending consequence. The system of English law was so incompatible with the habits, sentiments, and circumstances, of the people, that, if attempted to be forced even upon that part of the field of government which belonged to the administration of law, it would have sufficed to throw the country into the utmost disorder, would have subverted almost every existing right, would have filled the nation with terror and misery, and being, in such a situation, incapable of answering the purposes of law, would have left the country in a state hardly different from that, in which it would have been, under a total absence of law: But when the judges proceeded to apply these forms to the acts of government, the powers of administration were suspended; and nothing was provided to supply their place. Either with a blind ignorance of these consequences, which is almost incredible, unless from our experience of the narrowness which the mind contracts by habitual application to the practice of English law, and by habitual indulgence of the fancy that it is the perfection of reason; or, with a disregard of these consequences, for which nothing but a love of power too profligate to be stayed by any considerations of human

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happiness or misery is sufficient to account, the judges proceeded, with the apparent resolution of extending the jurisdiction of their court, and leaving as little as possible of the business of the country exempt from the exercise of their power.



To palliate the invasions which they made upon the field of government, they made use of this as an argument; that the great end of their institution was to protect the natives against the injustice and oppression of the Company's servants, and that without the powers which they assumed, it was impossible for them to render to humanity this eminent service. But to force upon the natives the miseries of English law, and to dissolve the bands of government, was to inflict upon the people far greater evils, than those from which they pretended to relieve them. If the end proposed by the legislature was really to protect the natives from the injustice of Englishmen, they made a very unskilful choice of the means.

The representations, upon this subject, which the Governor-General and Council transmitted to England, induced the Court of Directors, in the month of November, 1777, to lay a statement of the case before the Ministers of the Crown. The supposed dignity of a *King's Court,* as it inflated the pretensions of the Judges, who delighted in styling themselves King's Judges; contrasting the source of their own power with the inferior source from which the power of the Governor-General and Council was derived; so it imposed awe and irresolution upon the Court of Directors. They ventured not to originate any measure, for staying the unwarranted proceedings of the Supreme Court; and could think of no better expedient, than that of praying the ministry to perform this important service, in their behalf.

The Directors represented to the ministry, that the Zemindars, farmers, and other occupiers of land, against whom writs, at the suit of natives, had been issued into all parts of the provinces, it was not the intention of the legislature to submit to the jurisdiction of the Supreme Court; that the proceedings, by which they were hurried to a great distance from their homes, their persons arrested, and a long confinement in the common goal inflicted upon them, appeared to be replete with irregularity and injustice; that the parties are "sure to suffer every distress and oppression with which the attorneys of the court can easily contrive to harass and intimidate them," before the question whether they are subject or not to the jurisdiction of the court can be so much as broached; that, after pleading to the jurisdiction, they are sure of an adverse decision, "unless they are able to prove a negative; that is, unless a native of Bengal is able, from an act of parliament which the Governor-General and Council have declared liable to different constructions, to prove himself not subject to the jurisdiction of the Supreme Court;" that the consequences were in the highest degree alarming, as almost all the Zemindars in the country, standing in the same predicament, felt themselves exposed to the same dangers; as the disgust and hatred of the natives were excited by the violation of their customs and laws; and the collection of the revenue was impeded, and even threatened with suspension.

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They represented also, That the Supreme Court, beside extending its jurisdiction to such *persons,* had extended it also to such *things,* as it was clearly the intention of the

legislature to exempt from it: That these were "the ordering, management, and government of the territorial revenues," including the powers which that ordering and government required: That over this department, the whole Bench of Judges had declared their resolution to exercise a power, superior to that of the Company: That, accordingly, the process
of the ordinary Revenue Courts was opposed; persons whom they had confined being released by the Supreme Court; suits which were cognizable in none but the Revenue Courts being instituted and entertained in the Supreme Court; prosecutions being carried on by the Supreme Court against the Judges of the Revenue Courts, for acts done in the regular performance of the business of the Court; farmers of the revenue, who had fallen into arrear, refusing to obey the process of the Revenue Courts, and threatening the Judges with prosecution in the Supreme Court, if any coercive proceedings were employed: That in consequence of these acts, in some instances, the operation of the Dewanee Courts was suspended; in others, the very existence of them destroyed: And that the Governor-General and Council, in their capacity of a Court of Appeal or Sudder Dewanee Adaulut, were discouraged from the exercise of this important jurisdiction, under the apprehension that their powers might be disputed, and their decrees annulled.[1]



Under the third head of complaint, the Directors represented, That the Supreme Court had, on the pretext of requiring evidence, demanded the production in Court of papers liable to contain the most
secret transactions of the government; that the Secretary of the Council was served with the writ called a *sub pœna duces tecum,* and attending the Court without the papers was informed that he had brought upon himself all the damages of the suit; that upon his representing the impossibility of his producing in Court the records of the Council which the Council had forbidden to be so produced, he was ordered to declare which of the Members of the Council voted for the refusal of the papers, and which (if any) for the production; that upon his demurring to such a question a positive answer was demanded, and every Member of the Council who had concurred in the refusal was declared to be liable to an action; that the Council agreed to send such extracts as had a reference to the matter in dispute, but persisted in the refusal to exhibit their records; that of this species of demand various instances occurred; and that it was manifestly impossible for the Board to deliberate and act as a Council of State, and as the administrative organ of government, if publication of their minutes might at any time be called for, and if every Member was answerable, in an action of damages, for any measure in which he concurred, to as many persons as might think themselves aggrieved by it.



In the fourth place, the Directors represented, That the penal law of England was utterly repugnant to those laws and customs by which the people of India had been hitherto governed; that, nevertheless, Maha Rajah Nuncomar, a native of high rank in Bengal, was indicted, tried, convicted, and executed, for an offence, which was not capital by the laws of the country where the offence was committed; that if the Court was unable to mitigate the punishment, it might have deemed it prudent to use its power of respiting the prisoner until the pleasure of

the King was known; that this the Directors "conceived to be a matter of the most serious importance, and big with consequences the most alarming to the natives of India; that the Judges seemed to have laid it down as a general principle, in their proceedings against Nuncomar, that all the criminal law of England is in force, and binding, upon all the inhabitants within the circle of their jurisdiction in Bengal." The Directors, therefore, adjure the Minister to consider what will be the consequences, if this principle, and the example grounded upon it, were followed up with consistency. "Can it be just," they say, "or prudent, to introduce all the different species of felony created by what is called the *Black Act?*—or to involve, as what is called the *Coventry Act* involves, offences of different degrees in one common punishment?—or to introduce the endless and almost inexplicable distinctions by which certain acts are or are not burglary." They ask whether Indian offenders, of a certain description, were to be transported to his Majesty's colonies in America, or sent to work upon the river Thames? And whether every man convicted for the first time of bigamy, "which is allowed, protected, nay almost commanded by their law, should be burnt in the hand if he can read, and hanged if he cannot read?" "These," they add, "are only some of the consequences which we conceive must follow, if the criminal law of England be suffered to remain in force upon the natives of Bengal. If it were legal to try, to convict, and execute Nuncomar for *forgery,* on the Statute of George II., it must, as we conceive, be equally legal, to try, convict, and to punish the Subahdar of Bengal, and all his court, for *bigamy,* upon the statute of James I."

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On the 2d of January, 1777, a suit was instituted before the Provincial Council at Patna, which afforded occasion to the Supreme Court of carrying the exertion of their powers to a height more extraordinary than they had before attempted. A person of some distinction and property, a native Mahomedan, died, leaving a widow, and a nephew, who for some time had lived with him, in the apparent capacity of his heir, and adopted son. The widow claimed the whole of the property, on the strength of a will, which she affirmed the husband had made in her favour. The nephew who disputed the will, both on the suspicion of forgery, and on the fact of the mental imbecility of his uncle for some time previous to his death, claimed in like manner the whole of the estate as adopted son and heir of the deceased.

For investigation of the causes the decision of which depended upon the principles of the Mussulman law, the Provincial Councils were assisted by native lawyers, by whose opinion in matters of law it was their duty to be guided. In the present instance, the Council of Patna deputed a Cauzee and two Muftees, by a precept, or perwannah, in the Persian language, directing them to take an account of the estate and effects of the deceased, and secure them against embezzlement; to inquire into the claims of the parties; to follow strictly the rules of Mahomedan law; and report to the Council their proceedings. In all this, nothing appeared which was not reasonable; and which was not according to the approved and established mode of procedure.

On the 20th of January, the Cauzee and Muftees, having finished the inquiry, delivered their report; in which, after a statement of the evidence adduced, they declare their opinion, that neither the widow, nor the nephew, had established their

claims, and that the inheritance should be divided according to the principles provided by the Mahomedan law for those cases in which a man dies without children and without a will; in other words, that it should be divided into four shares; of which one should be given to the widow; and three to the brother of the deceased, who was next of kin, and father of the nephew who claimed as adopted son. Upon a review of the proceedings of the native Judges, and a hearing of the parties, the Provincial Council confirmed the decree, and ordered the division of the inheritance to be carried into effect. They did more: As it appeared from the evidence that part of the effects of the deceased had been secreted by the widow before they could be secured by the Judges, and that both the will and another deed which she produced, were forged, they put her five principal agents under confinement, till they should account for the goods; and directed that they should be afterwards delivered to the Phousdary, to take their trial for forgery.



It is to be observed, that the widow had opposed all these proceedings from the beginning, not by course of law, but such irregular and violent acts, as suggested themselves to an angry and ignorant mind. When called upon by the Cauzee to appoint, in the usual manner, a vakeel, or representative, to act in her behalf, she positively refused; and when the Cauzee recommended to her a relative, who had lived in the house, was much in her confidence, and acted as her principal agent, she persisted in her refusal, but sent her seal, with a message that the Judges might appoint him if they pleased. Upon the arrival of the Cauzee and Muftees to carry the decree of the Council into execution, the widow resisted. The Cauzee and Muftees proceeded to enforce the orders under which they acted. The widow, contrary to their request and remonstrances, left the house, and betook herself to an asylum of Fakeers, which was in the neighbourhood, carrying alone with her certain title deeds, and the female slaves. The Cauzee and Muftees divided the remaining effects, upon the valuation of appraisers mutually chosen by the parties, into four shares, of which the vakeel of the widow chose one for her, and the rest were set apart for the brother of the deceased. The widow refused to submit to the decision, or to accept of her share. She also refused to give up the title deeds, which he had carried away, or the female slaves. In consequence of this proceeding, a petition was presented to the Council, by the nephew, representing that she had not complied with the decree, but by absconding reflected, according to the Mahomedan ideas, disgrace upon the family, and praying that she might be compelled to deliver up the papers and slaves, and to return to the house, under his protection as representative of the heir. An order was directed by the Council to comply with this request. After some time another petition was presented by the nephew, complaining that the Cauzee and Muftees had not yet complied with the injunctions of the Board. Upon this the Council agreed, that the Cauzee should be reprimanded for his delay, and directed to proceed immediately in the execution of his orders. The Cauzee represented by memorial, that he had not only made frequent demands upon the widow, but had placed hircarrahs to watch her, and that in his opinion, that species of constraint, which was authorised by the Mussulman law, and customary in the country, namely restriction from all intercourse by a guard of soldiers, was necessary to be applied. The guard was ordered, and continued for a space of six weeks. The widow

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still refused compliance; and at that time the guard was withdrawn.



The widow was advised to bring an action in the Supreme Court, against the nephew, the Cauzee, and Muftees, on the ground of their proceedings in the cause; and laid her damages at 600,000 sicca rupees, about 66,000*l.* The objection taken, on the part of the nephew, to the jurisdiction of the Court, the Judges overruled, on the pretence that every renter was a servant of the Company.1 The justification set up for the Cauzee and Muftees was, that they had acted regularly, in their judicial capacity, in obedience to the lawful orders of their legal superiors; that the Provincial Councils were vested with a power of determining suits between the natives, with the advice and assistance of the native lawyers; that the established mode in which the Provincial Councils availed themselves of that advice and assistance was, by directing them to hear the parties, to collect the evidence, and to deliver in a report of the whole, comprehending their opinion of the decision which ought to be pronounced; which decision the Council, upon a review of the whole, or with the addition of such other inquiries as they might think the case required, affirmed, or altered, subject only to an appeal to the Governor and Council; and that a Judge acting in his judicial capacity could not be responsible in damages to those who might suffer by the execution of his decrees.

This defence, which to the eye of reason appears appropriate and irrefragable, the Court treated with the utmost contempt; and upon a ground which rouses surprise and indignation. A form of words, among the numerous loose expressions, which fall from the lips and pens of English lawyers, without any binding authority, or any defined and consistent application, occurred to the judges. This was the phrase, *Delegatus non potest delegare,* "he who is delegated cannot delegate." And upon this, and no other reason, so much as alleged, they decreed, that the Cauzee and Muftees, for acting regularly, acting as they were obliged to act, and had in fact been accustomed to act ever since the jurisdiction of the country had passed under English control, were liable to actions of damages at the suit of every person whom their proceedings displeased, that is, one at least of the parties in almost every cause. It would be absurd, to attempt, by illustration, to render more apparent the deformities of this proceeding. To quote a maxim of English law, though ever so high in authority, and invariable in its force, as a ground for committing in India a flagrant violation of natural equity, against persons who knew not the English law, nor owned its authority, was an act of chicane, which the history of judicial encroachments, rich as it is in examples of injustice, cannot frequently surpass. It is, however, a maxim, of which, even where admissible, the authority is so little determined, that, like many more, with which the appetite of judges for power is in England so quietly gratified, it has just as little weight or as much, as, in each particular instance, the judge may happen to please. And in a variety of remarkable cases, the established course of English law goes directly against it.1



Deciding, upon the strength of this assemblage of words, that the provincial council could not delegate any authority to the native magistrates, even as their agents; and hence that every thing which these assistant magistrates had

performed was without authority, the Supreme Court thought proper to enter minutely and laboriously into the whole of the case, and, after voluminous proceedings, gave judgment against the defendants, damages 300,000 rupees, and costs 9208, amounting to the sum of about 35,000*l.*[1]

At the commencement of the suit a capias was granted with a bailable clause. A bailiff proceeded from Calcutta, and arrested at Patna the nephew, and also the Cauzee, as he was returning from his duty in one of the courts of justice. The bail demanded was 400,000 rupees, or about 44,000*l.* The Council of Patna, struck with consternation, at the probable effects of so extraordinary a procedure, upon the minds of the people, upon the authority of government, upon the collection of the revenue, and upon the administration of justice, which it threatened to stop, by deterring the native lawyers and judges from yielding their services, resolved, as the best expedient which the nature of the case afforded, to offer bail for the prisoners, who, after a confinement of some time in boats upon the river were enlarged. The Governor-General and Council, as soon as they were informed of these proceedings, resolved, "That as the defendants are prosecuted for a regular and legal act of government in the execution of a judicial decree (except one of them,[1] the plaintiff in the suit before the Dewanee Adaulut at Patna, whose arrest is not for any apparent cause) they be supported and indemnified by government from all consequences from which they can be legally indemnified."[2] Judgment being given, the defendants were put under a guard of Sepoys, that they might be conveyed to Calcutta to be surrendered. The Cauzee, an old man, who had been chief Cauzee of the province for many years, was unable to endure the vexation and fatigue; and he expired by the way. The rest were carried to Calcutta, and lodged in the common gaol, where they remained till relieved by the interference of the British parliament in 1781. By that authority a pecuniary compensation was awarded to them for their losses and hardships, and the Muftees were ordered to be not only reinstated in their former situation and condition, but to be elevated to the office of Mahomedan counsellors to the court and council of Patna.



The Supreme Court and the widow were not satisfied with these proceedings against the native magistrates: An action was also brought against Mr. Law, and two other members of the provincial council at Patna. As this prosecution was instituted for official acts performed in the Company's service, the Governor-General and Council thought it fit that the Company should bear the burden of their defence. Here too the court decided in favour of the party who brought it jurisdiction; and awarded damages to the amount of 15,000 rupees; which money was paid from the Company's treasury.



It was in this manner that a thirst for jurisdiction incited the English judges to interfere with the administration of justice in the native *civil* courts. The following is the manner in which it induced them to interfere with the jurisdiction of the native *criminal* courts. From a former statement it will be recollected, that the system of criminal judicature among the natives had been left by the Company nearly upon the footing, on which they found it, and on which it had long been established in the country. It was a branch of authority which was reserved to the Nabob in his character

of Nazim. The judges of the courts (they were known by the name of Phousdary Courts) were appointed by the Naib Subah, or Nabob's deputy, by whom their proceedings were reviewed and controled. They were entirely independent of all other authority; and it does appear that, considered as Indian, justice was administered in them without any peculiar strain of abuse. About the middle of the year 1777, an attorney of the Supreme Court, took up his residence at Dacca. In the month of September of that year this attorney proceeded to execute a process of arrest, issued by one of the judges of the Supreme Court, against the Duan, or principal public officer of the Phousdary Court at Dacca. The process was issued at the suit of a man of the low rank of a *pyke,* or messenger, who had been prosecuted in the Phousdary Court for
a misdemeanour, convicted, and confined till he made restitution. The action was brought against the principal officer of the court, for trespass and false imprisonment, in the execution of this
decree. A native, employed by the attorney as a bailiff, who proceeded to the house of the Phousdar, or chief criminal judge, entered the hall of audience, in which the Phousdar was sitting with several of his friends and the principal officers of his court; and attempted, in a violent and disrespectful manner, to seize the person of his Duan, or principal agent. It is to be observed, that, in India, a man considers an indignity offered to his servants, as in reality offered to himself. No writ or warrant, it was affirmed, was produced by the bailiff; and he was not allowed to perform the arrest. Upon this the attorney proceeded to the house of the Phousdar in person, accompanied by a crowd of attendants; and entered it in a forcible manner, by breaking down the gate. To see violated the sanctuary of his house, the mysterious repository of his wives, is a disgrace to a Mussulman more dreadful than death. The reserve of Eastern manners, and the respect bestowed upon the very walls which contain the sacred deposit of the master, render the forcible entrance of a house an event which occurs only in the exercise of the most violent hostility. It is one of the last outrages which may be expected at the hands of an implacable foe. When the Phousdar of Dacca, therefore, beheld his gate broken down, and an irregular crowd of men bursting into his house, the greatest calamity which could befall him rushed naturally upon his apprehension; and he proceeded to repel a danger, which every honourable Mussulman would resist at the expense of his life. An affray arose in the court of the house. The father of the Phousdar received a wound in the head, from a sword, by an attendant of the attorney; and
the brother-in-law of the Phousdar was dangerously wounded in the body, with a pistol-shot by the attorney himself.



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Mr. Justice Hyde, one of the judges of the Supreme Court, wrote, after hearing of these facts, to the military officer upon the spot, instructing him to afford assistance to the attorney; and adds, "I beg the favour of you, for fear my letters to him should not be suffered to come safe, to tell him, that I highly approve his conduct, and doubt not that he will receive proper support from the court whose officer he is."[1]

It is unnecessary in this case any further to pursue the proceedings of the attorney or his court. The Provincial Council gave bail for the Duan; transmitted to the Governor-General and Council an account of the facts; and they concluded their letter in the following words: "It is fitting we should point out to your notice, that all criminal

justice is at a stand, and seems not likely to be resumed, until the decisive consequences of the present disputes shall be publicly declared and known. It touches to the very existence of government throughout the province, that the jurisdiction of the Phousdar, and his superior, the Naib Subah, be admitted; free from all doubt or ambiguity. How, otherwise, can it be supposed, a Phousdar will perform any function of his office? How presume to execute a criminal convicted, and sentenced to death by the established laws of the government and his religion, if he is liable himself to stand to actions of damages, or to answer to a criminal accusation, according to the laws of England, for any punishment he may inflict? Paint to yourselves, gentlemen, the anarchy and distraction which may arise, if the present uncertainties are not effectually removed?"



In England, one of the notions which judges, and other lawyers, are in a most particular manner eager to stamp upon the public mind is, That the administration of justice is to a most astonishing degree sensitive and delicate: That the acts and character of judges should be treated with exquisite, indeed a religious, respect: That they can hardly bear to be exposed to criticism, or blame, in the slightest degree: And that, if the criticism is to any considerable degree searching and severe, it ought to be repressed and punished, however just, with terrifying penalties. This doctrine, which is so very palatable to the judges in England, and so very favourable to all the abuses of their power, we see in what respect they themselves retain, when their power may be enlarged, by trampling upon it in the dust, by annihilating the power and the dignity of the whole order of judges by whom law was administered to a great people.

These are specimens of the manner in which the Supreme Court in India attempted to carry their pretensions into effect. And specimens are all which here it is possible to adduce. A summary of the principal instances in one department, I am happy to be able to present in the words of Mr. Rous, the great law officer of the Company themselves. "Persons confined by the courts of Dewanee Adaulut are collusively arrested by process from Calcutta, or removed by *Habeas Corpus,* where the language is as unknown as the power of the court. The process is abused to terrify the people; frequent arrests made for the same cause; and there is an instance of the purchaser of a Zemindary near Dacca, who was ruined by suits commenced by paupers, suits derived from claims prior to his purchase, and who was at last condemned in considerable damages for an ordinary act of authority in his station. Hence the natives of all ranks become fearful to act in the collection of the revenues. The renters, and even hereditary Zemindars, are drawn away, or arrested at the time of the collections, and the crops embezzled. If a farm is sold, on default of payment, the new farmer is sued, ruined, and disgraced. Ejectments are brought, for land decreed in the Dewanee Adaulut. A Talookdar is ruined by the expense of pleading to the jurisdiction, though he prevails. And, in an action, where 400 rupees were recovered, the costs exceeded 1600 rupees. When to these abuses, incident to the institution of the court itself, and derived from distance, and the invincible ignorance of the natives respecting the laws and practice of the court, we add the disgrace brought on the higher orders, it will not, perhaps, be rash to affirm, that confusion in the provinces, and a prodigious loss of revenue, must be the inevitable consequences of upholding this jurisdiction. The Zemindar of Duckensavagepore, upon pretence that he had been arrested, and afterwards rescued,

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has his house broke open, and even the apartments of his women rudely violated. Another Zemindar surrenders himself to prison, to avoid the like disgrace to his family."

"We have seen with astonishment," say the Governor-General and Council, "process of contempt ordered in one instance, and civil process issue in another, against the Naib Nazim of these provinces residing at Moorshedabad, a party not owing allegiance to the King, nor obedience to his laws; deriving no benefit or security whatever, in life or member, in fame, liberty, or fortune, from the administration of justice under the authority of these laws; a party, it is worth attention, who is the chief magistrate of criminal jurisdiction throughout the provinces, and in whose jurisdiction in matters of criminal cognizance the judges have not only at all times acquiesced, but in a particular instance have actually resorted to it, in aid and exoneration of themselves."[1]



At length a case arose, in which the disputes between the executive and judicial powers reached a crisis. Upon the 13th of August, 1779, a suit was commenced in the Supreme Court, against the Rajah of Cossijurah, by Cossinaut Baboo, his agent at Calcutta. Upon the affidavit of Cossinaut, a capias was ordered to issue, in which bail to the amount of 35,000*l.* was allowed to be taken. The Rajah absconded, to avoid the execution of the writ, and was unable to fulfil his duty, as Zemindar, in the government of the country, and the collection of its revenues. The writ of capias having been returned as unexecuted, on account of the concealment of the Zemindar, another writ was issued to sequester his land and effects. For the execution of this writ, the Sheriff dispatched to Cossijurah an armed force, consisting of sixty men, headed by a serjeant of the court. It was represented by the Rajah, that they entered the house, and endeavoured to pass into the Zenana, or women's apartment; that of the servants of the Rajah, who attempted to prevent the dishonour of their master, several were beaten and wounded; that the party then broke open and forcibly entered his Zenana, and plundered his effects; that they committed outrages upon his place of religious worship, and stript it of its ornaments; and that a stop was put to the collections, and the farmers prohibited from paying him their rents.



Upon the first intimation of this procedure, the Governor-General and Council, by the advice of the Advocate-General, had come to the resolution of instructing the Rajah not to recognise the authority of the court, or to pay obedience to its process; and orders were sent to the officer commanding the troops at Midnapore, to intercept the party of the Sheriff, and detain them in his custody till further orders. The orders arrived too late to prevent the outrage committed upon the house of the Rajah; but afterwards the whole of the party were seized.[1]

Affairs having come to this extremity, the Governor-General and Council issued a notification, to all Zemindars, Choudries, and Talookdars, in the three provinces, that, except in the two cases of being British servants, or bound by their own agreement, they were not to consider themselves as subject to the jurisdiction of the Supreme Court, or to obey its process; and the provincial chiefs were forbidden to lend a military force to aid the Court in carrying its mandates into effect.

A rule was granted by the Supreme Court to show cause why an attachment should not issue against the Company's attorney and the officers who were immediately instrumental in seizing the Sheriff's officers and their attendants at Cossijurah. The officers were instructed, by the Governor-General and Council to resist the execution of any writ, which had a reference to acts done in obedience to their orders in seizing the persons in question. But the attorney was committed to the common gaol of Calcutta for contempt, and a criminal prosecution carried on against him. Upon this, even Mr. Rous remarks,[1] "I am sorry to observe, that the judges, at this period, seemed to have lost all temper, particularly in the severe and unexampled manner of confining Mr. Nayler, attorney to the Company, who merely procured information from the office of the number of men employed by the Sheriff, and once gave directions to the vakeel of the Zemindar to withhold his warrant of attorney;—both, acts done in obedience to the Governor-General and Council."



The Governor-General and Council themselves were at last individually served with a summons from the Supreme Court of Judicature, to answer to Cossinaut Baboo, in a plea of trespass; but finding that the suit was brought against them for acts done in their collective capacity, as the governing organ of the country, they delivered, by the Company's counsel, a declaration, that they would submit to no proceeding of the Court, in any prosecution against them as individuals, for acts done by them as Governor-General and Council; acts to which the jurisdiction of the Court did not extend.

These proceedings were not brought to this stage, before the middle of March, 1780; and in the mean time a petition to parliament had been prepared and signed, by the principal British inhabitants in Bengal, against the exercise which the Supreme Court of Judicature made of their power; and this, together with a petition from the Governor-General, and members of the Supreme Council, and also a petition from the Company itself, was presented in 1780, and referred to the Select Committee, which afterwards reported at such length on Indian affairs. In defence of the Supreme Court, the only matter which appears, with the exception of the speeches of the Judges in Court, which refer only to the grounds of their proceedings in special cases, is contained in three letters of the Chief Justice, addressed to Lord Viscount Weymouth, Secretary of State; one dated the 26th of March, 1779, and the other two dated the 2d and 12th of March, 1780. In vindication of the attempt to force the jurisdiction of the Court upon the Zemindars, it is affirmed that although, as Zemindars, they are not subject to that jurisdiction, yet, as renters and collectors of the revenue, they are included in the description of servants of the Company. And it cannot be denied that the vague and inaccurate phraseology of the act, a species of phraseology which forms so remarkable a characteristic of the language of English law and is the source of so many evils, did leave open a door to the dispute, and to all the mischief which it produced, and which it threatened to produce; though it is clear as day, from the general import of the act, that no such jurisdiction was *intended* to be given. To the allegation of the mischievous consequences which would ensure, and which were proved to be so extensive and alarming, the Chief Justice offers no reply. If there is a verbal, or technical reason, to justify the exercise of his power, the consequences, in

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regard to the happiness or misery of others, are what, from his habits, must to an English Judge appear, in general, as in the present case, very much a matter of indifference. To the accusation of interfering with the administration of criminal justice in the native courts, over which the Supreme Court had undeniably no control, the only defence which is offered by the Chief Justice is, that in those tribunals justice was administered very ill. It is, however,



abundantly certain, that totally to destroy those tribunals by prosecuting the Judges in the Supreme Court, when, having destroyed them, it was impossible for that Court to substitute any thing in their room, was not the way to improve the administration of justice. If those native Courts were susceptible of reform, as most assuredly they were, though, considering the state of society and the former experience of the people, there was at this particular period some ground for praise as well as for blame, it would have been a fit and noble exercise for the mind of the Chief Justice and his brethren, to have formed an excellent plan for the administration of justice among the natives, and to have recommended it with all the weight of their authority to parliament and the Company.

The motive, in this case, which guided to so desperate a line of conduct cannot be mistaken, and ought not with hypocrisy to be disguised. It was not any conception of good; it was not ignorance of the evil; for it was too obvious to be misunderstood. It was the appetite for power, and the appetite for profit: The power sufficiently visible and extraordinary; the profit more concealed: Nor can the pleasure of exercising unbounded sway, through the forms of administering law, be justly regarded as a feeble inducement. We see what, in this instance, it was capable of producing: And a faithful history of the law of England would exhibit no less wonderful proofs, in the misery which it has brought, and still obstinately binds, upon the people of England. Of this important inlet of evil, with which the British legislature ought to have been well acquainted, they appear, in framing the act for the administration of justice in India, to have had no remembrance or regard. And even when they set that important example of cutting off the direct profit of the Judges in the plunder of the suitors, by depriving them of



all *direct* share in the fees; they did not cut off an indirect profit of no trifling importance, by allowing them to create offices, with emoluments derived from fees; offices of which they enjoyed the patronage, itself a valuable power, and of which they could not fail to discover various ways of disposing for their own advantage. They still, therefore, retained an interest, and a very distinct and operative interest, in the amount of the fees which might be gathered in the Court; and the candour is amusing with which the Chief Justice bewails the decline of those profits, as one of the principal evils, if not the only evil, for he scarcely specifies another, which sprang from the measures taken to circumscribe the jurisdiction of the Court. “But one term,” he says, “has intervened, and the business of the Court, as I estimate, has fallen off near one third, and in a term or two, when the causes already commenced are got rid of, I expect it will be reduced to the trial of a few causes arising in Calcutta. The advocates, attorneys, and officers of the Court, who have not already succeeded, will be reduced to a most deplorable situation. The attorneys have petitioned us, that on account of the difficulty of their procuring subsistence in the present state of things, their numbers may not be

increased by new admissions: Though persons may come from England so qualified and recommended, that we may not be able to comply with this requisition, yet I really apprehend we shall do them little service by admitting them; for, it seems to me, it will be only to give them the privilege of starving in company with the present attorneys."[1] That there might be great abundance of advocates and attorneys, and that they, and the officers, in regard to whom the Court possessed the patronage, might be richly rewarded, appeared to the Chief Justice a sufficient reason why his court should retain a jurisdiction ruinous to the country. One of the surest effects of an excellent administration of justice, the diminution of the number of law-suits, that is, the diminution of the business of the Courts; an effect which, if produced by the proper cause, is so highly to be desired, is here set down by the judge as one of the greatest of evils. It is no wonder. It was an effect, directly contrary to his profit and power. And it may with assurance be expected, that judges, who enjoy the profits of a defective and vitious system of law, will regard as an evil whatever has any tendency to lesson those profits; that is, any tendency to purify the law of its profitable defects.[1]



At this stage of the discussions, respecting the administration of justice, a considerable alteration in the constitution of the tribunals, in the civil department of the native law, was brought forward by the Governor-General, and adopted by the Council. According to the regulations of 1773, this department was wholly administered by the Provincial Councils, sitting as Duannee Adaulut, or Court of Civil Judicature. It was now, on the 11th of April, 1780, arranged, that the business of these Courts should be divided into two parts; that which peculiarly concerned the revenue; and that which peculiarly concerned individuals. A separate court, styled Duannee Adaulut, was established for the cognizance of such disputes as arose between individuals: All such disputes as respected the revenue continued subject exclusively to the jurisdiction of the Provincial Councils. The new tribunals were severally composed of one covenanted servant of the Company, who was not a member of the Provincial Council, nor dependent upon it; and denominated superintendant of the Duannee Adaulut. The reason adduced for this alteration was, to exonerate the Provincial Councils from part of their burthen, and afforded them more time for attending to the important business of the revenue.



About the same time, an expedient, of which the foregoing alteration was probably contrived as a subsidiary portion, suggested itself to the mind of the Governor-General, for neutralizing the animosities which prevailed between the Sovereign Council and the Supreme Court; and thereby for terminating their disputes. He devised the plan of creating a Court for the Chief Justice, with a large allowance both of power and emolument, dependant on the pleasure of the executive power. The scheme was conducted in the following manner. Along with the establishment of the Provincial Duannee Adauluts in 1773, had been appointed a Sudder Duannee Adaulut at the Presidency, the object of which was to receive appeals from the Provincial Adauluts. The Sudder Duannee Adaulut was to consist of the Governor-General and

Council in person; but up to this time they had not so much as entered upon the discharge of the functions of this Court; although the Governor-General declared, and the declaration ought not to pass without remark, that, if one half of the time of the Council were devoted to this Court, its important duties could not be adequately discharged.[1] If a judicial function of the highest importance, for which there was so extensive a demand, was left for seven years totally undischarged, what an opinion is it proper we should form of the situation of justice during all that time? And what opinion are we to form of a Governor-General and Council, who let justice remain in that situation? If they had time for the duties of the office (and few of the duties of government could be more important), they were inexcusable for not applying it; if they had not time, they were inexcusable for not devising and executing another plan.

In consultation on the 22d of September, 1780, the Governor-General introduced a minute, in which he stated, that the arrangement, established a few months before, respecting the Courts of civil law, had produced not the most desirable effects, but a great deal of inconvenience. “The institution,” he said, “of the new Courts of Duannee Adaulut, has already given occasion to very troublesome and alarming competition between them and the Provincial Councils, and too much waste of time at this Board.” He represented it as the business of the Sudder Duannee Adaulut, not only to receive appeals from these Courts, but to superintend their conduct, revise their proceedings, remedy their defects; and, generally, to form such new regulations and checks, as experience shall prove to be necessary to the purpose of their institution.” He affirmed, that it was impossible for the Council of Government to spare time from its other functions for this important duty; and thus made two declarations: one, that respecting the disorders of the new Duannee Adauluts; another, this respecting the Court of Appeal: and both expressive of the miserable foresight, which attended his own attempts at legislation. He therefore proposed, That the constitution of the Sudder Duannee Adaulut should be totally changed: That it should not consist of the Governor-General and Council: But that the Chief Justice of the Supreme Court of Judicature should be vested with all its powers. A large salary was intended to be annexed to the office; but that, for politic reasons, was not as yet proposed. And it was expressly regulated, that the Chief Justice should enjoy the office and the salary, during the pleasure of the Governor-General and Council. The happy effects, which the Governor-General represented as about to flow from this arrangement, were these; That when the Chief Justice possessed the superintendence of the Duannee Adauluts, that is, obtained the choice portion of their power, the Supreme Court would no longer interfere in their jurisdiction; that when the Chief Justice obtained this addition of power, with the large salary which would attend it, and held them both at the pleasure of the Council, it “would prove an instrument of conciliation between the Council and the Court,” and prevent “those dangerous consequences to the peace and resources of the government, which every member of the Board,” he said, “foreboded from the contest in which they had been unfortunately engaged with the Court.” The imputation which was essentially involved in this proposition, and which the Governor-General cast upon the Chief Justice, was the most dishonourable, that ever was thrown upon the character of the most infamous of men. The Chief Justice, in extending so vehemently the jurisdiction of the Supreme Court, had affirmed, That it was an imperious sense of duty which thus constrained



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him to act; That by the King, whose servant he was, and the act of parliament which constituted the Court over which he was placed, the boundaries of his jurisdiction, that is, of his sacred duties, were assigned and marked out; That from these duties it was not optional for him to recede; That the Judges of the Supreme Court of Judicature were strictly bound to occupy every portion of the field allotted to them; And could not abandon any part of it, either from respect for the Governor-General and Council, or on account of any contingent effects which the discharge of their imperative duties might be supposed to produce. Yet, what did the proposition of the Governor-General to the Council infer? That if they gave to the Chief Justice a sufficient quantity of power, and of money, dependent upon their will, the Chief Justice would confine the pretensions of the Supreme Court within any limits which they might wish to impose. It might naturally have been objected; that to such a proposition the Chief Justice would never consent. But Mr. Hastings, it would appear, was better acquainted with the circumstances of the case: For the Chief Justice immediately discovered, that infinite advantages would arise from the plan. The proposition was, indeed, opposed, with strong arguments, by Mr. Francis and Mr. Wheler. They insisted, that if the Duannee Adauluts were defective institutions, this was not the proper course for their amendment;



that, if the authority of the Governor-General and Council, under which they acted, was doubtful, resting, as Mr. Hastings, to recommend his measure, had asserted, on the disputed construction of an act of parliament, the authority of the Council to make the Chief Justice of the Supreme Court Judge of the Sudder Duannee Adaulut could not be less than equally doubtful, and the Chief Justice, by accepting the office, would acknowledge their authority, and disclaim the construction which hitherto he had put upon the act; that to accept a new office, with new emoluments, and those dependent upon the pleasure of the Company, seemed inconsistent with the act which had expressly assigned him a large salary, in lieu of all other emoluments; that the duties of the one office were inconsistent with those of the other; especially if the doctrine of the Chief Justice himself were sound, that the Judges of the Adauluts might be sued for damages; because he might thus have to answer, in his own Court, for the acts which he had performed as Judge of Sudder Adaulut; that if the jurisdiction of the Sudder Adaulut would occupy one half of the time of the Council, so it would that of the Chief Justice, whose time was already so much engrossed, that he could not join with his colleagues in performing the important office of a Justice of the Peace for the city and district of Calcutta; that the present exhausted state of the Company's finances did not justify them in creating a new office to which large appointments were annexed; that the power which would thus be wielded by the Chief Justice would "too much hide the government from the eyes of the natives;" and that, if the attorneys and forms of the Supreme Court were in any degree introduced into the business of the Duannee, "a new and a wide door of litigation would be opened." When these two opponents of the measure advanced as objections, that the new powers allotted to the Chief Justice would endanger the rights of the Council or of the Company as duan, and still might not terminate the endeavours of the Chief Justice to encroach on their department, they estimated far less correctly, than Mr. Hastings, the powers of the instrument which he proposed to employ. They did not consider, that, by rendering the Chief Justice dependant upon themselves for a

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large portion of money and power, they lost no part of that power which they lent to him, but gained the command even of that which he derived from another source.

It was on the 24th of October resolved, by a majority of the Council, that the Chief Justice should be requested to accept of the office of judge of the Sudder Duannee Adaulut; and at the same time proposed, that 60,000 sicca rupees per annum, nearly seven thousand pounds, should be annexed to the office, under the title of salary, and 7,200 sicca rupees, upwards of eight hundred pounds, under the denomination of rent for an office. The assent of the Chief Justice, and his appointment to the office, immediately ensued.

When intelligence of the reconciliation between the governing Council and the Supreme Court, effected by the appointment of Sir Elijah Impey, with a large salary, to the station of Judge of Appeal from the Duannee Adauluts, was brought to the Court of Directors, the case appeared to them of so much importance, as to require the highest legal advice; and it was laid before the Attorney and Solicitor General, Mr. Dunning, and their own counsel, Mr. Rous. It is a fact, more full of meaning perhaps, when applied to the character of the profession, than of the individuals, that an opinion, in
the following words—"The appointment of the Chief Justice to the office of Judge of the Sudder Dewannee Adaulut, and giving him a salary for the latter office, besides what he is entitled to as Chief Justice, does not appear to us to be illegal, either as being contrary to the 13 Geo. III, or *incompatible with his duty as Chief Justice;* nor do we see any thing in the late act, 21 Geo. III, which affects the question"—was signed by the names, J. Dunning, Jas. Wallace, J. Mansfield. The opinion of Mr. Rous, the counsel of the Company, was different, as had been that of their Advocate-General in India; and Mansfield, a few days afterwards, stated, in a short note to the Directors, that doubts had arisen in his mind, whether the acceptance of a salary, to be held at the pleasure of the Company or their servants, was not forbidden by the spirit of the act, or at any rate the reason of the case. He concluded in these words, “I have not been able to get the better of these doubts, although I have been very desirous of doing it, from the great respect I have for the opinions of those gentlemen with whom I lately concurred, and whose judgment ought to have much more weight and authority than mine.”



The question was taken under consideration of the Select Committee of the House of Commons; who treated it, under the guidance of other feelings and other ideas. In their report, the power conferred upon Sir Elijah Impey in his new capacity was represented as exorbitant and dangerous; and so much the more so, that no regular definition of it was any where to be found; no distinct rule of law was any where pointed out; but he was to be guided by his own will; he was to be moderated by no check; he
was to be restrained by no appeal; and he was to decide upon the fortunes of all the natives of Bengal. He was provided not only with judicial but legislative powers, being authorised to make rules and regulations, that is, to lay down laws, for governing the civil jurisdiction of the country. And all this power was conferred upon a man, who, in the opinion of Mr. Hastings at least, had been distinguished by no disposition to make a moderate use of

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his power. The grounds of expediency and policy, on which, ostensibly, the measure was put, were treated as having been already proved to be frivolous and weak, by the arguments of Mr. Francis and Mr. Wheler, to which no answer had ever been made. "The diea," it was affirmed, "of establishing peace upon the ground of adverse claims still unrelaxed, and which nothing even appears to reconcile but the lucrative office given to the Chief Justice, can be maintained but upon suppositions highly dishonourable to the public justice, and to the executive administration of Bengal." One of the most important features of the case was then held up to view: Mr. Hastings, it was remarked, assumed, and he was well acquainted with the circumstances of the case, in the whole course of his reasoning, that in substance and effect the Chief Justice was the whole of the Supreme Court: By selling his independence to the Governor-General and Council, the Chief Justice, therefore, sold the administration of justice, over every class of the inhabitants of Bengal. "By the dependance of one tribunal," says the report, "both are rendered dependant; both are vitiated, so far as a place of great power, influence, and patronage, with near eight thousand pounds a year of emoluments, held at the pleasure of the giver, can be supposed to operate on gratitude, interest, and fear. The power of the Governor-General over the whole royal and municipal justice in Bengal, Bahar, and Orissa, is as absolute and uncontrollable, as both those branches of justice are over the whole kingdom of Bengal."



An observation of the Committee is subjoined, to which the highest degree of importance belongs. It is founded upon the grand fundamental truth, That nothing is more favorable to the augmentation and corruption of the executive power, than the faculty of doing, through the medium of the courts of law, things which would awaken suspicion or hatred, if done by the executive itself.

In the situation in which the dependance of the Chief Justice has placed Mr. "Hastings, he is enabled," say the Committee, "to do things, under the name and appearance of a legal court, which he would not presume to do in his own person. The refractory to his will may appear as victims to the law; and favoured delinquency may not appear, as protected by the hand of power, but cleared by the decision of a competent judge." When a nation is habituated, even as much as our own is habituated, to pay a blind and undistinguishing respect to the character and acts of judges; the subservience of the courts of law is an instrument of power, of portentous magnitude.

The consequence of the discussion which these transactions underwent, and of the sensations which they produced in the nation, was an act of parliament to regulate anew the Supreme Court of Judicature, and deprive it of the powers which had been found destructive: And, upon a change of ministry, an address to the King was voted by the House of Commons, on the 3d of May, 1782, for the recall of Sir Elijah Impey, to answer to the charge of having "accepted an office not agreeable to the true intent and meaning of the act 13 Geo. III."[1]

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Soon after his appointment to the office of Judge of Sudder Duannee Adaulut, thirteen articles of regulation for the practice of that Court and of the subordinate tribunals were recommended by the Judge, approved by the government, and adopted. With these were incorporated various additions and amendments, which were afterwards published in a revised code, comprising ninety-five articles. The number of provincial Duannee Adauluts was, in April, 1781, increased from six to eighteen, in consequence of the inconvenience experienced from the extent of their jurisdiction.

As the establishment of the police magistrates, called foundars and tannadars, introduced in 1774, followed the example of so many of the contrivances adopted in the government of India; that is, did not answer the end for which it was designed, the judges of Duannee Adaulut were vested with power of apprehending depredators and delinquents, within the bounds of their jurisdiction, but not of trying or punishing them; a power which was still reserved to the Nizamut Adauluts, acting in the name of the Nabob. The Governor-General and Council also reserved a power of authorizing, in cases in which they might deem it expedient, the Zemindars to exercise such part of the police jurisdiction as they had formerly exercised under the Mogul administration. And in order to afford the government some oversight and control over the penal jurisdiction of the country, a new office was established at the Presidency, under the immediate superintendence of the Governor-General. To this office, reports of proceedings, with lists of commitments and convictions, were to be transmitted every month; and an officer, under the Governor-General, with the title of *Remembrancer of the Criminal Courts,* was appointed for the transaction of its affairs. In November, 1782, in consequence of commands from the Court of Directors, the jurisdiction of the Sudder Duannee Adaulut was resumed by the Governor-General and Council.[1]



Upon these changes, in the judicial, followed close another change in the revenue system. In 1773 the plan had been adopted of performing the collection of the revenues by means of provincial Councils; but under the declared intention of its being only temporary, and preparatory to another plan; namely, that of a Board of Revenue at the Presidency, by whom, with local officers, the whole business of realizing the revenue might be performed. Afterwards, when disputes with Mr. Francis, and other opposing members of the Council, arose, Mr. Hastings had maintained, that the expedient of provincial Councils was the most excellent which it was possible for him to devise. On the 20th of February, 1781, however, a very short time after the departure of Mr. Francis, he recurred to the plan which was projected in 1773; and decreed as follows, That a Committee of Revenue should be established at the Presidency, consisting of four covenanted servants of the Company; that the provincial Councils should be abolished, and all the powers with which they were vested transferred to the Committee; that the Committee should transact, with full authority, all the current business of revenue, and lay a monthly report of their proceedings before the Council; that the majority of votes, in the Committee, should determine all those points on which there should be a difference of opinion; that the record, however, of each dissentient opinion was not expected; that, even upon a reference to the Council, the execution of what the majority had determined should not be staid, unless to the

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majority themselves the suspension appeared to be requisite; and that a commission of two per cent. on all sums paid monthly into the treasury at Calcutta, and one per cent. on all sums paid monthly into the treasuries which remained under charge of the collectors, should be granted as the remuneration, according to certain proportions, of the members and their principal assistants. Against this arrangement it was afterwards urged, That it was an addition to those incessant changes, which were attended with great trouble, uncertainty, and vexation to the people: That it was a wanton innovation, if the praises bestowed by Mr. Hastings on the provincial Councils were deserved: That it divested the Supreme Council of that power over the business of revenue, with which they solely were intrusted by the legislature, to lodge it in the hands of Mr. Hastings: as the members of the Committee were under his appointment, and the Council were deprived of the means of forming an accurate judgment on all disputed points; hearing the reasons of the majority alone, while those of the minority were suppressed. To these objections Mr. Hastings replied, that the inconveniences of change were no argument against any measure, provided the advantages of the measure surpassed them; that he was not bound by his declarations respecting the fitness of the provincial Councils, when the factious disputes which divided them, and the decline of the revenues, proved that they were ill adapted to their purpose; that the business of the revenue was necessarily transferred from the Supreme Council, because the time of the Council was inadequate to its demands; that the Committee of Revenue were not vested with the powers of the Council, in any other sense than the provincial Councils, or any other delegates; but, on the contrary, acted under its immediate control.



It was entrusted to the Committee to form a plan for the future assessment and collection of the revenues. And the following are the expedients of which they made choice: To form an estimate of the abilities of the several districts, from antecedent accounts, without recurring to local inspection and research: To lease the revenues, without intermediate agents, to the Zemindars, where the Zemindary was of considerable extent: And, that they might save government the trouble of detail, in those places where the revenues were in the hands of a number of petty renters, to let them altogether, upon annual contracts.[1]

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# CHAP. VII.

*Journey of the Governor-General to the Upper Provinces—History of the Company's Connexions with the Rajah of Benares—Requisitions upon the Rajah—Resolution to relieve the Company's Necessities by forcible Exaction on the Rajah—The Governor-General arrives at Benares—The Rajah put under Arrest—A tumultuous Assemblage of the People—An Affray between them and the Soldiers—The Rajah escapes—War made upon him, and the Country subdued—Condemnation of Mr. Hastings by the Directors—Double Negotiation with the Mahrattas of Poonah—Treaty of Peace.*

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It was immediately subsequent to these great changes in the financial and judicial departments of the government, that the celebrated journey of the Governor-General to the Upper Provinces took place. Important as was the business, which at that time pressed upon the attention of the government, when war raged in the Carnatic, when the contest with the Mahrattas was carried on in two places at once, and when the Supreme Council was so greatly reduced in numbers that, upon the departure of the Governor-General, one member alone, Mr. Wheler, was left to conduct the machine of government, it was to be concluded, that matters of great concernment had withdrawn the Governor-General from the principal scene of intelligence, of deliberation, and of action. The transactions which he had in view were chiefly those proceedings which he meditated with regard to the Rajah of Benares, and the Nabob of Oude. The government was distressed for money, and the intention was avowed of making those tributary Princes subservient to its supply. The Governor-General departed from Calcutta on the 7th of July, 1781, and arrived at Benares on the 14th of August. To understand the events which ensued, it is necessary to trace from its origin, the connexion which subsisted between the English and the Rajah.

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After the shock which the empire of the Great Mogul sustained by the invasion of Nadir Shah, when the subahdars and other governors, freed from the restraint of a powerful master, added to the territory placed under their command, as much as they were able of the adjacent country, the city and district of Benares were reduced under subjection to the Nabob of Oude. This city, which was the principal seat of Brahmenical religion and learning, and to the native inhabitants an object of prodigious veneration and resort, appears, during the previous period of Mahomedan sway, to have remained under the immediate government of an Hindu. Whether, till the time at which it became an appanage to the Subah of Oude, it had ever been governed through the medium of any of the neighbouring viceroys, or had always paid its revenue immediately to the imperial treasury, does not certainly appear. With the exception of coining money in his own name; a prerogative of majesty, which, as long as the throne retained its vigour, was not enfeebled by communication; and that of the administration of criminal justice, which the Nabob had withdrawn, the Rajah of Benares had always, it is probable, enjoyed and exercised all the powers of government, within his

own dominions. In 1764, when the war broke out between the English and the Subahdar of Oude, Bulwant Sing was Rajah of Benares, and, excepting the payment of an annual tribute, was almost independent of that grasping chief, who meditated the reduction of Benares to the same species of dominion which he exercised over the province of Oude. The Rajah would gladly have seen the authority of the English substituted in Oude to that of the Vizir, whom he had so much occasion to dread. He offered to assist them with his forces; and, to anticipate all jealousy, from the idea of his aiming at independence, expressed his willingness to hold the country, subject to the same obligations under them, as it had sustained in the case of the Nabob; and so highly important was the service which he rendered to the Company, that the Directors expressed their sense of it in the strongest terms.1 When peace was concluded, the Rajah was secured from the effects of the Nabob's resentment and revenge, by an express article in the treaty, upon which the English insisted, and the guarantee of which they solemnly undertook. Upon the death of Bulwant Sing in the year 1770, the disposition of the Vizir to dispossess the family, and take the province into his own hands, was strongly displayed, but the English again interfered, and compelled the Vizir to confirm the succession to Cheyte Sing, the son of the late Rajah, and his posterity for ever, on the same terms, excepting a small rise in the annual payment, as those on which the country had been held by his father. In the year 1773, when Mr. Hastings paid his first visit to the Nabob of Oude, the preceding agreement was renewed and confirmed. "The Nabob," said Mr. Hastings, "pressed me, in very earnest terms, for my consent, that he should dispossess the Rajah of the forts of Leteefgur and Bidgegur, and take from him ten lacs of rupees over and above the stipulated rents; and he seemed greatly dissatisfied at my refusal." Mr. Hastings, however, insisted that all the advantages which had been secured to Bulwant Sing, and confirmed by the Nabob's own deed to Cheyte Sing, should be preserved; and he expressed, in the same letter, his opinion both of the faith of the Vizir, and the independence of the Rajah, in the following terms: "I am well convinced that the Rajah's inheritance, and perhaps his life, are no longer safe than while he enjoys the Company's protection; which is his due, by the ties of justice, and the obligations of public faith; and which policy enjoins us to afford him ever most effectually: his country is a strong barrier to ours, without subjecting us to any expense; and we may depend upon him as a sure ally, whenever we may stand in need of his services."1 It was established accordingly, that "no increase of revenue should ever thereafter be demanded."

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When the Company's new government, established in 1774, resolved upon forming a new arrangement with the son and successor of the Vizir, lately deceased; the interest, whatever it was, which was possessed by the Vizir in the territory of the Rajah Cheyte Sing, was transferred from that chief to the Company. Upon this occasion it was resolved, not only that no infringement should take place of the previous rights and privileges of the Rajah, but that other advantages should be annexed. Mr. Hastings took the lead in this determination; and earnestly maintained the policy of rendering the Rajah totally independent in his government of Benares, under no condition but the payment of a fixed and invariable tribute. To this, with only a nominal modification, the Council agreed. It was a primary object, professed by all,

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that the Rajah should be completely secured from all future encroachments, either upon his revenue, or his power; and an unanimous resolution was passed, that so long as he discharged his engagements, "no more demands should be made upon him, by the Honourable Company, of any kind; nor, on any pretence whatsoever, should any person be allowed to interfere with his authority." To preclude all ground for such interference the right of coining money, and of administering penal justice, was transferred to him. Mr. Hastings proposed that the Rajah should pay his tribute, not at his own capital of Benares, but at Patna, which was the nearest station for the business of government, within the territory of the Company. And the reason which he suggested is worthy of record: "If a resident was appointed to receive the money, as it became due, at Benares; such a resident would unavoidably acquire an influence over the Rajah, and over his country; which would, in effect, render him master of both. This consequence might not, perhaps, be brought completely to pass, without a struggle; and many appeals to the Council, which, in a government constituted like this, cannot fail to terminate against the Rajah: And, by the construction, to which his opposition to the agent would be liable, might eventually draw on him severe restrictions; and end in reducing him to the mean and depraved state of a mere zemindar."[1] The chain of acknowledgments is instructive and memorable; 1st, That a resident of



the Company, at the court of a native Prince, though for ever so confined and simple a purpose, no more than that of receiving periodical payment of a definite sum of money, would engross the power of the Prince, and become, in effect, the master of the country; 2dly, That in any disputes which might arise with the agent, in the resistance offered by the Prince to these encroachments, the Prince is sure of injustice from the Company's government, sure that all appeals to it will terminate against him, and that even his attempts to oppose the encroachments of the agent will be liable to such constructions, as may induce the Company's servants to plunge him into the lowest stage of oppression and degradation; and, 3dly, That this state of "meanness and depravity" is the ordinary state of a zemindar.[1]



It was in the end arranged, that the payment of the tribute should be made at Calcutta, a commission being allowed for the additional expense: And Mr. Francis was anxious that the independence of the Rajah should be modified no farther than by an acknowledgment of the supremacy of the English; a condition not practically affecting his government, and conducive no less to his security than to the dignity of those to whom the compliment was paid.[1]

Upon these terms the settlement was concluded; and the Rajah continued to pay his tribute with an exactness rarely exemplified in the history of the tributary princes of Hindustan. Unhappily for him, he was not an indifferent spectator of the disputes which agitated the Supreme Council. "It is a fact," says the Governor-General, "that when the unhappy divisions of our government had proceeded to an extremity bordering on civil violence, by the attempt to wrest from me my authority, in the month of June, 1777,[1] he had deputed a man named Sumboonaut, with an express commission to my opponent; and the man had proceeded as far as Moorshedabad, when, hearing of the change

of affairs, he stopped, and the Rajah recalled him."2 It is somewhat wonderful that a circumstance, no greater than this, should have made so deep an impression upon the mind of the Governor-General, as to be enumerated, after the lapse of years, in a laboured apology, among the causes which justified the prosecution of the Rajah to his ruin.

In the year, 1778, the Governor-General proposed, that a requisition should be made upon the Rajah Cheyte Sing, for the maintenance of three battalions of sepoys, estimated at five lacs of rupees per annum, during the continuance of the war. In settling the terms of the connexion of the Rajah with the Company, in 1775, it had been proposed, for *consideration,* by the Governor-General, whether the Rajah should not engage to keep a body of 2,000 cavalry constantly on foot, which should be consigned to the service of the Company, receiving an additional pay or gratuity, as often as the public interest should require. But this proposition was rejected by the rest of the Council, even by Mr. Barwell, on the score of its being a mere enhancement of the tribute of the Rajah, under a different name. And the Governor-General then declared, that "it was far from his intention to propose this, or any other article, to be imposed on the Rajah by compulsion; he only proposed it as an article of speculation." Mr. Francis and
Mr. Wheler, in 1778, consented that an aid, to the amount which the Governor-General proposed, should be requested of the Rajah, but demurred as to the right of enforcing any demand beyond that of the stipulated tribute; and Mr. Hastings agreed to reserve the question of right to their superiors.1 Professing a strong desire to show his friendship to the Company, the Rajah, as was to be expected, endeavoured to obtain an abatement of the sum; and when he gave his consent to the whole, expressly declared that it was only for a single year. In resentment of these endeavours to limit the amount of the contribution, the Governor-General proposed, that no time should be allowed for the convenience of payment; but the whole should be exacted immediately. "I acquiesce," were the words of Mr. Francis's Minute; "though, in my own opinion, it would answer as well to us, and be less distressing to the Rajah, if the subsidy were added in equal proportions to the monthly receipts of the tribute."



The Rajah pleaded poverty; and, praying for indulgence in point of time, engaged to make good the total payment in six or seven months. The Governor-General treated the very request as a high offence; and added the following very explanatory words; "I will not conceal from the Board, that I have expected this evasive conduct in the Rajah, having been some time past well informed, that he had been advised in this manner to procrastinate the payment of the five lacs, to afford time for the arrival of dispatches from England, which were to bring orders for a total change in this government; and this he was given to expect would produce a repeal of the demand made upon him by the present government."
A delay, founded upon the hope that the Governor-General would be stript of power, might sting the mind of the Governor-General, if it was a mind of a particular description; but a delay, founded upon the hope of remission (even if it had been ascertained to be the fact) would not by any body, unless he were in the situation of the Governor-General, be regarded as much of a crime. Mr. Francis and Mr. Wheler were over-ruled, and the

resident at Benares was commanded immediately to repair to the Rajah, to demand, that in five days the whole of the money should be paid, to denounce to him that a failure in this respect would be treated as equivalent to an absolute refusal, and to abstain from all intercourse with him till further instructions, if the requisition was not obeyed.

In the following year, the demand was renewed. The Rajah now more earnestly represented the narrowness of his circumstances; the hardship which was imposed upon him, by so heavy an exaction; his exemption, by the terms of his treaty, from all demands, beyond the amount of his tribute, which was most regularly paid; and his express stipulation, annexed to his former payment, that it was not to be for more than a year. The Governor-General replied in terms more imperious and harsh than before; threatening him with military execution, unless he paid immediate and unconditional obedience to the command. The Rajah repeated his remonstrance, in the most earnest, but the most submissive, and even suppliant terms. The troops were ordered to march. He was compelled to pay not only the original demand, but 2,000*l.* as a fine for delay, under the title of expence of the troops employed to coerce him.



In the third year, that is, in 1780, the exaction was renewed; but several new circumstances were, in this year, annexed to the transaction. The Rajah sent his confidential minister to Calcutta, to mollify the Governor-General, by the most submissive expressions of regret for having incurred his displeasure, even by confessions of error and of fault, and by the strongest protestations of a desire to make every possible exertion for the recovery of his favour. This however included not the payment of the five lacs, of which the agent was instructed to use his utmost endeavours to obtain a remission. For the better accomplishment of this object, he was furnished with a secret compliment to the Governor-General, of the amount of two lacs of rupees. At first, as we are told by Mr. Hastings, he absolutely refused the present, and assured the agent of the Rajah that the contribution must be paid. Afterwards, however, he accepted the present; with a view, as he himself informs us, to apply the money to a peculiar exigency of the public service. Be it so. The money of the Rajah however was tendered, for a purpose which it was impossible to mistake: And that money, with all the obligation which the receipt of it imported, was in fact received.[1] The contribution, nevertheless, was exacted. The remonstrances of the Rajah, and his renewed endeavours to gain a little time, were treated as renewed delinquency; and for these endeavours the Governor-General imposed upon him a mulct or fine of 10,000*l.*;[1] and the troops were ordered to march into the Rajah's country, on the same errand, and on the same terms, as in the preceding year.

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The Rajah again submitted, and the money was again discharged. But these submissions and payments were no longer regarded as enough. An additional burthen was now to be imposed. A resolution was passed in the Supreme Council, that the Rajah, besides his tribute, and the annual contribution of five lacs of rupees, should be required to furnish to the Bengal Government such part of the cavalry entertained in his service, as he could spare: And the resident was instructed by the Governor-General to make a peremptory demand of 2,000. The Rajah

represented that he had only 1,300 cavalry in his service, and that they were all employed in guarding the country, or in collecting the revenues. The Governor-General reduced his demand, first to 1,500, and at last to 1,000. The Rajah collected 500 horse, as he himself, and without contradiction, affirmed, and 500 matchlock men as a substitute for the remainder: He sent word to the Governor-General that this force was ready to receive his commands; but never obtained any answer.



The Governor-General had other views. He wanted money, and he was resolved that the plunder of the unhappy Rajah, whom he disliked, should be the source from which it was to flow. “I was resolved,” says the Governor-General, “to draw from his guilt the means of relief to the Company’s distresses. In a word, I had determined to make him pay largely for his pardon, or to exact a severe vengeance for his past delinquency.”[1] The confession has the merit of frankness, be the other virtues belonging to it such as they may. The guilt, as it is called, consisted, exclusively, in a reluctance to submit to the imposition of a very heavy burthen, from which the Rajah considered that he ought to be free.

The Rajah was informed of the hostile designs which were entertained against him, and, in order to mitigate the fury of the storm, sent an offer to the Governor-General of twenty lacs of rupees for the public service. The offer was scornfully rejected. A sum of not less than fifty lacs, was the peremptory demand. From the Governor-General’s information we learn, that he was at this time offered a large sum of money for the dominions of the Rajah, by the Nabob of Oude; that he was resolved to extort the obedience of the Rajah; otherwise to reduce his forts, and seize the treasure which they were supposed to contain; or to conclude a bargain for his dominions with the Nabob Vizir.

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It is necessary to be remarked, that Mr. Fowke, who had been replaced in the office of resident at Benares by the express command of the Court of Directors, the Governor-General removed about six months before his journey to Benares, on the sole pretence that “he thought the resident there should be a man of his own nomination and confidence;” though the Court of Directors had decreed the contrary, and issued to that effect their most peremptory commands. It is also requisite to be stated, that though the Governor-General departed for Benares with the intention of inflicting a severe vengeance on the Rajah, a design which he communicated in trust to some of his confidential friends, he entered no intimation of this design in the consultations, or records of the Deliberative Council, but on the contrary a minute, importing nothing beyond an amicable and ordinary adjustment, and desiring powers for nothing but to make such arrangements, and perform such acts, for the improvement of the Zemindary “as he should think fit and consonant to the mutual engagements subsisting between the Company and the Rajah.” The aptness of the expression consisted in its having sufficient laxity to stretch around all that the actor had in view, while its more obvious signification led not the mind of the hearer to any but ordinary transactions.

Upon the approach of the Governor-General to the boundary of the Rajah's dominions, that Prince went out to meet him, and, to render the compliment still more respectful, with a retinue unusually great. Not contented with a mere interview of form, the Rajah
pressed for a more confidential conversation. "He professed," says Mr. Hastings, "much concern to hear that I was displeased with him, and contrition for having given cause for it, assuring me that his Zemindary, and all that he possessed, were at my devotion; and he accompanied his words by an action, either strongly expressive of the agitation of his mind, or his desire to impress on mine a conviction of his sincerity—by laying his turban on my lap." Mr. Hastings, according to his own account, treated the declarations of the Rajah as unworthy of his regard, and dismissed him.



Mr. Hastings arrived in the capital of the Rajah on the 14th of August; earlier by some hours than the Rajah himself. The Rajah commmunicated his intention of waiting upon him in the evening. But the Governor-General sent his prohibition; and at the same time directed him to forbear his visits, till permission should be received. The resident was next morning sent to the Rajah with a paper of complaints and demands. The Rajah in reply transmitted, in the course of the day, a paper in which he endeavoured to make it appear that his conduct was not liable to so much blame as the Governor-General imputed; nor deserved the severity of treatment which was bestowed. The Governor-General, without any further communication, put him under arrest the following morning; and imprisoned him in his own house with a military guard.

This is the point, at which the reader should pause, to examine, by the rules of justice, the conduct of the parties; since to this time their actions were the offspring of choice; afterwards, they became more the result of necessity on both sides.

Suppose the justice of the demand to have been ever so clear and certain; suppose that the Rajah had procrastinated, and endeavoured to evade the payment
of his defined and established tribute, which on the contrary he always paid with singular exactness; suppose that importunity on each occasion had been requisite, and the delay of a few months incurred; even in this case, where blame, if inability hindered not, might without dispute have been due, it will be acknowledged, that the behaviour of the Governor-General would have been harsh, precipitate, and cruel. Even the fines, and the soldiers, would have been too hastily and vindictively applied to an offence, so common in India, and to which any consequences of importance are so little attached. The arrest, which to a man of rank is the deepest disgrace and injury, would have been an excess of punishment to a very considerable degree beyond the line of justice and humanity. If so, how much must be supposed to be added to that excess, when it is considered that the demand itself was extraordinary, irregular, and liable to the imputation of injustice; that some even of Mr. Hastings' colleagues disputed the right of the Company to enforce any such demand; and that Mr. Hastings, though he declared that his opinion was in favour of the right, dared not to decide upon it, but in express terms left the question doubtful, and reserved the decision for his superiors?

Mr. Hastings imposes a heavy burthen upon a native Prince: His right, in point of law or justice, is a matter of doubt: The Prince shows reluctance to submit to what he very naturally regards as oppression; and by some little and ordinary artifices he endeavours to elude the demand: To this reluctance and these little artifices, Mr. Hastings attaches the name of guilt: Having sufficiently attached to them the name of guilt, he holds it requisite that guilt should meet with punishment; And as it is the dignity of the state against which the offence has been committed, the dignity of the state, which is infinite, requires that the punishment should be adequately severe. If this be justice, a way may be found for inflicting any punishment justly, at any time, upon any human being.



There are considerations, on the opposite side, which must not be forgotten. Mr. Hastings, in his present exigency, might naturally expect assistance from the Rajah. It was common for the tributary Princes of the country to be compelled to assist their superiors in war. And it is probable that Mr. Hastings counted upon that assistance, when, in 1775, the agreement with the Rajah was formed. It is, however, not a matter of doubt, that by the terms of that solemn compact, the Governor-General and his colleagues, whether they so intended or not, did surrender and renounce all right to make any demand upon the Rajah of such assistance, or of any emolument or service whatsoever beyond the amount of his annual tribute.

Mr. Hastings, in contest with his accusers, endeavoured to lay the burthen of his defence upon the duties which in India a dependant ruler owes to the authority on which he depends. But if these duties, whatever they may be, are solemnly remitted by him to whom they are due, and the right to exact them is formally given up, the obligation is destroyed, and becomes as if it never had existed. That the words of the grant to the Rajah Cheyte Sing barred every demand beyond that of his tribute, and by consequence that which was now made, Hastings no where directly controverts.[1] He meets not the argument, because it could not be answered; he endeavours to defeat it by other means; by hiding it from observation, while he sedulously directs the attention to different points.



We must also be allowed to examine the rights which the custom of India gave to the Prince who received, over the Prince who afforded, the tribute. Far were they, indeed, from being of such a nature, as Mr. Hastings, for the benefit of his own exculpation, affirmed. By whose construction? By the habitual construction, by the public acts, of Mr. Hastings himself. The East India Company were the dependants of the Emperor Shah Aulum, and paid him a tribute. Did the East India Company hold themselves bound to obey every demand which the Emperor might choose to make upon them for assistance in his wars? Did they not treat him as a person to whose commands, or most urgent supplications, not the smallest attention was necessary? Did they not even treat him as a person toward whom they had no occasion to fulfil even the most solemn engagements? Did they not, as soon as they pleased, refuse to pay him even his tribute for that part of his dominions which they continued to hold in his name? Did not their ally, the Nabob of Oude, in like manner depend upon the Emperor, and owe him tribute, which he never paid? Was he not even his Vizir; in

other words, his chief minister and servant, and therefore bound by a double duty to obey, to aid, and to protect him? Did he, on these accounts, perform towards him the smallest act of service, or obedience? No one, than Mr. Hastings, better knew, that in India the obligation of the person who pays tribute to the person who receives it is deemed so very slight, as scarcely to be felt or regarded; and no man was more ready to act upon that principle, when it suited his purposes, than Mr. Hastings. The law of the strongest, indeed, was in perfect force; and whenever any party had the power to enforce obedience, it had no limit but that of his will.

The relation in which the Company stood to the Rajah, the one as sovereign, the other as subject, Mr. Hastings represented as conferring "an inherent right to impose such assessments as the Company thought expedient." But, in that case, the compact into which the Company entered with the Rajah, that on no pretence whatsoever should any demand whatsoever be made upon him, beyond the amount of his tribute, were a form of words totally destitute of meaning, or rather a solemn mockery, by which the Company gave security and assurance to the mind of the Rajah, that they would take from him nothing beyond his tribute, excepting just as much, and just as often, as they pleased.[1]



Mr. Hastings, in his own justification, and after the time when his conduct had produced the most alarming events, alleged the previous existence of designs, and even preparations, on the part of the Rajah, traitorous and hostile to the Company. For the evidence of these designs, Mr. Hastings presents his own naked assertion. But to that, in such circumstances, little value is to be attached. The assertion was also contradicted; and by the man who best knew on what grounds it was made; by Mr. Hastings himself. It was contradicted, by his actions, a better testimony than his words. So far from repairing to the capital of the Rajah, as to a place where any danger was to be apprehended, he repaired to it as a place where he might commit the greatest outrage upon its sovereign without the smallest dread of opposition or revenge.[1]



By Mr. Hastings the Rajah was represented as having vast riches, which he ungratefully desired to withhold from the Company in their greatest distress. If the fact had corresponded with the assertion, it is not very allowable, for a mere debt of gratitude, to prosecute a man to his ruin. Of the riches of the Rajah, however, we look in vain for the proof; and the fancy of those riches was, in all probability, nothing more than a part of that vain imagination of the unbounded opulence of India, which the experience of our countrymen might at a very early period have extinguished in their minds, but which their cupidity has, in spite of their experience, kept alive, to hurry them into many of the weakest and most exceptionable of their acts. Of the Princes of India, there has not been one whom, after experience, they have not found to be poor; scarcely has there been any whom, before experience, they have not believed to be rich.



Mr. Hastings endeavoured to strengthen his justification by chicaning about the quality of the Rajah, or his dignity and rank. Mr. Hastings denied that he was a

sovereign prince: he was only a Zemindar. Did this, however, change the nature of the compact, by which the Company had bound themselves to exact from this man, whether Prince or Zemindar, no more than his annual tribute? Would Mr. Hastings have asserted, that, being a Zemindar, the Company had any better right to plunder him, than if he was a dependant Prince? Had he been a subject, in the most unlimited sense of the word, would it have been any thing else than plunder, not to have taxed him along with the rest of his fellow-subjects, but to have gone to him personally, and singly, and have taken from him by compulsion, whatever it was the pleasure of the exactor to take? Would Mr. Hastings have undertaken to point out where the line of distinction
between a Zemindar, and a dependant Prince, was to be found? Was not every Zemindar that had a large extent of territory and power, a dependant Prince; and was not every Prince of a small extent of territory and power, a mere Zemindar? What could constitute any man a sovereign Prince, if all the powers of government secured, without participation, to him and his heirs for ever, over a country surpassing the extent of considerable kingdoms, did not constitute the Rajah of Benares a Prince?—But the father of the Rajah, Bulwant Sing, said Mr. Hastings, rose from the condition of a petty Zemindar.—What had this to do with the question? Did any one, better than Mr. Hastings, know, that those who acquired the station of dependant Princes in India almost uniformly ascended from the lowest origin? Did the birth of Aliverdi Khan prevent him from being the Subahdar of Bengal, and leaving his heir in the state of a tributary Prince?[1]



Another of the allegations, upon which the defence was attempted of the demands which Mr. Hastings made upon the Rajah and of the arrest of him for evasions of payment, was; that the police of the Rajah's dominions was very defective. It would have been
difficult for his accuser to show in what part of India it was good. Three instances are adduced, on the complaint of Major Eaton, the English officer commanding at Buxar, in which the people of the country had behaved without respect to the English authority, and in one instance with violence to English sepoys, and even English officers. Upon this, remonstrance had been made to the Rajah, and, though it is not alleged that he abetted his officers or people, yet he had not made redress, to the satisfaction of the offended party. On the 14th of December, 1780, the Supreme Council wrote, commanding the Rajah to make inquiry into one of the cases: which, as there is no complaint to the contrary, except that an answer had not been received on the 17th of next month, it would appear that he did. And just seven months after the date of this letter Mr. Hastings set out on the journey to inflict that punishment on the Rajah which led to his ruin.[1]



Another extraordinary declaration of Mr. Hastings remains to be considered. "I will suppose," says he, "for a moment, that I have erred, that I have acted with an unwarranted rigour towards Cheyte Sing, and even with injustice: Let my motive be consulted." Then follows the account of this motive, in the following words: "I left Calcutta, impressed with the belief, that extraordinary means, and those exerted with a strong hand, were necessary to preserve the Company's interests from sinking under the accumulated weight which oppressed them. I saw a political necessity for curbing

the overgrown power of a great member of their dominion, and to make it contribute to the relief of their pressing exigencies.



If I erred, my error was prompted by an excess of zeal for their interests, operating with too strong a bias on my judgment."[1] Here some portion of the truth comes forth. The Company were in want of money. The Rajah was supposed to possess it. And since he would not give what was demanded willingly, the resolution was formed to take it from him by force. The pretence, however, that his power was overgrown, that is, from its magnitude an object of danger, was utterly groundless. In what respect had that power increased, during the short period of five years, from the time when Mr. Hastings and his colleagues confirmed and established his power, and when Mr. Hastings was so far from dreading it, that he wished to make it still more independent than it was really made? By a small body of troops hastily collected together, and wretchedly provided both with provisions and pay, the whole power of the Rajah was in a few days, and with little bloodshed, completely subdued. And the military officers declared, that, even if the country had deliberately rebelled, a single brigade of the Company's army would have sufficed for its reduction.[2]

Nor was the Governor-General so perfectly disinterested, as he was desirous to make it appear. The whole power and emoluments of his office, over which he watched with so much jealousy and desire, were the powerful interests by which he was stimulated. He knew, under the sentiments which prevailed at home, by what a slender and precarious tenure he enjoyed his place. He knew well that success or adversity would determine the question. He knew that with those whom he served, plenty of money was success, want of that useful article, adversity. He found himself in extreme want of it. The treasure to which he looked was the fancied treasure of the Rajah; and he was determined to make it his own. If under such circumstances as these a zeal for the government which he served could sanctify his actions, then may Jefferies be regarded as a virtuous judge.[1]



On the very evening of the first day after the arrival of the Governor-General in the capital of the Rajah, he gave his commands to Mr. Markham, the Resident; who proceeded the next morning, with a few of his orderlies, to the palace of the Rajah; and he thus reported to his employer the result of his mission. "The Rajah submitted quietly to the arrest; and assured me, that whatever were your orders, he was ready implicitly to obey: he hoped that you would allow him a subsistence; but as for his Zemindary, his forts, and his treasure, he was ready to lay them at your feet, and his life, if required: He expressed himself much hurt at the ignominy which he affirmed must be the consequence of his confinement, and entreated me to return to you with the foregoing submission, hoping that you would make allowance for his youth and inexperience, and, in consideration of his father's name, release him from his confinement, as soon as he should prove the sincerity of his offers, and himself deserving of your compassion and forgiveness."



This conversation had only been a few minutes ended, when a guard of two companies of sepoys arrived; the servants of the Rajah were disarmed; and he was left

in charge of the officers. The sensation which this event produced in the minds of the people was immediately seen. The government of the Rajah, and of his father Bulwant Sing, had for many years afforded the people an uncommon portion of justice and protection; and they had prospered under its beneficent care. Captain Harper, an officer of the Company, who had performed a great deal of service in that part of Hindustan, was asked in evidence by the Select Committee, "How the provinces of Benares and Gazeepoor were cultivated, compared with those parts of Bahar which adjoin, and are only separated by the river Caramnassa? He said, The provinces of Benares and Gazepoor were more highly cultivated than any he ever passed through; and far superior to the adjoining one of Bahar; and that he attributed this comparative prosperity of those provinces to the industry of the inhabitants, and to the secure and lenient government they lived under."[1] In consequence, the family of the Rajah was naturally beloved; and it sufficiently appears, from the affidavits[2] adduced by the Governor-General, that the English were by the natives, in those parts, in a peculiar manner detested. The confinement of their Prince was an act, which, under the ignominious light in which imprisonment is regarded by the Indians, they viewed as an outrage of the most atrocious description. The passions of the people were inflamed; and they flocked in crowds to the spot where their sovereign was confined. So little had any conception of resistance been entertained, that the two companies of sepoys, who were placed on guard, had come without ammunition. As the concourse of people increased, two additional companies, with a supply of ammunition, were ordered to their support. But before they arrived at the palace, all the avenues were blocked up, and a tumult arose, which soon led to bloodshed, and at last to a furious engagement between the people and the troops. The unfortunate consequence was, that the sepoys and their officers were almost all destroyed. On which side the acts of provocation and violence began, does not sufficiently appear.[1] The Rajah, during this confusion, escaped by a wicket which opened to the river; and, letting himself down the bank, which was very steep, by turbans tied together, he escaped to the other side. The multitude immediately followed him across the river, and left the palace to be occupied by the English troops.



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That this assemblage of the people, and the attack which they made upon the guard, was the fortuitous result of the indignation with which they were inspired, by the indignity offered to their prince, and that it was in no degree owing to premeditation and contrivance, was amply proved by the events. The Rajah knew that Mr. Hastings was unattended by any military force; and, if he had acted upon a previous design, would not have lost a moment in securing his person. The Governor-General himself declares; "If Cheyte Sing's people, after they had effected his rescue, had proceeded to my quarters, instead of crowding after him in a tumultuous manner, as they did, in his passage over the river, it is probable that my blood, and that of about thirty English gentlemen of my party, would have been added to the recent carnage: for they were about two thousand, furious and daring from the easy success of their last attempt: nor could I assemble more than fifty regular and armed sepoys for my whole defence."[2] Nothing was it possible to have said, more decisive of the character of a casual mob, led by the mere contingency of the moment, without foresight, and without an end.

It was by no means worthy of a man of prudence and experience to have proceeded deliberately to a measure so likely to make a violent impression upon the minds of the people, without having made any provision whatsoever for preventing the unhappy effects which it tended to produce. Mr. Hastings, at first, was able to assemble for his defence only six companies of Major Popham's regiment, about sixty sepoys which he had brought with him from Buxar as a guard to his boats, and a few recruits newly enlisted for the Resident's guard; in all, about four hundred and fifty men; and without provisions even for a single day.

Ramnagur was a fortified palace of the Rajah, on the opposite side of the river, close to Benares. It was not expected that it could for any length of time resist the effect of artillery; and the resolution was taken of reducing it with all possible dispatch. The remaining four companies of Major Popham's regiment of sepoys, with one company of artillery, and the company of French rangers, lay at Mirzapoor; and were ordered to march to Ramnagur. Major Popham was destined to assume the command, as soon as all the troops intended for the service had arrived. But the officer, who in the mean time commanded the troops, was stimulated with an ambition of signalizing himself; and, without waiting for the effects of a cannonade, marched to the attack of the palace through the narrow streets of the town by which it was surrounded. In this situation the troops were exposed to a great variety of assaults, and after a fruitless opposition were compelled to retreat. The commanding officer was killed; a considerable loss was sustained; and an unfavorable impression was made at the commencement of the struggle, which would have been a serious evil in a less trifling affair.



The Governor-General now regarded himself as placed in imminent danger. Letter upon letter was written to the commanding officers at all the military stations from which it was possible that timely assistance could be received. Few of these letters reached their destination; for all the channels of communication were interrupted; and so greatly were the people of the country animated against the English, that it was extremely difficult for any agent of theirs to pass without discovery and prevention. The contagion of revolt and hostility flew with unusual rapidity and strength. Not only did the whole of the district which owned the sway of the Rajah fly to arms, the very fields being deserted of the husbandmen, who voluntarily flocked to his standards and multiplied his ranks; but one half of the province of Oude is by the Governor-General affirmed to have been in a state of as complete rebellion as Benares. Even the British dominions themselves afforded cause of alarm; many of the Zemindars of Bahar had exhibited symptoms of disaffection: and the Governor-General received reports of actual levies, in that province, for the service of Cheyte Sing. The danger was exceedingly augmented from another source. The Governor-General was entirely destitute of money; and affirms, that the whole extent of both his treasure and his credit exceeded not three thousand rupees; while the troops were all four months, and some of them five months, in arrear.[1]

He was alarmed with the prospect of an attack from Ramnagur, which report described as about to take place in the night. His situation at Benares was regarded, by

himself, and by his military officers, as not defensible; and he resolved to make his escape to the strong fortress of Chunar. He secretly quitted the city, after it became dark, leaving the wounded sepoys behind; and arrived in safety at the place of his retreat.



Though the letters of the Governor-General reached not Colonel Morgan who commanded at Cawnpore, yet some intelligence traveled to him of the disorder which had arisen; and with promptitude and decision he ordered the principal part of the force which he commanded to march. The requisition both for money and for troops, which had been dispatched to Lucknow, was happily received; and was promptly obeyed. About the middle of September, one lack and a half of rupees had been received, and a force was now collected, deemed sufficient for the accomplishment of the enterprise.

The Rajah had endeavoured to make his peace from the moment of his escape. He had written letters, in which he declared his sorrow for the attack which had been made upon the soldiers of the guard, and for the blood which had been spilt; protested his own innocence with regard to the effects which had taken place, and which he affirmed to have arisen solely from the casual violence of the multitude, inflamed by the insolence of an English agent; and professed his readiness to submit with implicit obedience to whatever conditions the Governor-General might think fit to impose. Not contented with repeating his letters, he made application, through every person on whose influence with the English ruler he thought he might depend; through one of the gentlemen of his party; through Cantoo Baboo, his confidential secretary; and through Hyder Beg Khan, one of the ministers of the Nabob Vizir. All his applications Mr. Hastings treated as unsatisfactory and insincere; and deigned not to make to them so much as a reply. The Rajah collected his forces, and appealed by a manifesto to the princes of Hindustan. He was reported, truly or falsely, to be also venting the most extravagant boasts of the ruin which he meant to bring down upon the English; though he totally abstained from all operations not purely defensive, and in his letters to the Governor-General appealed to his forbearance, as a proof of his desire to retain his obedience. In the mean time he sustained several partial attacks. On the 29th of August a considerable body of his troops, who occupied a post at Seeker, a small fort and town within sight of Chunar, were defeated, and a seasonable booty in grain was procured. On the 3d of September a detachment was formed to surprise the camp at Pateeta, about seven miles distant from Chunar. But the enemy were on their guard, and received the party in good order, at the distance of a mile beyond their camp. They fought with a steadiness and ardour which disconcerted the sepoys, and were beginning to produce disorder, when an attack, made with great gallantry upon their guns, by the two companies of grenadiers, induced them to leave the field with four of their cannon to the victors.

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Pateeta was a large town, surrounded by a rampart of earth, which extended a considerable way beyond the town, to the adjoining hills. It had also a small square fort, built of stone, fortified with four round towers, a high rampart, and a great ditch. The principal force of the enemy was collected at this place, and at Lutteefpoor, a

large stone fort surrounded with hills and a wood, at the distance of about fourteen miles from Chunar. The strength of both consisted mostly in the difficulty with which they were approached. According to the plan of operations, which the English had arranged, Ramnagur was first to be assailed, both as it was the place where their arms had met with a disgrace, and because reduction of it would restore possession of the capital, and redeem their credit with the public. Several days were spent, in conveying battering cannon and mortars, with other preparations for a siege, to the camp of Major Popham, which was placed before the town. In the mean time one of the natives represented, that it would be extremely dangerous to allow time to the enemy to strengthen themselves at Pateeta and Lutteefpoor; that the approaches to both were strongly guarded; and that those to Lutteefpoor, in particular, could not be forced but with a serious loss; that even if Lutteefpoor were reduced the object would not be attained, because the enemy could immediately gain the pass of Sukroot, which was behind, and there maintain themselves against any force which could assail them: He, therefore, recommended an attempt to gain possession of the pass by surprise, to which he undertook to conduct a part of the army by an unknown road; and the more to distract the enemy, he advised that an attack should at one and the same time be conducted against Pateeta. His representation was favourably received; Major Popham, with the quick discernment and decision, on which so much of military success depends, immediately acknowledging the excellence of the plan. The army was divided into two parts, of which that which was destined for Sukroot began their march, under command of Major Crabb, about an hour before midnight, on the 15th of the month; and that for Pateeta, conducted by the commanding officer, Major Popham, about three o'clock on the following morning.



He found the works of Pateeta strong, and the approach more hazardous than he had anticipated,

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He had marched without his battering cannon or mortars. They were sent for, but made little impression. Apprehensive lest further delay should frustrate the attempt at Sukroot, he resolved to make an assault on the morning of the 20th. On that very morning the other division of the army arrived, through ways nearly impracticable, at a village, about two miles from the pass. Major Roberts led the storming party at Pateeta, which hardly met with any resistance. After a slight stand at the outer intrenchment, the enemy fled through the fort, and the English soldiers followed without opposition. The pass at Sukroot was guarded by a body of men with three guns, who made a stout defence, but after a considerable loss fled through the pass, in which the English encamped for the remainder of the day. The intelligence of the loss of Pateeta, and of the pass, was carried, at nearly the same time, to Lutteefpoor, to the Rajah. He now, it is probable, began to despair. About four o'clock on the same day he fled from Lutteefpoor, and proceeded with a few followers to the fort of Bidgegur, which was his last resource. His army disbanded themselves; and "in a few hours, the allegiance of the country," says the Governor-General, "was restored as completely, from a state of universal revolt, to its proper channel, as if it had never departed from it."

The Governor-General made haste to return to Benares, where the formation of a new government solicited his attention. To quiet the minds of the people, a proclamation

was issued, offering pardon to all, with the exception of Cheyte Sing and his brother. A grandson of the Rajah Bulwant Sing, by a daughter, was selected as the future Rajah; and as his years, nineteen, or his capacity, appeared to disqualify him for the duties, his father, under the title of Naib, was appointed to perform them in his name. Two important changes, however, were produced in the condition of the Rajah. His annual tribute was raised to forty lacs of rupees: and the police, with the civil and criminal jurisdiction of the city of Benares, and the criminal jurisdiction of the whole country, was taken out of his hands. It was alleged, that they had been wretchedly administered under his predecessor: and it was either not expected, or not desired, that he should be the author of an improvement. A separate establishment was erected for each, and the whole was placed under the superintendance of a native officer, who was denominated the Chief Magistrate of Benares, and made responsible to the Governor-General and Council. The power of the mint was also withdrawn from the Rajah, and entrusted to the resident at his court.



After possession was taken of Lutteefpoor, the army lost no time in marching to Bidgegur. The Rajah did not wait for their arrival, but fled for protection to one of the Rajahs of Bundelecund, "leaving," says Mr. Hastings, "his wife, a woman of an amiable character, his mother, all the other women of his family, and the survivors of the family of his father Bulwant Sing, in the fort." Mr. Hastings cuts very short his narrative of the transactions at Bidgegur, and only remarks, that it yielded by capitulation on the 9th of November. These transactions were not omitted by him, because they were devoid of importance. The Rannee, that is, the widow of the deceased Rajah, Bulwant Sing, endeavoured, before she opened the gates of the fort, which had been her own peculiar residence, to stipulate for some advantages, and among them for the safety of her own pecuniary and other effects; representing her son, as having carried along with him whatever belonged to himself.[1] Mr. Hastings manifested a desire to have her despoiled. What is more remarkable, in his letters to the commanding officer, he employed expressions which implied that the plunder of those women was the due reward of the soldiers; expressions which suggested one of the most dreadful outrages, to which, in the conception of the country, a human being could be exposed. The very words of the letter ought to be produced, that no inference may be drawn from it beyond what they evidently support. "I am this instant favoured with yours of yesterday. Mine of the same date has before this time acquainted you with my resolutions and sentiments respecting the Rannee. I think every demand she has made to you, except that of safety and respect for her person, is unreasonable. If the reports brought to me are true; your rejecting her offers, or any negotiation with her, would soon obtain your possession of the fort, upon your own terms. I apprehend that she will contrive to defraud the captors of a considerable part of the booty, by being suffered to retire *without examination.* But this is your consideration, and not mine. I should be very sorry that your officers and soldiers lost any part of the reward to which they are so well entitled; but I cannot make any objection, as you must be the best judge of the expediency of the promised indulgence to the Rannee. What you have engaged for, I will certainly ratify; but, as to permitting the Rannee to hold the pergunnah of Hurlak,

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or any other, without being subject to the authority of the Zemindar, or any lands whatever, or indeed making any condition with her for a provision, I will never consent to it."[1] It was finally arranged, that the Rannee should give up the fort, with all the treasure and effects contained in it, on the express condition, along with terms of safety, that the persons of herself and of the other females of her family should be safe from the dishonour of search. The idea, however, which was suggested in the letter of Mr. Hastings, "that she would contrive to defraud the captors of a considerable part of the booty, by being suffered to retire without examination," diffused itself but too perfectly among the soldiery;



and when the Princesses, with their relatives and attendants, to the number of three hundred women, besides children, withdrew from the castle, the capitulation was shamefully violated; they were plundered of their effects; and their persons otherwise rudely and disgracefully treated by the licentious people and followers of the camp. One is delighted, for the honour of distinguished gallantry, that in no part of this opprobrious business the commanding officer had any share. He leaned to generosity, and the protection of the Princesses, from the beginning. His utmost endeavours were exerted to restrain the outrages of the camp; and he represented them with feeling to Mr. Hastings, who expressed his "great concern;" hoped the offenders would be discovered, obliged to make restitution and punished; and directed that recompense should be made to the sufferer, "by a scrupulous attention to enforce the performance of the remaining stipulations in her favour."[1]

The whole of the treasure found in the castle, of which the greater part did probably belonged to the Rannee, and not to the Rajah, amounted to 23,27,813 current rupees. The whole, therefore, of the treasure which the exiled Prince appears to have had in hand, not only to defray the current expenses of his government, but also to advance regularly the Company's tribute, was so far from answering to the hyperbolical conceptions or representations of the Governor-General, that it exceeded not the provision which a prudent prince would have thought it always necessary to possess.

The army proceeded upon the obvious import of the words of the Governor-General in the letter in which he seemed to desire, that they should not allow the female relations of the Rajah to leave the

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fort, without the examination of their persons. They concluded, that the whole of the booty was "the reward to which they were so well entitled," and divided it among themselves.[1] Among the practical conclusions deducible from his letter, it appears that this, at least, the Governor-General did not wish to receive its effect. He endeavoured to retract the permission which the army had inferred; and, by explaining away the terms which he had used, to recover the spoil for his exigencies of the government. The soldiers, however, both officers and men, refused to surrender what they had, upon the faith of the Governor-General, appropriated. Failing in this attempt, he endeavoured to prevail upon the army, in the way of loan, to aid the Company with the money, in its urgent distress. Even to this solicitation they remained obdurate. When Major Fairfax, in his examination before the Select Committee of the House of Commons, was asked, "whether the officers assigned any reason for refusing to obey the requisition of Mr.

Hastings? he said, he heard it was, because the Rohilla prize-money had never been paid."[2]



Mr. Hastings was, therefore, not only frustrated as to every portion of that pecuniary relief which he expected from the supposed treasures of the Rajah Cheyte Sing; he added to the burden, under which the Company was ready to sink, the expense which was incurred by subduing the revolt.

It is but justice to the Court of Directors to record the resolutions, in which they expressed their opinion of the conduct, pursued by their principal servant in India, towards the unfortunate Rajah of Benares:

"That it appears to this Court, that on the death of Sujah Dowlah, 1775, a treaty was made with his successor, by which the zemindary of Benares, with its dependencies, was ceded in perpetuity to the East India Company:

"That it appears to this Court, that Rajah Cheyte Sing was confirmed by the Governor-General and Council of Bengal, in the management of the said zemindary (subject to the sovereignty of the Company) on his paying a certain tribute, which was settled at sicca rupees 22,66,180; and that the Bengal government pledged itself that the free and uncontroled possession of the zemindary of Benares, and its dependencies, should he confirmed and guaranteed to the Rajah and his heirs for ever, subject to such tribute, and that no other demand should be made upon him, nor any kind of authority or jurisdiction exercised within the dominions assigned him, so long as he adhered to the terms of his engagements:

"That it appears to this Court that the Governor-General and Council did, on the 5th of July, 1775, recommend to Rajah Cheyte Sing, to keep up a body of 2000 horse; but at the same time declared there should be no obligation upon him to do it:

"That it appears to this Court, that Rajah Cheyte Sing performed his engagements with the Company, in the regular payment of his tribute of sicca rupees 22,66,180:

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"That it appears to this Court, that the conduct of the Governor-General towards the Rajah, while he was at Benares, was improper; and that the imprisonment of his person, thereby disgracing him in the eyes of his subjects and others, was unwarrantable, and highly impolitic, and may tend to weaken the confidence which the native princes of India ought to have in the justice and moderation of the Company's government."

That the conception, thus expressed by the Court of Directors, of the several facts which constituted the great circumstances of the case, was correct, the considerations adduced in the preceding pages appear to place beyond the reach of dispute. The sensibility which, in his answer, Mr. Hastings shows to the inferences which they present, is expressed in the following words: "I must crave leave to say, that the terms, improper, unwarrantable, and highly impolitic, are much too gentle, as deductions from such premises." History, if concealment were not one of the acts by

which truth is betrayed, would, out of tenderness to Mr. Hastings, suppress the material part of that which follows, and which he gave in his defence:

"I deny, that the Bengal government pledged itself, that the free and uncontroled possession of the zemindary of Benares, and its dependencies, should be confirmed and guaranteed to the Rajah and his heirs for ever:

"I deny, that the Bengal government pledged itself that no other demand should be made upon him, nor any kind of authority or jurisdiction, within the dominions assigned him, so long as he adhered to the terms of his engagement:



"I deny, that I ever required him to keep up a body of 2000 horse, contrary to the declaration made to him by the Governor-General and Council, on the 5th of July, 1775, that there should be no obligation to him to do it:

"My demand (that is, the demand of the Board) was not that he should maintain any specific number of horse, but that the number which he did maintain should be employed for the defence of the general state:

"I deny, that Rajah Cheyte Sing was bound by no other engagements to the Company, than for the payment of his tribute of sicca rupees 22,66,180:

"He was bound by the engagements of fealty, and absolute obedience to every order of the government which he served.

"I deny, that the Rajah Cheyte Sing was a native Prince of India."[1]

Mr. Hastings says, "I forbear to detail the proofs of these denials;" and as the pleas involved in them coincide with those allegations of his which have been examined above, it is only necessary to refer to what has there been adduced.[1] The Court of Directors, notwithstanding their condemnation of the treatment which the Rajah had received, and notwithstanding the manner in which, by a train of unhappy circumstances the trial of arms was forced upon him, thought proper to declare, that his dethronement and proscription were justified by the war.[2]



It was shortly after his retreat to Chunar, that the Governor-General received from Colonel Muir the intelligence, that Mahdajee Scindia had offered terms of peace. This was an event, calculated to afford him peculiar satisfaction. One of the ostensible objects of his journey was, to confer with the Minister of the Rajah of Berar, who was expected to meet him at Benares; and, through the influence of the government of that country, to accelerate the conclusion of a peace. That Minister, however, died before the arrival of Hastings; and the loss of his intervention rendered the pacific intentions of Scindia more peculiarly gratifying. So far back as February, 1779, the Presidency of Bombay had recommended the mediation of Scindia, as that which alone was likely to render any service. The Colonel immediately received his instructions, for a treaty, on the terms either of mutual alliance, or of neutrality; and

either including the Peshwa, or with Scindia individually. If it included the Peshwa, the Colonel was authorized, to cede every acquisition, made during the war, except the territory of Futteh Sing Guicowar, Lahar, and the fortress of Gualior; and to renounce (but without the surrender of his person) the support of Ragonaut Row. He was instructed to retain Bassein, if it were possible, even with the surrender, in its stead, of all the territory (Salsette with its adjacent islands and the moiety of Baroach excepted,) ceded by the treaty of Colonel Upton; but not to allow Bassein itself to be any obstruction to the conclusion of peace.

When the separate treaty was concluded with Scindia, who undertook to mediate with the Mahratta powers, the Governor-General who had not yet departed from Benares, sent Mr. Anderson and Mr. Chapman; the former to the court of Scindia, with full powers to negotiate and conclude a peace with the Poonah government; the latter to the court of the Rajah of Berar, to perform what was in his power towards the accomplishment of the same object.

The business was not very speedily, nor very easily concluded. The Poonah ministers, solicited for peace by the three English Presidencies at once, though they were somewhat shaken in their opposition, by the defection of Scindia from the war, by the steadiness
with which the English sustained themselves against Hyder, by the facility with which they had subdued the Rajah of Benares, and the vigour with which they carried the war almost to the gates of Poonah, were yet encouraged by the pressure which the English sustained, and still more, perhaps, by the eagerness which they manifested for peace.



Colonel Goddard, not yet informed of the steps which had been taken by Mr. Hastings for urging the business of peace with the Poonah ministers, deemed it necessary, in pursuance of the powers for treating and concluding, with which he was invested, to commence a formal negotiation. And he gave the requisite commission to Mr. Watherstone, who arrived at Poonah on the 14th of January, 1782.

The cunning of the Poonah Ministers taught them the advantage of negotiation with two ambassadors, acting under separate commissions; who, by the desire of attaining the object for which they were sent, might be expected to bid against one another, and give to the Mahrattas the benefit of an auction in adjusting the terms of peace. They pretended therefore, to be puzzled with two sets of powers; though they laboured to retain Col. Watherstone, after he was recalled. They put on the forms of distance; and stood upon elevated terms. Scindia, too, who meant to sell his services to the English very dear, was displeased at the commission sent to solicit the interference of the government of Berar. The extensive sacrifices, however, which the English consented to make, the unsteadfast basis on which the power of the leaders at Poonah was placed, and the exhausted state of the country, from the long continuance of its internal struggles, as well as the drain produced by the English war, triumphed over all difficulties; a
cessation of hostilities was effected early in March; and a treaty was concluded on the 17th of May.

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Not only the other territories which the English had acquired during the war, but Bassein itself, the city also of Ahmedabad, and all the country in Guzerat which had been gained for Futty Sing, were given up; and the two brothers, the Guicowars, were placed in the same situation, both with respect to one another, and with respect to the Peshwa, as they stood in previous to the war. Even of the territory, which had been confirmed to them by the treaty of Colonel Upton, the English agreed to surrender their pretensions to a part (yielding annually three lacs of rupees), which had not yet come into their possession when the war was renewed. And all their rights in the city and territory of Baroach, valued at 200,000*l.* a year, were resigned, by a separate agreement, to Scindia and his heirs for ever. To Scindia was also given up, by the liberty of seizing it, the territory, including the fort of Gualior, of the Rana of Gohud; who had joined the English, but, as usual in India with the petty princes, who choose their side from the hope of protection on the one hand and the dread of plunder on the other, had been neither very able nor very willing, to lend great assistance. Having given offence by his defect of service, and created suspicions by his endeavours to effect a separate reconciliation with Scindia; he was, in adjusting the terms of the treaty with Scindia, left to his fate. The amity of Scindia was purchased, by still further sacrifices, which evince but little foresight. The project of Scindia for invading the territories of the Mogul Emperor, those of Nujeef Khan, and those of other chiefs in the province of Delhi and the adjoining regions, was known and avowed: And it was, intentionally, provided, that no obstruction, by the treaty with the English, should be offered to the execution
of those designs.[1]



All that was stipulated in behalf of Ragonaut Row was a period of four months, in which he might choose a place for his residence. After that period the English agreed to afford him neither pecuniary nor any other support. The Peshwa engaged, on the dangerous condition of his residing within the dominions of Scindia, where he was *promised* security, to allow him a pension of 25,000 rupees per month.

An article was inserted respecting Hyder Ali, to which we have scarcely information to enable us to attach any definite ideas. The Mahrattas engaged, that within six months after the ratification of the treaty, he should be compelled to relinquish to the English, and their allies, all the places which he had taken from them during the war: But neither did the Mahrattas perform, nor did the English call upon them to perform, any one act toward the fulfilment of this condition. The English, on their part, engaged that they would never made war upon Hyder till he made war upon them; an engagement to which they
as little expected that the Mahrattas would call upon them to adhere.[1]



The Mahrattas also agreed, and to this the imaginations of the English attached a high importance, that, with the exception of the ancient Portuguese establishments, they would permit no other nation, except the English, to open with them any friendly intercourse, or to erect a factory within their dominions.

The terms of this agreement, the gentlemen of the Presidency of Bombay arraigned as inadequate, nay humiliating; and declared, that had the negotiation been left to them and to Goddard, who best knew the state of the Mahratta government, and with what facility it might have been induced to lower its tone, a far more favourable treaty might have certainly been obtained.

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# CHAP. VIII.

*Burdens sustained by the Nabob of Oude—His Complaints—How received by the English—Mr. Bristow removed from Oude—Agreement between Mr. Hastings and the Nabob—The Begums despoiled—Whether the Begums incited Insurrection—Alleged Oppressions of Colonel Hannay—The head Eunuchs of the Begums tortured—A present of ten Lacs given to Mr. Hastings by the Nabob—Governor-General accuses Middleton, and re-places Bristow—Treatment received by Fyzoolla Khan—Decision by the Court of Directors, relative to the Begums—Set at nought by Mr. Hastings—Governor-General's new Accusations against Mr. Bristow—Governor-General's Plan to remove the Residency from Oude—Governor-General repeats his visit to Oude—Resigns the Government—Financial Results of his Administration—Incidents at Madras.*

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The next of the great transactions to which the presence of the Governor-General, in the upper provinces, gave immediate existence, was the memorable arrangement which he formed with the Nabob of Oude. In his payments to the Company, that Nabob had fallen deeply in arrear; and the extreme pecuniary distress endured by the Company,[1] rendered it necessary to devise the most effectual means for obtaining what he owed. His country, however, had, by misgovernment, fallen into the greatest disorder. The Zemindars were almost every where in a state of disobedience; the country was impoverished; and the disposition of the people, either deserting it or pining with want, threatened the evils, or promised the blessings, of a general revolt.[1] Before the connexion between the English and Oude, its revenue had exceeded three millions sterling, and was levied without being accused of deteriorating the country. In the year 1779, it did not exceed one half of that sum, and in the subsequent years fell far below it, while the rate of taxation was increased, and the country exhibited every mark of oppressive exaction.

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By the treaty of Fyzabad, formed with the late Nabob, at the conclusion of the Rohilla war, it was agreed, that a regular brigade of the Company's troops should, at the expense of the Nabob, be kept within the dominions of Oude. Even this burden was optional, not compulsory; and the Court of Directors gave their sanction to the measure, "provided it was done with the free consent of the Subah, and by no means without it."[2]

To the first was added, in the year 1777, a second, called the *temporary* brigade, because the express condition of it was, that the expense should be charged on the Nabob "for so long a time only as he should require the corps for his service." The Court of Directors were still more anxious, in this case than in the former, to determine, that the burthen should not be fastened upon the Nabob, contrary to his will: "If you intend" (say they, addressing the Governor-General and Council) "to exert your influence, first, to induce the Vizir to acquiesce

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in your proposal; and afterwards to compel him to keep the troops in his pay during your pleasure, your intents are unjust, and a correspondent conduct would reflect great dishonour on the Company."

Even the temporary brigade did not put a limit to the expense for English soldiers whom the Nabob was drawn to maintain. Several detached corps, in the Company's service, were also placed in his pay; and a great part of his own native troops were put under the command of British officers.

In the year 1779, the expense of the *temporary* brigade, and that of the country troops under British officers, increased, the one to the amount of more than eighty, the other of more than forty thousand pounds sterling, above the estimate. These particulars, however, constituted only the military part of his English expense. The civil expense resulted from an establishment under the resident, which, without any authority from the Court of Directors, or any record in the books of the Council, had gradually and secretly swelled to a great amount; and was encreased, by another establishment for another agent of the Company, and by pensions, allowances, and large occasional gifts, to various persons in the Company's service.

In that year, viz. 1779, the Nabob complained that the pressure was more than he was able to endure. "During three years past," said he, "the expense occasioned by the troops in brigade, and others commanded by European officers, has much distressed the support of my household; insomuch, that the allowances made to the seraglio and children of the deceased Nabob have been reduced to one fourth of what it had been, upon which they have subsisted in a very distressed manner for two years past. The attendants, writers, and servants, &c. of my court, have received no pay for two years past; and there is at present no part of the country that can be allotted to the payment of my father's private creditors, whose applications are daily pressing upon me. All these difficulties I have for these three years past struggled through, and found this consolation therein, that it was complying with the pleasure of the Honourable Company, and in the hope that the Supreme Council would make enquiry from impartial persons into my distressed situation; but I am now forced to a representation. From the great increase of expense, the revenues were necessarily farmed out at a high rate and deficiences followed yearly. The country and cultivation is abandoned. And this year, in particular, from the excessive droughts, deductions of many lacs[1] have been allowed the farmers, who are still unsatisfied.—I have received but just sufficient to support my absolute necessities, the revenues being deficient to the amount of fifteen lacs;[2] and for this reason, many of the old chieftains, with their troops, and the useful attendants of the court, were forced to leave it, and there is now only a few foot and horse for the collection of my revenues; and should the Zemindars be refractory, there is not left a sufficient number to reduce them to obedience."



In consequence of these distressing circumstances, the Nabob prayed, that, the assignments for the new brigade, and the other detached bodies of the Company's troops, might not be required, declaring that these troops were "not only quite useless to his government, but, moreover, the cause of much loss, both in the revenues and customs; and that the

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detached bodies of troops, under their European officers, brought nothing but confusion into the affairs of his government, and were entirely their own masters."[1]

This representation, which events proved to be hardly an exaggeration, and the prayer by which it was followed, the Governor-General received, with tokens of the highest indignation and resentment. "These demands," he said, "the tone in which they are asserted, and the season in which they are made, are all equally alarming." In the letter which was dispatched in his words to the resident, the grounds on which the Nabob petitioned for relief are declared to be "totally inadmissible.—He stands engaged," it is added, "to our government, to maintain the English armies which, at his own request, have been formed for the protection of his dominions, and it is our part, not his, to judge and to determine, in what manner, and at what time, these shall be reduced or withdrawn." In his minute, in consultation, upon the subject, he says, that, by the treaty made with Asoph ul Dowla, upon the death of his father, "he became, eventually, and necessarily, a vassal of the Company." He affirmed that "the disorders of his state, and the dissipation of his revenues, were the effects of his own conduct, which had failed, not so much from the casual effects of incapacity, as from the detestable choice which he has made of the ministers of his power, and the participators
of his confidence."[1] And to the Nabob himself he declared, "Your engagements with the Company are of such a nature as to oblige me to require and insist on your granting *tuncaws* for the full amount of their demands upon you for the current year, and on your reserving funds sufficient to answer them, even should the deficiency of your revenues compel you to leave your own troops unprovided for, or to disband a part of them to enable you to effect it."[2]



The difficulties, under which the Governor-General was placed, were severe and distressing. It is true, that the protection of the Nabob's dominions rested solely upon the British troops, and that without loss of time they would have been over-run by the Mahrattas, had those troops been withdrawn; it is true, that the debt due to the Company would, in that case, have been lost; that a dangerous people would have been placed upon the Company's frontier; that the Company's finances, always in distress, and then suffering intensely by war, could not maintain the same number of troops, if their pay was stopped by the Vizir. And the law of self-preservation supersedes that of justice. On the other hand, from the documents adduced, it is evident, that the English had no *right* to compel the Nabob, if not agreeable to him, to maintain any part of those their troops; and the Governor-General was not entitled, as he did, to plead, at once, both the law of self-preservation, and the law of right. The truth also is, that his law of self-preservation, when examined, and brought into conformity with the facts, implies a strong convenience, and nothing more. It was very convenient for the English at that time, to have a large body of troops maintained by a different treasury from their own. But it will hardly be maintained, at any rate by the friends of Mr. Hastings, that in his hands the British empire in India must have been destroyed, had it been compelled to rely upon its own resources. It was for a great convenience, then, and for nothing else, that the English, without any claim of right, compelled the Nabob Vizir to maintain their troops; that is, treated him as the vassal

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which Mr. Hastings described him, and substantially seized and exercised the rights of sovereign and master over both him and his country.

Another point well deserves to be considered; whether the original brigade of the Company's troops was not a force sufficient to protect the Nabob's country, against all the dangers with which it was threatened. If the English, who included in their own line of defence the boundaries of Oude, did not provide their due proportion, but impose the whole upon the Nabob, they defended themselves at his expense; they delivered themselves from a burthen, which was their own, and, by compelling the Nabob to bear it, violated the laws of justice.

It is also a question, whether the troops, quartered upon him in addition to that brigade, as they were kept in idleness in his dominions, were not, with all their expense, of little use either to him or the Company. As they were not employed against the enemies of the Company, they could be of little use in repelling them; and the complaint of the Vizir that they and their officers acted as the masters in his country, and as a source both of expense and of disorder, is confirmed by Mr. Francis, who, in Council, pronounced it "notorious, that the English army had devoured his revenues, and his country, under colour of defending it."[1]



The Governor-General, when pressed for argument, made the following avowal: That ambiguities had been left in the treaty: And that it was the part of the strongest to affix to these ambiguities that meaning which he pleased.[2] That this is a very common political procedure, every one knows. The allegation, however, in its essence, is, it is evident, only a varnish placed upon injustice by fraud. In the present case, besides, it happened, by a singular chance, that ambiguity had not existence, and the allegation of it was false. "So long only as the Nabob pleased," was the express condition of the compact; and the moment at which the Nabob desired relief, the most exact definition was applied.

The Governor-General surmised a circumstance, which always seems to have animated him to peculiar severity; that the idea of the instability of the existing government was among the causes which emboldened the Nabob to complain. "I, for my own part," said he, "do not attribute[1] the demand of the Nabob to any conviction impressed on his mind by the necessity of his affairs; but to the knowledge which his advisers have acquired, of the weakness and divisions of our own government. This is a powerful motive with me, however inclined I might be, upon any other occasion, to yield to some part of his demands, to give them an absolute and unconditional refusal in the present; and even to bring to punishment, if my influence can produce that effect, those incendiaries who have endeavoured to make themselves the instruments of division between us."[2]



Under the enormous demands of the English, and the Nabob's inability to meet them, the debt with which he stood charged in 1780 amounted to the sum of 1,400,000*l.* The Supreme Council continued pressing their demands. The Nabob, protesting that he had given up every thing, that "in the country no further resources remained, and that

he was without a subsistence," continued sinking more deeply in arrear: Till the time when the resolution of Mr. Hastings was adopted, to proceed to make with him a new arrangement upon the spot.

As a step preliminary to the affairs which the Governor-General meant to transact with the Nabob, he withdrew the resident, Mr. Bristow. This gentleman had been appointed by the party of General Clavering, when they removed Middleton, the private agent of Mr. Hastings: The Governor-General had removed him soon after the time when he recovered his superiority in the Council: The Court of Directors had ordered him to be replaced, as unjustly and improperly removed: Mr. Hastings, in disobedience of these orders, had refused to replace him, till it became a condition of the compromise into which he entered with Francis: And he now removed him again with a fresh violation of the authority of the Court of Directors, in conformity with whose orders he occupied the place. Mr. Middleton was again appointed, on the reason, notwithstanding the condemnation of the Court of Directors, again avowed, that a person in the Governor-General's own confidence was necessary in that situation.



As the Governor-General intended to make a very short stay at Benares, and then proceed to Lucknow, the Nabob had already left his capital, in order to pay him the usual compliment of a meeting, when he received intelligence of the insurrection. Mr. Hastings, who wished not for the interview in a state of humiliation, or under the appearance of receiving protection from his ally, endeavoured by a letter to make him return to his capital. But the Nabob was eager to show the interest which he took in the fate of the Governor-General, or eager to know the situation in which he was placed; and hastened with but a few of his attendants to Chunar. The English ruler was at pains to afford him a cordial reception. And with little debate or hesitation they made a memorable arrangement. In consequence of "the repeated and urgent representations of the Nabob, that he is unable to support the expenses of the temporary brigade of cavalry, and English officers with their battalions, as well as other gentlemen who are now paid by him," (such are the terms of the preamble to the covenant) it was agreed, on the part of the Governor-General, that from the expense of the temporary brigade, and of all other English troops, except the single brigade left with Suja ul Dowlah, and a regiment of sepoys for the resident's guard; and from the expense of all payments to English gentlemen, excepting those of the resident's office; the Nabob should be relieved.[1] According to another article, permission was granted him to resume such of the jaghires within his territories, as he himself might choose, with only this reservation, that a pension equal to the net rent should be paid to the holders of such of them as had the Company for their guarantee. An article was also inserted, according to which the Nabob was to be allowed, when the suitable time should arrive, to strip Fyzoolla Khan of his territory, allowing him only a pension in its stead.

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Such was all that was seen on the face of this agreement; where no advantage to the English appeared. The circumstances, however, which constituted the real nature of the transaction were only

behind the curtain.



There were two Princesses, known by the name of the Begums; the one, the mother of Sujah Dowla, the late Nabob; the other, the widow of the late Nabob, and mother of the present. These Princesses the preceding sovereign had always treated with the highest consideration and respect; and allowed them a magnificent and expensive establishment. At the death of Sujah Dowla, those Princesses, according to the custom of India, were left in possession of certain jaghires; that is, the government portion of the produce of a part of the land, over which, for the greater certainty of payment, the holder of the jaghire was allowed the powers of management and collection. This was the fund, from which the Begums provided for their state and subsistence; and for the state and subsistence of the numerous families of the preceding Nabobs, placed under their superintendance. Sujah Dowla, at his death, had also left to the Begums the greater part of the treasure which happened to be in his hands; and imagination swelled the sum to a prodigious extent. Mr. Hastings had been disappointed in the mine which he expected to drain at Benares. His power and reputation depended upon the immediate acquisition of money. In the riches of the Begums appeared to lie an admirable resource. It was agreed between Mr. Hastings and the Nabob, that his Highness should be relieved from the expense, which he was unable to bear, of the English troops and gentlemen; and he, on his part, engaged to strip the Begums of both their treasure and their jaghires, delivering to the Governor-General the proceeds.[1]



This transaction, however objectionable it may at first sight appear, Mr. Hastings represented as attended with circumstances which rendered it not only just but necessary. The weight of these circumstances ought to be carefully and impartially considered.

In the year 1775, not long after the death of Sujah Dowla, his widow, the mother of the reigning Nabob, complained, by letter, to the English government, of the treatment which she received from her son. She stated that various sums, to the extent of twenty-six lacs of rupees, had been extorted from her, under the plea of his being in want of money to discharge his obligations to the English chiefs; and that a recent demand had been urged for no less than thirty lacs, as absolutely necessary to relieve him, under his engagements to the Company; and to save his affairs from a ruinous embarrassment. Upon the faith of the English government, to which alone she would trust, she agreed to make this sacrifice; and it was solemnly covenanted, on the part of her son, and guaranteed on the part of the English government, that no further invasion should ever be made upon her, in the full enjoyment of her jaghires and effects, whether she resided within the dominions of Asoph ul Dowla, or chose to reside in any other place. This agreement was far from producing peace between the Nabob and the Begums. Perpetual complaints of injurious treatment were made by the Princesses, and the business of mediation was found by the English resident a difficult and delicate task.

In the beginning of the year 1778, those dissensions arose to a great height, and the aged Princess,

"whose residence the treatment of her grandson" (to use the words of Mr. Middleton, the resident) "seems to have rendered irksome and disgusting to her," resolved to abandon his dominions, and repair on a pilgrimage to Mecca. To the execution of this design, the Nabob was exceedingly averse; because it would withdraw, from the sphere of his power, the great treasure which he imagined she possessed, and which at her death, if not before, he could render his own. Both the Nabob and his grandmother applied to the resident; the one for the purpose of procuring his influence to prevail upon the Begum to remain; the other for the purpose of procuring it to induce the Nabob to allow her to depart. The Begum complained that she was subject to daily extortions and insults; that the Nabob withheld the allowance which had been established by the late Vizir for the maintenance of the family of her deceased husband; that he had resumed the jaghires and emoluments of her servants and dependants; that he had made no provision for the maintenance of the women and children (a very numerous family) of the late Vizir, his own father; that the education and condition of the children were wholly neglected; and that the favourites of the Nabob were allowed, and even encouraged, to degrade his family by their oppressions and insults. The resident reported to the Governor-General and Council, that "the deportment of the Nabob toward her, his family, and relations in general, was, he could not but admit, very exceptionable; that her claims were very moderate and just, and such as it would be natural to suppose the Nabob could not in decency refuse.' He even suggested, if the Nabob should refuse to comply with these reasonable demands, "that the influence of the English government should be exerted, to secure to the Begum whatever might appear to be her rights;" in which case he doubted not that her design of departing with her treasure would be willingly abandoned.

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While the resident was endeavouring, but without success, to prevail upon the Nabob to afford to his grandmother a reasonable satisfaction, he received from the second of the Princesses a representation of the violations which had been committed by her son of the conditions of the recent treaty; a treaty which she called upon the English government, in quality of its guarantee, to protect. The resident in vain endeavoured to improve the behaviour of the Nabob; and, in reporting upon his disappointment, observes, "I have on all occasions, as much as possible, avoided troubling the Honourable Board with any matters which reflect upon the conduct or government of the Nabob, wishing rather to check and obviate abuses, by friendly admonitions and remonstrances to his Excellency himself, than to correct them by an appeal to your authority. But such is his Excellency's disposition, and so entirely has he lost the confidence and affections of his subjects, that, unless some restraint is imposed upon him, which would effectually secure those who live under the protection of his government, from violence and oppression, I am but too well convinced, that no man of reputation or property will long continue in these provinces."[1]

On the 23d of March, the Council-General, in which Mr. Hastings had then the ascendant,[2] took under their consideration the complaints of the Begums. With regard to the eldest of the Princesses,

and those of the relations and subjects of the Nabob, in favour of whom the guarantee of the Company was not interposed, they held themselves incapable, in any other way than that of remonstrance and by tokens of displeasure, to oppose the oppressions of the Nabob. But as they had become parties to a treaty for the protection of the second of the Begums, the mother of the Nabob, they determined to make use of their authority on her behalf. On the rapacity which he had practised with respect to the elder of the Begums, and some of his other relations, their instructions to the resident were in the following words, "We desire you will repeat your remonstrances to the Vizir on these points, in the name of this government; representing to him the consequences of such an arbitrary proceeding; the reproach to which his honour and reputation, as well as ours, from being connected with him, will be exposed, by such acts of cruelty and injustice; and the right which we derive, from the nature of our alliance with him, to expect that he will pay a deference to our remonstrances." They add, "with respect to the Bow Begum (the mother of the Nabob), her grievances come before us on a very different footing. She is entitled to our protection, by an act, not sought by us, but solicited by the Nabob himself. We therefore empower and direct you, to afford your support and protection to her, in the due maintenance of all the rights she possesses, in virtue of the treaty executed between her and her son, under the guarantee of the Company."[1]



Such was the light in which the relative conduct of the Nabob and the Begums appeared to the Governor-General and Council, in 1778; and on the footing which was then established, matters between them remained, till the meeting between Mr. Hastings and Asoph ul Dowla at Chunar, in 1781, when the Nabob was, by treaty, allowed to seize the property of the Princesses, and of others his relations; and, on the condition of bestowing that property upon the English, actually rewarded for the seizure, by obtaining relief from a permanent and oppressive expense. The reasons which Mr. Hastings adduced for this proceeding are, that the Begums had endeavoured to excite insurrection in Oude in favour of Cheyte Sing, and that they employed their power and influence to embarrass and disturb the Nabob's administration.

If the testimony of an accuser shall pass for proof, when that accuser derives great advantage from the supposition of guilt, and great loss from the supposition of innocence, no individual is under protection. It is further to be remarked, that the insurrection at Benares happened on the 16th of August; and the treaty by which the Nabob was authorized to resume the jaghires was signed at Chunar, on the 19th of September. The Begums, who had first to hear of the insurrection at Benares, and then to spread disaffection through a great kingdom, had, therefore, little time for the contraction of guilt. Besides, when the government of the Nabob, as the English themselves so perfectly knew, had fallen into contempt and detestation with all his subjects, it was very natural to suppose, that the servants and dependants of the Begums, who were among the severest of the sufferers, would not be the least forward in exhibiting their sentiments. And as the seclusion of the Begums rendered it impossible for them to superintend
the conduct of their servants abroad, they were less than other people responsible for their conduct.

But the observation of greatest importance yet remains to be adduced. What was the proof, upon the strength of which the Begums were selected for a singular and aggravated punishment? Answer; no direct proof whatsoever. Hardly an attempt is made to prove any thing, except a *rumour*. Mr. Hastings's friends are produced in great numbers to say that they heard a *rumour*. Upon allegation of a *rumour*, that the Begums abetted Cheyte Sing, judgment was pronounced, and punishment followed.

Before a just judgment can be pronounced, and punishment can be justifiably inflicted, it is necessary that trial should take place, and that the party accused should be heard in his defence. Was this justice afforded the Begums? Not a tittle of it. So far from it; that Mr. Hastings, while yet in the heat of the insurrection at Chunar, when the Begums had scarcely had time to rebel, much less had he had time to make any inquiry into the imputation of guilt; at a moment when all was confusion, alarm, and hurry; when every thing was ready to be reported, and every thing to be believed; pronounced a final judgment, to supersede the guarantee of the English government, to strip the Princesses of Oude of their estates, and give them up helpless into the hands of the Nabob.

Of the evidence adduced upon this important point, it is highly requisite to give a short account. If any thing be indispensable to righteous judgment it is, that evidence should first be collected, and judgment follow after. Mr. Hastings pronounced judgment, and sent his instrument, the Nabob, to inflict punishment in the first place. Some time after all this
was done, he then proceeded to collect evidence. But evidence of what sort? He brought forward persons who, he knew (or might know) beforehand, would give the sort of evidence he wished;
and a month after judgment had been pronounced, got them to make affidavit, before Sir Elijah Impey, of the facts, or supposed facts, of which it was useful for him to establish the belief. It is altogether unnecessary to allude to the character or credibility of the individuals who were taken into this service. It is perfectly sufficient to observe, that this is a mode of getting up a proof, by means of which there never can be any difficulty in getting a proof of any thing. Find a number of persons, even if not mendacious, with minds sufficiently partial to you, or sufficiently influenced by circumstances, to believe as you would have them, (often a very easy matter, whatsoever may be the state of the facts) and get them to set down whatever they and you think proper, exposed to no cross examination, exposed to no counter evidence; and think, whether it would not be an extraordinary case, in which, upon these terms, any man, more especially a powerful ruler, could remain without a defence.



The fact is, that recourse to such a mode of defence betrays a deep consciousness, that the conduct in favour of which it is set up, stands much in need of a defence, and seems pretty strongly to imply that no better defence can be found for it.

The behaviour of the Supreme Judge, in lending himself to this transaction, exposed him to the severest strictures from the Managers for the Commons' House of Parliament on the trial of Mr. Hastings. He acknowledged, upon his examination, that he went from Benares, where the business was concerted between him and Mr. Hastings, to Lucknow, the capital of Oude, for the express purpose of taking

these affidavits, though he acknowledged that "undoubtedly he did not consider his jurisdiction as extending to the province of Oude;" and though, in taking an affidavit, there is so little occasion for any remarkable qualifications in the Judge, that all he has to do is to hear a person swear that something in a paper is true, and to testify that he has heard him do so. "What the affidavits contained," said the Judge when examined upon the trial, "I did not know; nor do I know at present, for I have never read them." He also declared that he did not know, whether the persons who swore to them had ever read them. He also said, "I believe Mr. Middleton, in consequence of a letter Mr. Hastings wrote to him, had communicated the subject matter of what they were to depose to." At the time of taking the affidavits of the natives, not so much as a sworn interpreter was present. The Judge declared he never asked of one of the deponents, whether they knew the contents of their affidavits: and "had no means of knowing whether the deponents in the Persian or the Hindu language understood any thing of the depositions which they gave, except that they brought their affidavits ready drawn." He also admitted that he had no means of knowing whether, of the affidavits which were taken before him, the whole were published by Mr. Hastings, or whether all that had been unfavourable to him had not been suppressed. In fact, the examination of Sir Elijah Impey, upon the subject of the affidavits, discloses a curious scene, in which it appears that one object alone was in view, namely, that of getting support to any allegations which Mr. Hastings had set up.[1] A set of affidavits, thus circumstanced, could be no proof of the guilt of an absent party.

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These affidavits affirm not one criminal fact on the part of the Begums. All that they affirm with regard to these Princesses is *rumour* merely. The witnesses had *heard* that the Begums instigated that disaffection, which manifested itself in almost every part of the Nabob's dominions. In one sense this is evidence of the fairness and honourableness of Mr. Hastings; for undoubtedly it goes a certain way to prove that no undue means were used to put matter into these affidavits.

Some of them speak directly to certain tumultuary proceedings in Goruckpore, one of the districts of Oude. But the insurrection, if such it might be called, was not against the *British* authority, for there was none there to oppose. The *Nabob's* sepoys were refractory for want of pay. An Aumil, or renter of the Begums, showed a disinclination to permit a party of the *Nabob's* sepoys to pass through his district, which he knew they would plunder, and hence impose upon him a severe pecuniary loss. And the country people in general showed a hostile disposition to these same sepoys of the *Nabob*. What has this to do, in the smallest degree, with the *British* authority? And if the sepoys had been British, which they were not, what proof is given, that the Begums were the cause of the hatred they experienced, or knew of the commotions to which that hatred gave birth?[1]

*Rumour* affirmed that the Begums promoted the disaffection. If rumour, on such an occasion, were a proper ground of belief, rumour affirmed that the Nabob himself, together with his brother Saadut Ali, not only abetted the disaffection, but had entered into a deliberate plan for the extirpation of the English

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from the country. Why is rumour to be evidence against one, not evidence against another, just as it suits the pleasure or convenience of Mr. Hastings?

One of the deponents, who spoke most distinctly to what he reckoned symptoms of hostility on the part of the Begums, was a Major Macdonald, an English officer, in the service of the Nabob. He states that his march, at the head of a party of the Nabob's sepoys, was opposed by Zalim Sing, a Zemindar, who had long been treated by the Nabob as a rebel. This hostile chief showed, even to Macdonald's people, a paper purporting to be a sunnud from the Nabob, restoring him to his Zemindary, and vesting him with the government of certain districts; and he informed them he had the Nabob's instructions to drive, says the affidavit, "the Fringies out of his districts, that he only waited for the fortunate hour, boats being already provided from Fyzabad (which the deponent knew absolutely to be the case) to cross the Gogra, and carry the Nabob's orders into execution: Further, that his Excellency had altered his sentiments regarding the part he was to take in the present contest; that his Excellency set out with the intent of adhering to his treaty with the Company, but that Mirza Saadut Ali wrote him he was to blame if he gave any assistance; that now was the time to shake off the English yoke; that it might not be prudent to declare himself at once; that he had only to stand neuter; and, under pretence of defending themselves, direct his subjects to take arms, and endeavour to prevent the junction of the English forces, when the matter would work of itself.—The deponent said, he believed the reports, as before related, at that time, and still is of opinion, the threats therein contained were intended to be carried into execution had the league been successful."[1]



Of the disturbances, moreover, in Goruckpore, and the hostile disposition manifested by the people to the sepoys of the Nabob, we are presented with another and a very different account. They are said to have been the effect of oppression; of oppression, cruel, and extraordinary, even as compared with the common degree of oppression under the government of the Nabob. It was given in evidence, that the country, from a very flourishing state in which it existed under the preceding Nabob, had been reduced to misery and desolation; that taxes were levied, not according to any fixed rule, but according to the pleasure of the collector; that imprisonments and scourgings for enforcing payment, were common in every part of the country; that emigrations of the people were frequent; and that many of them were so distressed as to be under the necessity of selling their children.[2]

The country thus oppressed was under the management of Colonel Hannay, an officer of the Company, who had obtained permission to quit for a time the Company's service, and enter into that of the Nabob. He was allowed to rent the provinces of Goruckpore and Baraitch; and, commanding also the military force in the district, engrossed the whole of the local government. Mr. Holt, who was appointed assistant to the resident at the Vizir's court about the beginning of the year 1780, was asked, "Did you hear that Colonel Hannay was himself in particular danger from the insurrections in 1781? I did.—What do you suppose those insurrections arose from at first—did you ever hear of any machinations or contrivances of particular persons, or did you ever hear what

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the cause was that they objected to? I have heard it was owing to the misconduct and misgovernment of Colonel Hannay."[1]

Captain Edwards, another of the Company's officers, who had obtained permission to accept of service with the Vizir, and who was aid-du-camp to that Prince at the time of Mr. Hastings' quarrel with Cheyte Sing, was asked, "In what situation was Colonel Hannay," meaning, in the service of the Vizir? "I understand that he rented a great part of the Nabob's country, called Baraitch and Goruckpore.—Do you know what was the general fame of the country with respect to Colonel Hannay's administration in those provinces? That the measures of his government appeared to the natives there very unjustifiable and oppressive.—Did you ever see, or know, any fact or circumstance from which you could infer in the same manner? When I accompanied his Excellency the Nabob into that country, (I believe it was the latter end of the year 1779, or early in the year 1780) the country seemed to be little cultivated, and very few inhabitants made their appearance; and the few that were in the country seemed much distressed; and I understood that the country had been better peopled, but that they had all left the country in consequence of Colonel Hannay's administration. —Was it at Lucknow that you heard the reports concerning Colonel Hannay, and his oppressions? It was both at Lucknow and at many other places: it was a general report.[1]



It is also a circumstance of great importance, that when Colonel Hannay entered the service of the Nabob in 1778, he was a man in debt, or what is called by the witness "involved circumstances." Before the end of 1781, that is in a period of about three years, he was understood to have realized a fortune of 300,000*l*."[2]

It is now, however, in justice to Colonel Hannay, to be observed, with regard both to the oppressions of which he is accused, and the vast amount of his fortune, that most of the evidence adduced is evidence rather to the *rumour* of these facts, than to the facts themselves. But if this be a plea, as it undoubtedly is, in behalf of Colonel Hannay, it is a plea, it must be remembered, no less availing in favour of the Begums. It appears, indeed, with strong evidence from the cross examination of Mr. Hastings' own witnesses upon the trial, that a considerable number of the Rajah's or ancient chiefs of the country, who till that time had remained in possession of their respective districts, paying an annual sum, as revenue, to the Vizir, were driven out during the administration of Colonel Hannay; and that they retained the country in a state of perpetual disturbance, by endless efforts for their restoration.[3] This accounts for the turbulent state of the country. Whether it was injustice, by which the Rajahs were expelled; or whether it was impossible to make them obedient subjects, sufficient evidence is not afforded to determine.



It is at any rate certain, that Colonel Hannay became in the highest degree odious to the Vizir; for he dismissed him from his service before the end of the year 1781, and having heard that he was using his influence to be sent back, he wrote to the Governor-General, about the beginning of September following, in these extraordinary terms:

"My country and house belong to you; there is no difference. I hope that you desire in your heart the good of my concerns. Colonel Hannay is inclined to request your permission to be employed in the affairs of this quarter. If, by any means, any matter of this country, dependant on me, should be intrusted to the Colonel, I swear by the Holy Prophet, that I will not remain here, but will go from hence to you. From your kindness let no concern, dependant upon me, be intrusted to the Colonel; and oblige me by a speedy answer which may set my mind at ease."[1]

It is also a most suspicious circumstance, that the accusations of the Begums seem originally to have come from Colonel Hannay, and to have depended almost entirely upon the reports of him and his officers; who were deeply interested in finding, for the disturbances of the country, which they ruled, a cause different from their own malversations.

When the Nabob departed from Chunar, at which time, according to the statements of Mr. Hastings, the Begums were in a state of rebellion, he chose to pass through Fyzabad, the place of their residence, accompanied merely by his usual attendants, and about five or six hundred horse; and, according to the opinion of Captain Edwards, probably entered the city with only a few attendants, as in general his rate of travelling far exceeded the utmost speed of a body of horse.



As every mark of suspicion that rebellion was excited or intended by the Begums was thus removed from the behaviour of the Nabob; so not a single expression ever appears to have been obtained from him, which implied that they had been guilty of any such offence; and yet if he had conceived any apprehension from them, it was to the English he must have flown for protection, and to them he would naturally have communicated his fears. His aid-du-camp, Captain Edwards, who had accompanied him to Chunar, and proceeded with the rest of the troops to Lucknow, when the Nabob left the direct road to his capital to pass through Fyzabad, was asked, "Did you hear upon the return of the Nabob, and Hyder Beg, to Lucknow, any charge, or any thing that led you to believe, that discoveries of rebellion or treason had been made by the Nabob while at Fyzabad? No, I did not.—When did you first hear of any accusation, or charge, of any rebellion or disaffection, against the Begums? Some time after I arrived at Lucknow: About a fortnight after, I heard the gentlemen in the Resident's family mention the different accounts, that Colonel Hannay and his officers had sent.—Was the intelligence you received upon that subject confined to communications, made by Colonel Hannay and his officers, to the Resident's office, or did you hear of any other besides? I heard that such reports prevailed at Lucknow, among the natives, which were not generally believed; and there were a few who mentioned they had heard the reports.—The question put to you is, whether you heard of any other instances than those mentioned by Colonel Hannay and his officers? I heard my own servants say, as they went through the market place, they had heard from the Resident's servants, that they had heard such reports did prevail.—Meaning the reports from Colonel Hannay? Yes, meaning those reports.—Did the natives in general give any credit to these reports? No, I do not think they did.—Did you not hear more of this sort of report after the treasure was

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seized in January, 1782? I did: I heard the treasures were seized in consequence of the report, and the charge and accusation, made by Colonel Hannay and some of his officers, that the Begums had been in a state of rebellion."[1]

As Colonel Hannay and his officers, white and black, were almost the only persons whose affidavits, originally taken at Lucknow, imputed any acts of disaffection to the Begums; so they were his officers, including the Paymaster of his troops, who alone, or nearly so, were called to prove the allegation in England. One or two other persons, the aid of whose testimony was required, could speak to nothing but *reports*, at Allahabad, or at Calcutta. And it appears, with great force of evidence, from the examination of the witnesses adduced in favour of Mr. Hastings, that the accusation rested upon the allegations of Hannay, and his officers; who, themselves, could affirm nothing but rumour, or facts of which it is more probable that they themselves were the cause than the Begums; and that the story, being taken up by Mr. Hastings, and propagated by him and his friends, with all the authority of government, was spread abroad among the English throughout the country, and by them, in the usual manner, upon no better authority, passively, but not the less fervently, and confidently, believed.[1]



The departure of the Nabob from Chunar, for the purpose of seizing the property of his mother and his grandmother, was urged by Mr. Hastings: upon the arrival however of that Prince in his own dominions, he manifested a great reluctance to enter upon the ungracious work. The Governor-General waited, as he himself informs us, "with much impatience." He urged the Nabob by the strongest remonstrances. He enjoined the Resident, in the most earnest and most peremptory terms, to leave no effort unattempted for the accomplishment of this important event. The reluctance however of the Nabob continued unsubdued; and Mr. Middleton, the Resident, was instructed to supersede the authority of the Nabob, and perform the necessary measures by the operation of English power. He proceeded at last to the execution of the Governor-General's commands; but the Nabob, shocked at the degradation which he would sustain in the eyes of his people, if acts under his government of so much importance should appear to emanate from any power but his own, undertook the melancholy task.[2] The words of the resident to the Governor-General are instructive: "I had the honour to address you on the 7th instant, informing you of the conversation which had passed between the Nabob and me on the subject of resuming the jaghires; and the step I had taken in consequence." The step was the issuing of perwannahs or warrants to the Aumils or agents on the jaghires, to desist from acting in behalf of the Begums. "His Excellency appeared to be very much hurt and incensed at the measure: And loudly complains of the treachery of his ministers, first, in giving you any hopes that such a measure would be adopted; and, secondly, in promising me their whole support in carrying it through. But as I apprehended" (he means, expected) "rather than suffer it to appear that the point had been carried in opposition to his will, he at length yielded a nominal acquiescence, and has this day issued his own perwannahs to that effect—declaring, however, at the same time, both to me and his ministers, that it is an act of compulsion."[1]

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The resumption of the jaghires was not the only measure which had been conceived and resolved against the Begums. Their treasures were to be seized.[1] The Nabob and the resident, with a body of English troops, proceeded towards the abode of the princesses at Fyzabad, where they arrived on the 8th of January. The first days were spent in demands and negotiations. On the 12th the troops were ordered to storm the town and the castle, but little or no opposition was made; for no blood was shed on either side: and the troops took possession of all the outer enclosure of the palace of one of the princesses, and blocked up the other.

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Still, however, the female apartments were unviolated, and the treasure was not obtained. The difficulty was to lay hands on it without the disgrace of profaning and polluting the sacred precinct. The principal agents of the princesses were two aged personages of great rank and distinction, who had been in high trust and favour with the late Nabob; the eunuchs, Jewar Ali Khan, and Behar Ali Khan. It was resolved to put those personages in confinement, and apply to them other severities, in order that the Begums might, by their compassion, be moved to give up the treasure; or that the eunuchs themselves should be compelled, by their sufferings, to give up what was in their own custody, and use their influence with the princesses to resign what they possessed. By the torture of one party, money was to be extorted from another. The cruel lessons of Eastern despotism were well acquired by Englishmen.

The expedient was attended with success. The Begums, or rather the elder of the two, in whose possession, as head of the female department, the treasure was placed, was wrought upon by these proceedings to make a surrender; and money was paid to the English resident to the amount of the bond given to the Company by the Nabob for his balance of the year 1779–80.

The eunuchs were not yet released. Another balance remained, for the year 1780–81. Money for the discharge of this remaining debt was also demanded of the Princess. “She declared with apparent truth,” says the Resident, “that she had delivered up the whole of the property in her hands; excepting goods; which from the experience,” he adds, “of the small produce of the sale of a former payment made by her in that mode, I refused, as likely to amount, in my opinion, to little or nothing.” Money, however, was absolutely required; and new severities were employed. To the officer guarding the eunuchs, the following letter was addressed by the Resident, dated the 20th of January, 1782. “Sir, when this note is delivered to you, I have to desire, that you order the two prisoners to be put in irons, keeping them from all food, &c. agreeable to my instructions of yesterday. (Signed) Nath. Middleton.”

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The sufferings to which they were thus exposed drew from the eunuchs the offer of an engagement for the payment of the demanded sum, which they undertook to complete, within the period of one month, from their own credit and effects. The engagement was taken, but the confinement of the eunuchs was not relaxed; the mother and grandmother of the Nabob remained under a guard; and the Resident was commanded, by Mr. Hastings, to make with them no settlement whatsoever. In the

mean time, the payment, upon the bond extorted from the eunuchs, was begun; the Begums delivered what they declared was the last remaining portion of their effects, including down to their table utensils; and the Resident himself reported "that no proof had yet been obtained of their having more." Before the 23d of February, 1782, upwards of 500,000*l.* had been received by the Resident for the use of the Company; and there remained on the extorted bond a balance; according to the eunuchs of 25,000*l.;* and of no more than 50,000*l.* according to the Resident.



The prisoners entreated for their release; declaring their inability to procure any further sums of money while they remained in confinement; but expressing a confident hope of being able to raise the balance required, if they were allowed to go abroad among their friends, and solicit their assistance. So far from any relaxation of their sufferings, higher measures of severity were enjoined. On the 18th of May, after they had lain two months in irons, the officer who commanded the guard under which they were confined, wrote to the Resident in the following words; "The prisoners Behar Ali Khan, and Jewar Ali Khan, who seem to be very sickly, have requested their irons might be taken off for a few days, that they might take medicine, and walk about the garden of the place where they are confined. Now, as I am sure that they will be equally secure without their irons as with them, I think it my duty to inform you of this request. I desire to know your pleasure concerning it." The nature of the orders under which the Resident acted, rendered it necessary for him to refuse the smallest mitigation of their torture. Nay, within a few days, that is, on the 1st of June, other terrors were held up to them. They were threatened to be removed to Lucknow, where, unless they performed without delay what they averred themselves unable to perform, they would not only be subjected to still severer coercion, but called upon to atone for other crimes. As these crimes were not specified, the threat was well calculated to act upon their fears. It involved the prospect of unbounded punishment; any infliction, in short, for which persons with arbitrary power in their hands could find or feign a pretence. Several expedients were offered both by the prisoners and the Begums, who were alarmed at the prospect of losing by removal their confidential servants. These expedients were not treated as objectionable, on any other score except that of time. They were rejected. The prisoners were removed to Lucknow, and cruelties inflicted upon them, of which the nature is not disclosed, but of which the following letter, addressed by the assistant-resident to the commanding officer of the English guard, is a disgraceful proof. "Sir, the Nabob having determined to inflict corporal punishment, upon the prisoners under your guard, this is to desire that his officers when they shall come, may have free access to the prisoners, and be permitted to do with them as they shall see proper."

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All the measures, however, of severity which could be devised proved unavailing, though the women of the Zenana were at various times deprived of food till they were on the point of perishing for want. The rigours went on increasing till the month of December; when the Resident, convinced both by his own experience, and the representation of the officer commanding the guard by which the princesses were coerced, that every thing which force could accomplish was already performed, and that if any hope remained of further payments, it was by lenient methods alone they could be obtained, removed of his own authority the guard from the palaces of the

Begums, and set at liberty their ministers. As endeavours had been used to make the severities appear the act of the Nabob, so the Resident strove to make the favour appear the bounty of the man by whom the English sceptre was swayed; declaring to the Begums, that it was the Governor-General from whom the relief had been derived, and that he "was the spring from whence they were restored to their dignity and consequence." The letter in which the commanding officer reported the execution of the order of release, exhibits what no other words can express. "I have to acknowledge the receipt of your letter of the 2d instant; and, in consequence, immediately enlarged the prisoners, Behar Ali Khan, and Jewar Ali Khan, from their confinement, a circumstance that gave the Begums, and the city of Fyzabad, in general, the greatest satisfaction. In tears of joy, Behar, and Jewar Ali Khan expressed their sincere acknowledgments to the Governor-General, his Excellency the Nabob Vizir, and to you, Sir, for restoring them to that invaluable blessing, liberty; for which they would ever retain the most grateful remembrance; and at their request I transmit you the enclosed letters. I wish you had been present at the enlargement of the prisoners. The quivering lips, with the tears of joy stealing down the poor men's cheeks, was a scene truly affecting. If the prayers of these poor men will avail, you will at the last trump be translated to the happiest regions in heaven."[1]



Of the transactions of Mr. Hastings with the Nabob at Chunar, another feature still remains. A present was offered; a present of a sum of no less than ten lacs, or 100,000*l.* sterling; and notwithstanding the Company's laws against presents, notwithstanding the acknowledged distress of the Nabob, and his inability to pay the debt which he owed to the Company, it was accepted. The Nabob was totally unprovided with the money; the gift could be tendered only in bills, which were drawn upon one of the great bankers of the country. As the intention of concealing the transaction should not be imputed to Mr. Hastings, unless as far as evidence appears,[2] so in this case the disclosure cannot be imputed to him as virtue, since no prudent man would have risked the chance of discovery which the publicity of a banker's transactions implied. Mr. Hastings informed the Directors of what he had received, in his letter dated the 20th of January, 1782; and in very plain terms requested their permission, as a reward for his services, to make the money his own.[1]



In the beginning of 1782, when little or no progress had been made in realizing the sums of money which the Governor-General expected from his arrangements with the Nabob, he began to express, in a strain of unusual severity, his disapprobation of the Resident, Mr. Middleton; either really dissatisfied with him under the failure of his efforts; or by a concerted plan, anticipating the commands of the Directors for the restoration of Bristow by removing the confidential agent, now when the confidential transactions were closed, that the restoration of Bristow might carry the appearance of his own act, and receive its completion before the commands of the Directors should arrive.[2] Manifesting extreme anxiety for the acquisition of the money, on account of which he had ventured on disreputable ground, "the agreement," he said, "which I concluded with the Vizir has yet served only to gratify revenge, or some concealed interest, and to

make me odious to my own countrymen."[1] The resident had at first suggested his doubts, whether the force which he could employ in the resumption of the Jaghires would be sufficient to overcome the opposition which he anticipated. "I judged it improper," says the Governor-General, "to expose a service of such importance, either to the hazard of a defeat, or the chance of a delay, and therefore immediately issued orders for the march of Colonel Sir John Cumming, with his entire detachment, for the performance of it."[2] The resident hastened to communicate his opinion, that the Nabob would be alarmed and disgusted at the march of this force into his dominions; that the payment of the detachment would be a breach of the immediate treaty, equivalent to an order for imposing upon him anew the expense of the temporary brigade; that a part of the Nabob's troops were equal to the service; and that a fortnight would suffice for its accomplishment. Under these representations the Governor-General ventured not to continue the march of the detachment; but he declared to the resident, that the contradictions in his statements covered them with doubts; and, if the resident could not assure him of his perfect competence to the service, that he would himself suspend his journey to the Presidency, and repair to Lucknow for the accomplishment of the business in person. The resident declared his competence; and the Governor-General departed from Benares on his way to Calcutta on the 7th of January. He departed, however, "after much hesitation, and I will confess," says he, "with some reluctance. I dread the imbecility and irresolution which too much prevail in the Nabob's councils, and must influence in some degree both the conduct of the resident and the minister; and I consider the impending measure of too much consequence to be exposed to the risk of a disappointment." The resident had stated, that the Governor-General had not by him been understood as intending the reformation, this year, of the Nabob's military establishment, or as expecting a present supply to the Company's treasury. "These," says the Governor-General, in his letter of 3d January, "are fresh instances of what I have had too frequent cause to complain of, your total inattention to my instructions." He then repeats to the resident the passage in his instructions, in which he told him, that "to enable the Nabob to discharge his debt to the Company in the shortest time possible was the chief object of his negotiation:" that the jag hires should be appropriated to that purpose: and that the reform of the troops should take place immediately after the settlement of the sum to be allowed for the personal and domestic expenses of the Nabob.[1] But these expressions are vague, and necessarily express no more than a very eager desire for dispatch; and the resident, for aught that appears in the words, might be well justified in the conclusion which the Governor-General thought proper to condemn.



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Mr. Middleton continued the exertions, and practised all the severities, which have already been described, for extorting the money which the Governor-General demanded. Yet he was formally accused by the Governor-General on the 23d of September, and pronounced guilty of remissness in his duty; when Mr. Bristow was appointed to fill the office from which, before the recent transactions, he had just been removed. In the mean time, that is, on the 6th of May preceding, Major Palmer had been sent to Oude, as the private agent of Mr. Hastings; and various new demands were urged upon the dependant Prince. The current annual claims varied, from seventy to 130 lacs per annum, previous to the time of Middleton's appointment in

1781. The receipts of the resident, in discharge of those claims, varied from sixty to eighty lacs per annum, whence the balance of debt perpetually increased. At the time of concluding the treaty between the Nabob and Hastings at Chunar, that balance appeared to stand at 44 lacs. The resident, instead of 80 lacs, which before was the maximum of the annual payments, realized one crore and 46 lacs. By demands, however, urged by Major Palmer to the amount of eighty-two lacs, and claims of unknown balances, which appeared on adjusting the books of the Presidency, the sums,



of which payment in that year was required of the Nabob, exceeded considerably two crores and a half, that is, were at least equal to twice the annual revenue of the whole country.[1] In vindicating himself from the charge of remissness, in seizing the treasures of the Begums, Mr. Middleton shows, that not only had he been successful in regard to the ultimate acquisition, but that no unnecessary time had intervened, and that no instrument of coercion, except the disgraceful one of violating the apartments and the persons of the Princesses, had been left unemployed. "The Nabob," he says, "was son to the Begum we were to proceed against: A son against a mother must at least save appearances: Circumstances sufficiently marked the English as the principal movers in the business: The favourable occasion was not missed to persuade the Nabob that we instigated him to dishonour his family for our benefit: I had no assistance to expect from the Nabob's ministers, who could not openly move in the business: In the East, it is well known, that no man, either by himself or his troops, can enter the walls of a Zenana—scarcely in the case of acting against an open enemy—much less an ally—a son against his own mother. The outward walls, and the Begum's agents, were all that were liable to immediate attack: They were dealt with—and successfully, as the event proved."[2]

The reply which is made by the Governor-General to this defence is remarkable. As usual with the Governor-General, it is mysterious and equivocal.



But if any thing can be gathered from it, they are the two following things: that he did intend that Mr. Middleton should have violated the Zenana: and that not having acted in that manner, Mr. Middleton, his own chosen and confidential agent, might, both by himself and by others, be suspected of having betrayed his duty for bribes. "I was pointed," says the Governor-General, "in my orders to Mr. Middleton, that he should not allow any negotiation or forbearance, when he had once employed the Company's influence or power in asserting the Nabob's claims on the Begums. My principal, if not sole inducement, for this order, which, with the instructions following it, was as absolute as it could be expressed, was—to prevent the imputation which is too frequently, with whatever colour of reason, cast on transactions of this nature, begun with demands of sums of money to an enormous amount, supported with a great military parade and denunciations of vengeance for a refusal, and all relenting into the acceptance of personal submission and promise of amendment: In plainer words, I did not choose to be made the instrument of private rapacity, if any such design existed; nor to expose myself to the obloquy of it, if such a design did not exist."[1] The Governor-General, however, no where said to Mr. Middleton, you shall enter the Zenaua itself, if respect for it prove any obstruction to your designs. And it would have been equally easy for him to have condemned the resident had he understood his

orders in that invidious sense, as it was, according to the sense in which he did understand them. If the resident had been guilty of the violation, and a storm of odium had arisen, the political conduct of the Governor-General lays sufficient ground for the presumption that he would not have scrupled to form for himself a screen out of his own ambiguity.



Upon the intelligence received of the recall of Mr. Bristow, and the appointment of Mr. Middleton to the office of resident with the Vizir, previous to the memorable journey to Benares, the Court of Directors wrote to the Governor-General and Council, in the following terms:—"Equally extraordinary, and unwarrantable, have been your proceedings respecting Mr. John Bristow. He was appointed resident at Oude in December, 1774. In December, 1776, he was recalled without the shadow of a charge being exhibited against him. By our letter of the 4th of July, 1777, we signified our disapprobation of the proceedings against Mr. Bristow, and directed that he should be restored to his station; which direction we confirmed by our subsequent letter of the 23d of December, 1778. Mr. Bristow arrived in India in February, 1780, and in October of the same year, it was resolved by your Board, that Mr. Bristow should return to Oude; but that his appointment should be limited solely to the conduct of political negotiations, Mr. Middleton being at the same time nominated to settle pecuniary matters with the Vizir. On the 21st May, 1781, upon receiving a letter from the Vizir, expressing his desire that Mr. Bristow should be removed from his court, he was again recalled. But, without entering into the consideration of this matter, and in order to vindicate and uphold our own authority, we do hereby positively direct, that Mr. Bristow do forthwith proceed to Oude, in the station of our resident there. You are likewise to observe, that we shall not suffer any other person to proceed to Oude, for the management of the finance, one person being, in our opinion, sufficient to transact
our business there as principal in both those departments."[1]

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Along with the reprobation of the recall, and command for the restoration of Mr. Bristow, a similar reprobation and command arrived from the Court of Directors respecting Mr. Fowke, as resident at Benares. The Governor-General, claiming a latitude in disobeying the orders of the Company, when those orders were "destructive to their own affairs," and alleging that the diminution of authority of the Governor-General, in displaying to the eyes of India the defeat of his intentions even with respect to his own agents, was so destructive; insinuating also, beside these general, some particular objections, of which he spoke in the following mysterious terms, "My present objection to his appointment I dare not put upon record, the Members of the Board individually know it;" opposed' obedience to the Company's injunctions. The other Members, however, of the Board, consisting of Mr. Stables, Mr. Macpherson, Mr. Wheler, and Sir Eyre Coote, were of a different opinion; they declared that, where the commands of the Directors were precise and peremptory, they conceived themselves to have no latitude of choice; and Mr. Fowke received his appointment. The arrangement which the Governor-General had made for the management of the affairs of Benares had, as usual, disappointed his pecuniary expectations; and his dread of blame on the score of the transactions, to which his journey to that district had given birth, seems upon this head to have rendered his

irasciblity peculiarly keen. The storm of his indignation fell upon the person into whose hands the collection of the revenue had fallen, the father of the newly-made Rajah. "I feel myself," said Hastings, "and may be allowed on such an occasion to acknowledge it, personally hurt at the ingratitude of this man, and at the discredit which his ill conduct has thrown upon my appointment of him. He has deceived me: he was offended against the government which I then represented." The "personal hurts" of the Governor-General seem but too frequently to have prompted the measures of his administration. If he was "personally hurt," he was ill qualified to assume the function of a judge. The Naib had failed in raising all the money which had been imposed as tribute upon the province. Had the tribute not been, as it was, too large, dismission from his office might appear to be a sufficient visitation for his offence. He was also deprived of his lands, thrown into prison, and threatened with death, by the sole authority of Mr. Hastings, who did not so much as communicate the measures to his Council till after they were passed; while the Naib in vain represented, that the tribute exceeded the means of the country; that the ordinary receipts had been diminished by a drought; and that from a severe illness, he had, during two months, been incapable of attending to the painful and laborious duties of his office.[1]



Among the articles in the treaty, formed by the Governor-General with the Vizir at Chunar, one related to the Nabob Fyzoolla Khan. This was the chief who survived the ruin of the Rohilla nation in 1774, and who, having occupied a strong post on the hills, concluded a treaty, under the sanction and guarantee of the English government, by which he received in jaghire the country of Rampore and some other districts of Rohilcund, estimated at a revenue of fifteen lacs of rupees. "From the month of October, 1774, to the latter end of February, 1778," says the Governor-General, "we had no reference made to us relative to Fyzoolla Khan; but on the 25th of February, 1778, we received a letter from Mr. Middleton, in which he informed us, that reports had prevailed at Lucknow, that Fyzoolla Khan retained in his service a greater body of troops than were specified in the treaty of 1774, and that he had given protection and encouragement to Zabita Khan's defeated army. Mr. Middleton, in the same letter, told us, that he did not pay much attention to these reports; but added—that the Nabob's oppressive and unjust conduct, in various instances, might induce Fyzoolla Khan to form connexions, and to engage in schemes, incompatible with his duty and allegiance to the Vizir."



The treaty which had been formed between Fyzoolla Khan and the Vizir, in 1774, commonly known by the name of the treaty of Lal Dang, had been signed by the English Commander-in-Chief, in the name of his nation, as both a party to the transaction, and guarantee of the engagement. Distrusting the faith of the Nabob, and alarmed by the preceding imputations, which he justly regarded as proofs that the wish was formed to disposses him of his country, Fyzoolla Khan endeavoured to assure himself more completely of the protection of the English; and, as if the signature of the commanding officer was not sufficiently binding, made earnest application to have the treaty ratified by the Governor-General and Council. "Upon

this subject," says Mr. Hastings, "I had frequent applications from him. But the guarantee appeared to me unnecessary,
except as it would afford great satisfaction to Fyzoolla Khan; for our government must have interfered, if the Nabob Vizir had attempted to encroach upon the rights which Fyzoolla Khan enjoyed under his treaty with the Vizir. Mr. Middleton deputed Mr. D. Barwell to Rampore, the residence of Fyzoolla Khan. Mr. Barwell transmitted to Mr. Middleton a very particular account of Fyzoolla Khan's conduct, which appeared to have been in no instance contrary to his engagements; and in the month of April, his treaty with the Nabob Vizir was guaranteed by the Company, agreeably to his earnest and reiterated requests. By whose suggestions doubts were instilled into the mind of Fyzoolla Khan, as to the validity of the treaty which Colonel Champion had witnessed, I know not." On the occasion of the guarantee a present of elephants, horses, and other articles, with a lac of rupees, or 10,000*l.* sterling, was made to the Nabob, and one of a similar sum, or another lac, to the Company.



This transaction was soon followed by another. In the same year intelligence was received of a war between England and France. Fyzoolla Khan, "being indirectly sounded," displayed the greatest readiness to assist. He was under no obligation to afford a single man; but, at the suggestion of the resident at Oude, made an offer of all his cavalry, 2000 strong, and actually furnished 500. The Governor General, on the 8th of January, 1779, wrote to him, "that in his own name, as well as that of the Board, he returned him the warmest thanks for this instance of his faithful attachment to the Company and the English nation."

In the treaty of Lal Dang, were the three following articles: "That Fyzoolla Khan should retain in his service 5000 troops, and not a single man more: That with whomsoever the Vizir should make war,
Fyzoolla Khan should send two or three thousand of his troops, according to his ability, to join him: And that if the Vizir should march in person, Fyzoolla Khan should attend him with his forces."



In November, 1780, the Governor-General and Council recommended to the Vizir to demand, that is, the Governor-General and Council did themselves demand, of Fyzoolla Khan, to furnish a body of 5000 horse, "as the quota stipulated by treaty for the service of the Vizir." The treaty, however, did not stipulate for 5000, but only for 2000, or 3000, according to his ability; and not for *horse,* but *troops,* of which not the whole, but the usual proportion in horse, equity of construction could, by any means, require: and the troops were not for the service of the Vizir, but of the Company.[1] With the strongest expressions of duty and allegiance, Fyzoolla Khan represented, that his whole force was by treaty limited to 5000 men; of which 2000 were horse, and 3000 foot; that 3000 foot were required for the business of his government and collections; but the whole was at the command of the Vizir and the Company. When this answer was received, the Governor-General, who, together with Mr. Wheler, constituted the whole Board, and by his casting vote united in his own person all the powers of government, declared

upon record, that "The Nabob Fyzoolla Khan had evaded the performance of his part of the treaty between the late Nabob Sujah ul Dowla and him, to which the Honourable Company were guarantees, and upon which he was lately summoned to furnish the stipulated number of troops, which he is obliged to furnish on the condition by which he holds the jaghire granted to him."

In defence of this procedure Mr. Hastings states, that the Company was environed with difficulties; the burden of the Mahratta war; the alarming progress of Hyder Ali in Carnatic; the march of the Berar army into Cuttack; and the prospect of an armament from France: That Sir Eyre Coote, before departing for Madras, recommended application to Cheyte Sing for a body of horse to cover the province of Bahar; a battalion of sepoys; 1000 of the Vizir's infantry; and as many of Fyzoolla Khan's troops as could be procured, for the defence of Rohilcund: That the British officer who commanded in that district complained, by letter, of having with him only 500 of that chieftain's horse, though, "in his agreement with government, he was obliged to keep up 5000 troops for assisting in the defence of Rohilcund:" That in the hurry of business, he, and the other Members of the Board, were deceived by this letter into the belief that 5000 was the quota defined; and that horse, though not expressed in the treaty, was undoubtedly understood.[1]

A deception of such a kind, in matters of such importance, is not the most honourable sort of apology, even where it holds.[2] The demand, however, of the Board went far beyond the erroneous words of the letter. The letter spoke of only *troops,* not *horse;* and it spoke of 5000, as only *to be kept up,* not sent out of the country, for deduction was necessary of those required for indispensable service at home: And the declaration of one of the parties as to what was *understood* in a treaty, but not expressed, when there is no reason why it should not have been expressed, is an unavailing pretence, which, if admitted, would for ever place the weaker of two contracting parties at the mercy of the stronger. As to the dangers of the British government, urged by the Governor-General on this, as they are on so many other occasions, there is only one principle which can render them applicable in his defence; viz. that they furnished sufficient grounds for taking from every prince or lord of the country, whatever any of them had not ability to prevent him from taking.



In proceeding to measures of compulsion, Hastings somewhat lowered his demand. On the 15th of February, 1781, he decreed in Council, "that a deputation to Fyzoolla Khan should be immediately recommended to be sent by the Nabob Vizir, accompanied by an agent from Mr. Middleton in behalf of the English government, as guarantees, and that in presence of proper witnesses they should demand immediate delivery of 3000 cavalry; and if he should evade or refuse compliance, that the deputies should deliver a formal protest against him for breach of treaty, and return, making their report to the Vizir, which Mr. Middleton was to transmit to the Board." The deputation was sent. Fyzoolla Khan, alleging both his inability and the express words of the treaty, offered "in addition to the 1000 cavalry already granted, to give 1000 more, when and wheresoever required, and 1000 foot;" together with one year's pay in advance,

and funds for the regular payment of them in future. The offer was rejected; and the protest made. Hastings suspended all proceedings upon this protest at the Board; met with the Nabob at Chunar; and signed the following article relative to Fyzoolla Khan: "That as Fyzoolla Khan has, by his breach of treaty, forfeited the protection of the English government, and causes, by his continuance in his present independent state, great alarm and detriment to the Nabob Vizir, he be permitted, when time shall suit, to resume his lands and pay him in money, through the resident, the amount stipulated by treaty, after deducting the amount and charges of the troops he stands engaged to furnish by treaty; which amount shall be passed to the account of the Company during the continuance of the present war."

What comes next to be stated is a characteristic circumstance. In transmitting the treaty of Chunar to his colleagues at the Board, Mr. Hastings accompanied each article with his own explanations and remarks. Those upon the article relating to Fyzoolla Khan, were as follow: "The conduct of Fyzoolla Khan in refusing the aid demanded, though not an absolute breach of treaty, was evasive and uncandid. The demand was made for 5000 cavalry: the engagement in the treaty is literally for 5000 horse and foot: Fyzoolla Khan could not be ignorant that we had no occasion for any succours of infantry from him, and that cavalry would be of the most essential service: so scrupulous an attention to literal expression, when a more liberal interpretation would have
been highly useful and acceptable to us, strongly marks his unfriendly disposition; though it may not impeach his fidelity; and leaves him little claim to any exertions from us, for the continuance of his jaghires. But I am of opinion that neither the Vizir's, nor the Company's interests would be promoted by depriving Fyzoolla Khan of his independency: And I have, therefore, reserved the execution of this agreement to an indefinite term; and our government may always interpose to prevent any ill effects from it."



This imperiously calls for some observations. Mr. Hastings inserts, in an article of a solemn, public treaty, and sets his hand to the article, that a dependent of the Company has been guilty of a breach of treaty; when at the same moment, he writes to his colleagues, that he has *not* been guilty of a breach of treaty, and that his fidelity is unimpeached. He gives to the Vizir, by equally solemn treaty, what the Vizir anxiously solicited, as an object of great desire, permission to dispossess Fyzoolla Khan; yet he writes to his colleagues, that this was a fraudulent artifice, and that he never meant the permission to have any effect. The cause of Mr. Hastings, during a calm investigation, suffers exceedingly by his practice and skill in the arts of deceit; because the fair colours, which he himself can throw upon his conduct, become thoroughly untrustworthy, and, unless where they are supported by other evidence, cease to persuade.

When, too, Mr. Hastings informs his colleagues, that by the treaty in virtue of which Fyzoolla Khan possessed his jaghire, he was bound to afford 5000 troops, the information was glaringly incorrect; for the oppressed dependant had expressly appealed to the treaty, and offered obedience to the full extent of

its bonds. Nay, by the treaty, he was rigidly bound not to retain in his service any more than 5000 troops both horse and foot; and had he sent 5000 horse to the service of the English, in addition to which he must have raised horse and foot for the business of his country, he might have been punished for breach of treaty, and on this pretext, deprived of his independence.

For several months after the return of the Vizir to his own capital, the Governor-General was importuned, by applications both from him and from the resident, to permit the expulsion of Fyzoolla Khan. Towards the end of the year, 1782, a negotiation was opened for a pecuniary commutation of the military aid. Major Palmer was deputed to Rampore; and spent a month, as he himself significantly expresses it, "in order to effect by persuasion, what he could have obtained in an hour by threats and compulsions;" that is, a sum of fifteen lacs of rupees, on the condition of being exempted from all future claims of military service.

Endeavour was used to obtain from Fyzoolla Khan another sum of 15 lacs; for which his jaghire, which was only a tenure for life, was to be converted into a perpetual hereditary possession. As this change in his tenure was supposed to be of the highest importance to Fyzoolla Khan, he very much surprised the English agent by declaring his inability to advance the money required, and declining the bargain. From the improving cultivation of the country, and apparent riches of the people, the effects of the good government which that lord had maintained, the English, as usual, believed, in company with the Vizir, that his riches were immense.

Major Palmer bore his testimony, on this occasion, to the falsehood, too, of the imputations upon which the oppression of Fyzoolla Khan had been founded: That he had given encouragement to the desertion of the ryots of the Vizir; and that he had a greater number of troops than 5000. The numbers of the Rohilla people in his country exceeded that amount; but Rohillas, in other than military employments, were not by the treaty forbidden. At any rate, the Major adds, "it does not appear that their number is formidable, or that Fyzoolla Khan could by any means subsist such numbers as could cause any serious alarm to the Vizir; neither is there any appearance of their entertaining any views beyond the quiet possession of the advantages which they at present enjoy."

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It was an object with the Governor-General and Council, to convince the Court of Directors that the bargain they had made with Fyzoolla Khan was a good one, and the money obtained an ample compensation for the alienated right. They now, therefore, distinctly understood and affirmed, that Fyzoolla Khan was bound not to exceed the number of 5000 troops, in horse and foot, and to send to the service of the Vizir only two or three thousand *men;* which, to the Vizir they said, was "a precarious and unserviceable right;" that "the rumours which had been spread of the hostile designs of Fyzoolla Khan, against the Vizir, were totally groundless; and if he had been inclined, that he had not the means to make himself formidable."[1] These expressions are to be contrasted with those made use of, on the 1st of

April, 1781, by the assistant resident, Johnson; who was sent for the purpose of making the protest, in case of the refusal of 3000 horse. On the hunt for appearances of guilt, he found them at every step; and the very day after his arrival, reported, that "the Rohilla soldiers, in the district of Rampore alone, were not less than twenty thousand." With great caution should men in power receive from their agents reports by which their known wishes are flattered; because the proportion of observers is lamentably small, who, in such cases, will not deceive themselves, and without any formed intention of mendacity, yet from the very lust of pleasing the men on whose favour or disfavour their prosperity or adversity depends, give them reports which will deceive them. It is necessary, in justice to Mr. Hastings, to add, that with respect to the permission, granted by the treaty of Chunar, to resume the jaghire of Fyzoolla Khan, he afterwards allowed that his conduct was the proper object of blame.[1]

It appears that the Vizir relented at a period rather early in the persecution of the Begums. Before the recall of Mr. Middleton, he wrote to the Governor-General several letters, on the particular subject of the resumption of the estates, and the confiscation of the treasures of the Princesses, and appears to have severely complained of the opprobrious part which he was compelled to perform. It was one of the rules of the Governor-General, to suppress as much as possible of any correspondence, of which the appearance would give him pain. These letters, accordingly, were not entered in the Company's records. But what he wrote to the resident on the subject of them remains, and shows, that in his breast they excited the highest resentment. He chose to consider them as not the letters of the Vizir; whom he represents as too void of character, to write any thing of himself. He called them the letters of the minister, "who," says he, "by an abuse of his influence over the Nabob—he being, as he ever must be, in the hands of some person, a mere cipher in his hands—dared to make him assume a very unbecoming tone of refusal, reproach, and resentment, in opposition to measures recommended by me, and even to acts done by my authority."



He persisted in ascribing guilt to the Begums, and said, "the severities which have been exercised toward them, were most justly merited, by the advantage which they took of the troubles in which I was personally involved last year, to create a rebellion in the Nabob's government;[1] and to complete the ruin which they thought was impending on ours." "If it is the Nabob's desire to forget and forgive their past offences, I have no objection to his allowing them, in pension, the *nominal* amount of their jaghires; but if he shall ever offer to restore their jaghires to them, or to give them any property in land, after the warning which they have given him, by the dangerous abuse which they formerly made of his indulgence; you must remonstrate, in the strongest terms, against it; you must not permit such an event to take place; until this government shall have received information of it, and shall have had time to interpose its influence for the prevention of it." On this and on various other occasions, where the Governor-General spoke of pensions with so much ease, he well knew, that in the circumstances and with the disposition of the government of the Vizir, a pension, unless to Englishmen

whom he feared, little or nothing differed from a name. Nay more; if the payment had been sure, the nominal revenue was but a portion of the actual proceeds; and the Begums of course were to be robbed of all the rest. It was in fact from this robbery, namely the revenue which the Nabob could extract from the estates of the Begums, beyond the pensions he would bind himself to pay them, that the money was to come, by which the distress of Mr. Hastings was to be relieved.

The period at last arrived for the review, by the Court of Directors, of the proceedings of their government in India relative to the Begums. In their letters of the 14th of February, 1783, "It no where," say the Directors, "appears, from the papers at present in our possession, that the Begums excited any commotions previous to the imprisonment of Cheyte Sing, and only armed themselves in consequence of that transaction; and it is probable that such a conduct proceeded from motives of self-defence, under an apprehension, that they themselves might likewise be laid under unwarrantable contributions." The Court of Directors, in consequence, gave their commands, that if, upon inquiry, it should appear that the Princesses had not been guilty of the practices of which Mr. Hastings accused them, their estates should be restored; and an asylum offered them within the Company's territory. In obedience to this
injunction, it was moved by Mr. Stables, a member of the Supreme Council, that the inquiry should be instituted.



The conduct pursued by the Governor-General is the next object of regard. He set himself in opposition to the inquiry; and, having a majority of the Council on his side, he prevented it. The reasons by which he supported his opposition were as follows. He asserted, "that the reasons of the Court of Directors, if transmitted with the orders for the inquiry, will prove, in effect, an order for collecting evidence to the justification and acquittal of the Begums, and not for the investigation of the truth of the charges which have been preferred against them." Here the insinuation is, that whenever, in India, the views of government are known, all evidence tendered will be sure to coincide with those views. The Governor-General ought to have reflected, that, if this be true, all the evidence which he produced against the Begums, Cheyte Sing, or any of the other parties, whom he pretended to punish under the colour of guilt, if in other respects less devoid of the essentials of proof than it really was, ought to be counted for nothing. Besides, it was neither necessary, nor did the author of the proposal require, that "the reasons" of the Court of Directors should be transmitted with the order for inquiry. Mr. Hastings in a further Minute asserted, that the inquiry would be fraught with "evils greater than any which exist in the consequences which have already taken place, and which time has almost obliterated." "If," said he, "I am rightly informed, the Nabob Vizir and the Begums are on terms of mutual good will. It would ill become this government to interpose its influence, by any act which might tend to revive
their animosities, and a very slight occasion would be sufficient to effect it. They will instantly take fire on such a declaration, proclaim the judgment of the Court in their favour, demand a reparation of the acts, which they will construe wrongs, with such a sentence warranting that construction, and either accept the invitation (to reside under the protection of the Company), to the proclaimed scandal of the Nabob Vizir, which will

not add to the credit of our government, or remain in his dominions, but not under his authority, to add to his vexations and the disorders of the country, by continual intrigues and seditions. Enough already exists to affect his peace, and the quiet of his people. If we cannot heal, let us not inflame the wounds which have been inflicted." He added, "If the Begums think themselves aggrieved to such a degree as to justify them in an appeal to a foreign jurisdiction; to appeal to it against a man standing in the relation of son and grandson to them; to appeal to the justice of those who have been the abettors, and instruments of their imputed wrongs; let us at least permit them to be the judges of their own feelings, and prefer their complaints, before we offer to redress them. They will not need to be prompted. I hope I shall not depart from the simplicity of official language, in saying, the Majesty of Justice ought to be approached with solicitation, not descend to provoke or invite it, much less to debase itself by the suggestion of wrongs, and the promise of redress, with the denunciation of punishments, before trial, and even before accusation." If nothing remained to stain the reputation of Mr. Hastings, but the principles avowed in this singular pleading, his character, among the friends of justice, would be sufficiently determined.

Although the commands of the Court of Directors, respecting reparation to the Begums, were strengthened by a formal application from the Vizir, "requesting" (such are the words of Mr. Hastings, introducing the subject to the Board) "that he might he permitted to restore, to his grandmother and other relations, the jaghires which were taken from them the beginning of last year," the authority of the Governor-General was sufficient to prevent, at the present time, the adoption of any measure in their favour.[1]



Notwithstanding the severities practised upon the family of the Vizir, and the usurpation of his authority by Mr. Middleton, who even issued warrants upon his own authority for the resumption of the jaghires, Mr. Middleton was dismissed for want of rigour in pressing the demands of the English government; and Mr. Bristow was appointed, under the implied as well as declared expectation, that he would supply what had been remiss in the conduct of his predecessor. Nor was this all. He was furnished with a set of instructions, from the hand of the Governor-General, bearing date the 23d of October, 1782. In these instructions, in which he was particularly referred to the injunctions which Mr. Middleton had previously received, four objects were principally pointed out to his attention; 1st, "To limit, and separate the personal disbursements of the Vizir from the public accounts;" 2dly, To reform the military establishment, reducing the troops to one uniform corps, and to the form, if possible, most useful to the Company, that of cavalry; controling even the appointment of officers, may, "peremptorily opposing it," as often as the Vizir should persist in a choice which to the Resident should appear objectionable; 3dly, To control, or rather to exercise, the power of appointing Aumils and collectors in the revenue department, it being reserved to the Nabob's ministers to appoint them, with the concurrence of the Resident; 4thly, To endeavour to reform the disgraceful state of the administration of justice.

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The grand object of the English government was, to obtain from the Nabob the payment of the sums for which they had induced him to become bound. But such were the disorders of his administration, and such the effects of those disorders upon the population and produce of the country, that without great reforms this payment seemed impracticable, and without the virtual assumption of the powers of government into better hands than those of the Vizir and his agents, all reform was an object of despair. The government, accordingly, had been converted into a government of Englishmen, in fact; conducted by the instrumentality of the Vizir and his agents, and under the forms of their authority. Of this, the points of instruction to Mr. Middleton, described above, are more than adequate proof.

In the administration of the Nabob, the principal organ went by the name of the Minister. The person raised to this office by the influence of the Governor-General was Hyder Beg Khan. The character and situation of this person, as described by Mr. Hastings himself, require to be noticed. In his instructions to Mr. Bristow, in October, 1782, he says: "Immediately on your arrival, sound the disposition of Hyder Beg Khan. His conduct has, for some time past, been highly reproachable. Till within these three months he possessed, without control, both the unparticipated and entire administration, with all the powers annexed to that government; the Nabob being, as he ever must be in the hands of
some person, a mere cypher in his." To so great a degree did Mr. Hastings represent the Vizir as being the mere tool of the minister, that he treated the very letters of the Vizir, as literally the letters of the minister; and spoke of him and of them in the following terms: "He has dared to use both the Nabob's name and even his seal affixed to letters, either dictated to the Nabob, or written from him without his knowledge." He then proceeded to state the necessity, that this man, in whose hands the Vizir was a tool, should be merely a tool in the hands of the English resident; in other words, that the English resident should wield substantially the powers of government. "I cannot omit," said he, "to repeat the sentiments which I expressed in the verbal instructions which I gave you at your departure, that there can be no medium in the relation between the resident and the minister, but either the resident must be the slave and vassal of the minister, or the minister at the absolute devotion of the resident." He then describes him as the mere creature of the English government. "He exists," said the Governor-General, "by his dependance on the influence of our government; and if he will submit to hold his office on such conditions as I require, I would prefer him to any other. At the same time, it will be necessary to declare to him, in the plainest terms, the footing and conditions on which he shall be permitted to retain his place, with the alternative of dismission, and a scrutiny into his past conduct, if he refuses. These conditions are described as follows; "In the first place, I will not receive from the Nabob, as his, letters dictated by the spirit of opposition—but shall consider every such attempt as the minister's, and as an insult on our government. In the second place, I
shall expect that nothing is done, in his official character, but with your knowledge and participation; at the same time the first share of the responsibility will rest with you: the other conditions will follow distinctly in their places, because I consider you as responsible for them." The responsibility implies the power; therefore the power was to exist in the resident;



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and any opposition, so much as by letter, that is, by complaint, was to be considered as an insult on the English government.

To the Minister, Hyder Beg, Mr. Hastings himself wrote in the following terms. “In answer to my letter Rajah Gobind Ram received a perwanna from the Nawab, containing complaints and reproaches at my interference in his affairs, and his unwillingness to receive any agent from me. These sentiments, and these expressions, are neither consonant to the benevolence of the Nawab’s temper, nor to the friendship which, I know, he possesses for me;—but were dictated for other purposes, known to yourself only. They are your sentiments, and your expressions; and not the Nawab’s. But my astonishment at the other parts of the perwanna is not to be expressed; for it declares all I had said respecting the disordered state of the Nawab’s government to be entirely false. Either these affirmations were dictated by the Nawab; or written without his knowledge. If they were dictated by the Nawab, they were such as would not admit of a reply from me, in an immediate address to himself; because I must have told him that he was deceived, and kept in utter ignorance of his own affairs, at the same time that the whole world, except himself, saw the condition they were in, and the destruction that was handing over him. If the letter was written in the Nawab’s name, but without his knowledge, what must have been your opinion of me, that could induce you to attempt so gross a deception upon my understanding? In either case, your conduct is without excuse. Its object I plainly see. By the authority of the Nawab Vizir you mean your own. When you make the Nawab to complain of the usurpation upon that authority, and to assert his right to the uncontroled exercise of it, the plain interpretation of this is, that you yourself lay claim to the usurpation of his authority, and to the uncontroled exercise of it. And how has it been exercised? I shall not repeat particulars, having already written to you fully upon them—and the subject is unpleasant. But I must tell you that such is their notoriety, that the report of them is echoed to me from all parts of Hindostan and Deccan; and the most alarming apprehensions are expressed by my agents, employed in the remote affairs of this government, lest they should attract the hostilities of other powers.”[1] —Such at the end of October, 1782, was the opinion declared by Mr. Hastings of the condition, in which the government of Oude was kept, in the hands of the Nabob, and his Minister.



In pointing out to Mr. Bristow the establishment of new offices, for the business of the revenues, for reform in the administration of justice, for the appointment of new administrators, and the coercion of rebellious Zemindars; as part of the objects, on the accomplishment of which, for the reform in the disorders in the Nabob’s government, the desires of the Governor-General were fixed; absolute performance was exacted at the hands of the resident, without any other limitation to the exercise of his power, than what the rules of prudence, and “every ostensible and external mark of respect to the Nabob,” might recommend.



When the resident had as yet been but a few months in office, a letter, as written by the Vizir, dated the 28th of March, 1783, arrived, complaining, in the most bitter terms, of the assumption of his authority by the resident. Instead of treating it,

according to the terms of his paper of instructions, as the letter, “not of the Vizir, but of the Minister, and as an insult on the English government,” the Governor-General received it with profound respect; and on the 21st of April presented it, with the documents by which it was attended, to the Council, as a matter deserving their most serious regard. From the delicacy of the relation, in which, on account of former oppositions, he stood to Mr. Bristow, he professed a desire to be guided in his sentiments, on this occasion, by the sentiments of the Board. On the 19th of May, consultation upon the subject took place, when the reserve of the Governor-General disappeared. He declared, that “the facts, as stated in the Nabob’s complaints, were usurpations of the authority, and even of the sovereignty of the Nabob Vizir.” But, what was more singular, he declared that his instructions to Mr. Bristow did not authorize any usurpation of that authority or sovereignty. And he proposed, even before Mr. Bristow should be heard in his defence, that certain proceedings of his, the objects of the Vizir’s complaint, should be immediately revoked. The Council, however, rejected this proposition; and only so far concurred with the Governor-General, as to send to Mr. Bristow a copy of the papers, and require his defence. The tone of the Governor-General, upon this, rose very high. “The Governor-General,” such were the terms of his minute, “desires it to be recorded, that he protests against the resolution of the Board, and will assign his reasons at large hereafter.” What follows is still more remarkable. As if he had penned the instructions by his sole authority, and as if upon that authority alone their validity rested, he declared them no longer of any force. The Minute goes on; “He (the Governor-General) also desires, that as the instructions given by him to Mr. Bristow have no longer any force, and as he solemnly disavows their authority, under any construction, for Mr. Bristow to exercise any controul over the Nabob Vizir, or participation in the sovereignty of the Vizir’s dominions, the Board will be pleased to cause such new instructions to be drawn out, and transmitted to Mr. Bristow, as they shall think proper.” If the whole extent is admitted of the exaggerating language of Mr. Hastings and the Nabob, which nevertheless very far exceeded the facts, the whole of his paper of instructions not only authorized but commanded a complete control over the Nabob Vizir, and not a participation only in the sovereignty, but the substantial exercise of the whole.[1]



On the 24th of July, Mr. Hastings complained to the Board, that Mr. Bristow had been guilty of disrespect to the Board, in not transmitting his defence; and on this occasion could not forbear alluding to an offence, which he appears never to have surmised without a purpose of punishment; “Perhaps,” said he, “Mr. Bristow may wish to avail himself of the principle, which forbids that any man should be condemned unheard, to withhold his defence until he shall have exceeded the period which has been so repeatedly portended for the close of the present government.” On the 28th of the same month, he moved, “That Mr. Bristow, for disrespect to the Board, and disobedience of the written orders to him by the Board on the 29th of May, be removed and recalled from his station and office at Lucknow.” Yet Mr. Hastings had before him a letter of Mr. Bristow dated on the 23d of June, in the following words: “Since I had last the honour to address you, I have been confined to my room by indisposition. I am now somewhat recovered, and shall not fail to expedite my reply to your commands of the 29th ult., which I have on this account been compelled to postpone.” The Board

BOOK V. Chap. 8. 1782.

refused to acquiesce in the precipitate condemnation, recommended to them by their President; and soon after, the letter of Mr. Bristow, dated on the 30th day of July, arrived. The resident either absolutely denied the facts which were asserted in the complaints of the Vizir, or represented the actions with which he was charged, as actions to the performance of which he was by the tenor of his instructions compelled, actions absolutely necessary to accomplish the ends which the English government had in view, actions attended with beneficial effects, and performed with all the delicacy possible towards the Vizir. The complaints he represented as flowing solely from the minister, to whose interests all reform was adverse, who had opposed it, in every instance, with all the power of eastern subtlety, with all the power of a despotic influence tyrannically exercised over the helpless Vizir, and with all the effect which could be given to this power by a hold upon the ear of the Governor-General. On hearing this defence, the Council-General, with the exception of Mr. Hastings, the accuser, unanimously declared, that no misconduct on the part of Mr. Bristow had been proved; and by their decision pronounced a heavy condemnation of their chief. Nothing seems better supported than the opinion which the minute of Mr. Macpherson expressed, "That Mr. Bristow has fully refuted the accusations advanced against him; and that, if they had in some degree been established, they would lie more against the Board than against Mr. Bristow, who continually advised them of his endeavours to carry his instructions into effect."



The Governor-General meditated an important change, in the relations between the Nabob of Oude, and the English government. He moved that in conformity with the proposal of the Vizir, and of his minister, the English residency should be withdrawn, and the joint security of the Nabob and the minister taken for the discharge of the obligations which the Company held upon the government of Oude. In the instructions, to which reference has so frequently been made, of Hastings to Bristow, "The Nabob," it was said, "has repeatedly and bitterly complained of the indignity which he suffers in his authority, by the usurpation of the Company's residents; and has repeatedly demanded, that whenever the Company's balance shall be completely discharged, he may be free from this vexation, that he may be permitted to pay the subsidy in ready money; and that the assignments which have been granted to satisfy that demand may be restored him." The quarter from which this proposition proceeded, Mr. Hastings at the same time declared, was no secret to him. It proceeded, he said, from Hyder Beg Khan. He added, "It may not, however, be amiss to talk with the minister on this subject; to let him know, that it is well understood to be a demand for substituting his authority in the place of the Company's, and to invest him with the sovereignty of the Vizir's dominions." These words are pregnant with meaning; in the first place they declare, that the authority, exercised by the Company, embraced the sovereignty of the Vizir's dominions, though, for the sake of criminating Mr. Bristow, he could erect every interference in that sovereignty into an act of guilt; and secondly they declare, that to withdraw the English residency from Oude, was to deliver over the Vizir and his sovereignty into the hands of Hyder Beg, whose character he painted in the blackest colours. Yet, at the very moment, when he was proposing to offer up this sacrifice of the Vizir and his sovereignty to the cupidity and tyranny of Hyder Beg Khan, he was not restrained from the glaring hypocrisy of expressing a deep

concern for the indignity which he pretended the Vizir had sustained, by the part which the English resident had acted, in endeavouring to reform his government, and check the malversations of the minister by whom he was oppressed.

At the very time, however, of penning his instructions, Mr. Hastings stated that he had an inclination to the present measure. "I confess," says he, "that I did myself give encouragement to this proposition; knowing at the same time the quarter from which it came, I mean from Hyder Beg Khan; but willing to exonerate this government from the trouble and responsibility, and the Company from the disgrace, of whatever might attend the administration of the Nabob's government. I thought, too, that it presented a sure prospect of the regular payment of the current demands, by the penalty, which would attend
the failure, in the resumption of the former system of assignments, and in the personal claims which it would lay on the minister. But his misconduct has since manifested itself in so many particular instances—besides the universal disorder of the country; and this is so alarming in its effects to our government, that I shall hesitate, until I have the surest and most satisfactory grounds, to recommend an acquiescence in such a measure." What change there was in the grounds, except for the worse, in the few months between the time when this was written, and the date of his motion, does not appear. Another point is also remarkable. In the conversation which the Governor-General recommended to the resident to hold with the minister on this subject, he desired him to ask, provided the sovereignty of the Vizir's dominions according to the terms of his proposition were transferred to him, "Whether, in the event of his involving our government in a new scheme of hostilities, by those which his mal-administration may produce, whether internally, or by invasion in that country, he shall think himself in justice exempt from the personal vengeance which we may be disposed to exact from him."



In the first letter of complaint, which was received from the Vizir against Mr. Bristow, the proposition for the removal of the residency, and the appointment of Hyder Beg Khan to the entire management of the country, was renewed; and Mr. Stables, in his Minute in Council on the 19th of May, 1783, declares, that this was the "great object which the minister, and" (the cypher in his hands) "his master, had in view, in preferring their complaints against the resident." Mr. Stables added, "In justice
and candour to the Nawab Vizir and his minister, I think the Board ought explicitly to declare, that they cannot, on any account, comply with the Vizir's request, to grant him discretional powers over his country, while such heavy debts remain due to the Company." In the debate, too, in Council, of the 31st of July, after the proposition was formally moved by the Governor-General, it met with the opposition of all the other Members of the Board. The tone of the Governor-General, however, after the opposition had lasted for a little time, grew so high, as to intimidate his colleagues; threatening them with the inconveniences of a divided administration, and the loss of his authority in the difficulties which attended the government of Oude. They were, therefore, induced to offer on the 31st of December to acquiesce in his proposal, provided he would take the whole responsibility of the measure upon himself. This,

BOOK V. Chap. 8. 1783.

however, was a load which the Governor-General declined. It was afterwards explained, that responsibility with his fortune, or a pecuniary responsibility, was not understood. Responsibility, thus limited, which, in fact, was no responsibility at all, leaving nothing to be affected but his reputation, which it was impossible to exempt, he had no objection to undergo. On the 31st of December, it was determined, that the residency should be withdrawn; on receiving the security of creditable bankers for the balance which the Nabob owed to the Company, and for the accruing demands of the current year.

Many grounds of suspicion are laid in this transaction. From one remarkable fact, they derive the greatest corroboration. There is great reason to believe, that the letters which were written in the name of the Nabob, complaining of Bristow, were in fact suborned by the Governor-General, written in consequence of instructions, that is, commands, secretly conveyed.



When Mr. Bristow was removed, just before the first journey of the Governor-General towards Oude, the removal was in like manner preceded by violent complaints from the Nabob. These complaints were suborned. Mr. Hastings himself, when proposing the return of Mr. Bristow in 1782, informs the Nabob's Vakeel, that "His Highness," meaning the Nabob, "had been well pleased with Mr. Bristow, and that he knew what the Nabob had written formely was at the instigation of Mr. Middleton."[1] The instigation of Mr. Middleton was the instigation of Mr. Hastings.

Besides, it is in evidence, that this was not a singular case. It was the ordinary mode of procedure, established between Mr. Hastings and the Nabob. There was, it appears, a regular concert, that the Nabob should never write a public letter respecting the residents or their proceedings, till he had first learned privately what Mr. Hastings wished that he should express, and that he then wrote accordingly. This appeared most fully, after the departure of Mr. Hastings, when the Nabob proposed to carry on the same practice with his successor. In a letter, received on the 21st of April, 1785, "I desire," says the Vizir, "nothing but your satisfaction: And hope, that such orders as relate to the friendship between the Company and me, and as may be your pleasure, may be written in your *private* letters to me through Major Palmer, in your letters to the Major, that he may in obedience to your orders properly explain them to me, and whatever may be settled he may first, in secret, inform you of it, and afterwards I may write to you, having learnt your pleasure—in this way, the secrets will be known to your mind alone, and the advice upon all the concerns will be given in a proper manner." The same thing is still more clearly expressed by the minister Hyder Beg Khan, on the same occasion. "I hope that such orders and commands as relate to the friendship between his Highness's and the Company's governments, and to your will, may be sent through Major Palmer in your own *private* letters, or in your letters to the Major, who is appointed from you at the presence of his Highness, that, in obedience to your orders, he may properly explain your commands, and whatever affair may be settled, he may first secretly inform you of it, and afterward his Highness may, conformably thereto, write an answer, and I also may represent it. By this system, your pleasure will always be fully made known to his Highness, and his Highness and me will

BOOK V. Chap. 8. 1783.

execute whatever may be your orders, without deviating a hair's breadth." When it was the intention of Mr. Hastings that Mr. Bristow, who had been withdrawn upon complaints, which, without any dislike to Mr. Bristow, the Nabob through Middleton had been instructed to prefer, that obedient sovereign was instructed to make an application of a very different description. "The Governor," said the Nabob's Vakeel in the Arzee already quoted, "directed me to forward to the presence, that it was his wish, that your Highness would write a letter to him; and, as from yourself, request of him that Mr. Bristow may be appointed to Lucknow." In his answer to the Vakeel the Nabob curiously says, "As to the wishes of Mr. Hastings, that I should write for him to send Mr. John Bristow, it would have been proper, and necessary, for you, privately to have understood what were Mr. Hastings' real intentions; Whether the choice of sending Mr. John Bristow was his own desire: Or, whether it was in compliance with Mr. Macpherson's—that I might then have written conformably there-to.—Writings are now sent to you for both cases. Having privately understood the wishes of Mr. Hastings, deliver which ever of the writings he shall order you."[1] —After all this, and after the threats of Mr. Hastings against all letters from the Nabob which he might dislike, the meaning of the letters complaining of Bristow cannot be misunderstood. It was a shrewd surmise of the Nabob, respecting Macpherson: who had become recently a Member of the Supreme Council, and whose support Mr. Hastings might require. The accusations, which the Governor-General afterwards aimed at Mr. Macpherson for supporting Bristow, fall in, at least, with the conjecture.



The cause which prompted so violent a desire for his recall is involved in comparative mystery. We can trace a kind of analogy. As the preceding removal of Mr. Bristow was immediately followed by the first visit of the Governor-General to the Nabob; so the present removal was immediately followed by another. This, undoubtedly, proves nothing against Mr. Hastings: But if there be any other grounds for suspicion, this tends to confirm them. If these visits were intended for any unjustifiable transactions between the Governor and Nabob, the removal of a witness, whose compliance could not be depended upon, was just the proceeding which, in such circumstances, every man would adopt.

Before the removal of the residency was finally settled, the Governor-General had represented, that a great demand existed for his presence in Oude, to aid in settling the disorders of the country, and in making such arrangements as would enable the Vizir to fulfil his engagements. His journey was opposed by the other Members of the Board. Upon it, however, for some reason or another, the Governor-General had set his heart. A letter was procured from Major Palmer, representing the state of the country as alarming, and urgently requiring the immediate presence of Mr. Hastings; with other letters from the Vizir, and his minister, earnestly requesting to see the Governor-General at Lucknow. The consent of a majority of the Council was at last obtained; and Mr. Hastings was authorized to proceed to Lucknow, vested with all the powers of the Board, to regulate and determine the affairs both internal and external of the state, and for that purpose to command even the military resources of the English government without control. The proposition of the Governor-General was introduced on the 20th of January, 1784; the consultation was closed, and the authority of the Board

conferred on the 16th of February; and on the following day, the 17th, the journey of the Governor-General began.

In proceeding to Lucknow, he passed through the province of Benares, which, in the time of Cheyte Sing and his father, manifested so great a degree of prosperity; and, there, witnessed the effects of his late proceedings. The first deputy whom he had appointed for the Rajah was dismissed for the offence of not making up his payments to the exacted amount. The second, as might well be expected, acted upon the "avowed principle, that the sum fixed for the revenue must be collected." The consequence was, that the population were plunged into misery; and desolation pervaded the country. "From the confines of Buxar," says Mr. Hastings, "to Benares, I was followed and fatigued by the clamours of the discontended inhabitants. The distresses which were produced by the long-continued drought unavoidably tended to heighten the general discontent. Yet, I have reason to fear, that the cause existed principally, in a defective, if not a corrupt and oppressive administration." "I am sorry to add, that from Buxar to the opposite boundary, I have seen nothing but traces of complete devastation in every village." "I cannot help remarking, that expect the city of Benares, the province is in effect without a government. The administration of the province is misconducted, and the people oppressed; trade discouraged, and the revenue in danger of a rapid decline from the violent appropriation of its means."[1] It is remarkable, how few of the political arrangements of Mr. Hastings produced the effects which he expected from them; and how much his administration consisted in a perpetual change of ill-concerted measures. The arrangements for the government of Benares were his own; and for the effects of them he was responsible; but he enjoyed a happy faculty of laying the blame at any door rather than his own. He ascribed the existing evils to the deputy solely; and with the approbation of the Council removed him. The predecessor of that deputy, who transgressed in nothing but the extent of his exactions, met with a severer fate. To procure some redress of his grievances, he had even repaired in person to Calcutta, where, so far from receiving any attention, he received two peremptory orders from the Supreme Council to quit the city, and return. Nor was this all. Upon the arrival of Mr. Hastings at Benares, he ordered him into prison again; after which his vexations and hardships soon put a period to his life. His poverty was real, and he died insolvent.



BOOK V. Chap. 8. 1784.

The Governor-General arrived at Lucknow on the 27th of March. He had some success in obtaining money from the minister into whose hands the government was transferred. In order still more to disburthen the revenues, of the Vizir, he agreed to withdraw the English detachment commanded by Colonel Sir John Cummings, which still was stationed on the frontiers of Oude at the Nabob's expense; and agreed for this reason. "That the Company would gain nothing by its continuance, since the Nabob had not the means of defraying the expense; and whether it remains," he added, "on account of the Company, or be continued to swell the Nabob's with an accumulating debt which he cannot pay, its effects on the Company's funds will prove the same, while it holds out a deception to the public." Mr. Hastings had eluded inquiry into the truth of the allegations on which the confiscation of the estates and treasures of the Begums, and others, had been ordered; and the commands of the Court of Directors

had till this time remained without effect. The time, however, was now come, when at least a partial obedience was deemed expedient; and Mr. Hastings reported to the Board, that the jaghires of the Begums, and of the Nabob Salar Jung, the uncle of the Vizir, had been "restored, conformably to the Company's orders, and more so to the inclinations of the Nabob Vizir, who went to Fyzabad for the express purpose of making a respectful tender of them in person to the Begums." The restoration, however, tardy as it was, fell greatly short of completeness; for Mr. Hastings reported that the personages, in question, had made a *voluntary* concession of a *large* portion of their respective shares." The Governor-General was now so far from expressing any apprehension of disorder from the possession of jaghires by the Princesses and other principal persons of the Nabob's family, that he declared his expectation of their influence in supporting the arrangements which had taken place with the Vizir.[1]



The Governor-General departed from Lucknow on the 27th of August. He arrived at the Presidency on the 4th of November, resumed his seat at the Council Board on the 11th, and on the 22d reminded the Directors of his request, addressed to them on the 20th of March in the year 1783, to nominate his successor. He now began to prepare for his departure. On the 8th of February, 1785, he resigned his office, and embarked for England.[2]

In India, the true test of the government, as affecting the interest of the English nation, is found in its financial results. In 1772, when the administration of Mr. Hastings began, the net revenues of Bengal, Bahar, and Orissa, which, being the principal branch of receipt, will suffice for that general conception which is all I can attempt to convey, were 2,373,650*l.;* the civil and military charges of the government of Bengal were 1,705,279*l.;* difference 668,371*l.:* The whole of the bond and other debts in India were 1,850,166*l.;* and the debt in England, including capital stock, and the sums due to the annuitants, was 12,850,166*l.* In 1785, the revenues of Bengal Bahar, and Orissa, including the new revenue of Benares, and the subsidies from Oude, amounted to 5,315,197*l.;* the charges, deducting Clive's jaghire, 30,000*l.* per annum, which ceased in 1784, one half of the allowance to the Nabob of Bengal, and the tribute to the Mogul, amounted to 4,312,519*l.;* the difference, 1,002,678*l.,* is an improvement upon the year 1772, of 334,307*l.;* but, on the other hand, the debt in 1786, when the whole of the arrears of Mr. Hastings' administration were brought to account, was raised to 15,443,349*l.* in England; and in India, including China, to 10,464,955*l.;* a sum of 25,908,334*l.;* to which should be joined 1,240,000*l.* the sum which was yielded by the subscription at 155 per cent. of 800,000*l.* added this year to the capital-stock. The administration of Mr. Hastings therefore added about twelve and a half millions to the debt of the East India Company; and the interest at five per cent, of this additional debt, is more than the amount of the additional revenue.[1]



Nor is this the only unhappy result in the financial administration of Mr. Hastings. The net territorial revenues of Bengal, Bahar, and Orissa, instead of increasing had actually declined. In the year ending the 1st of May, 1772, they amounted to the sum

of 2,126,766*l.,* and in the year ending on the same day in 1785, to that of 2,072,963*l.*[2] In Lord Cornwallis's celebrated revenue letter, dated, 16th November, 1786, it is allowed, that the state of the accounts exhibits a debt in India of 8,91,25,518 rupees, and assets valued at 5,81,24,567, with a balance against the Company of 3,10,00,950. But Lord Cornwallis observes, that the account of assets is so much made up for the sake of show, that is, delusion, that it presents a result widely distant from the truth; and that the balance between the debts, and such assets as are applicable to their extinction, would not, in his opinion, fall short of 7,50,00,000 rupees. "Of this debt something more than a crore of rupees was subscribed for transference to England, leaving a debt of about 6 1/2 crore, "nearly the whole of which," he says, "is running at an average rate of interest of 8 3/8 per cent. per annum." "For the discharge of this," his Lordship adds, your Bengal government alone can hereafter furnish a fund; which (under the limitations in the estimate), is stated at a gross sum of about 46,00,000 current rupees per annum. And the ordinary expenses of your different settlements, allowing for the provision of an European investment, at present exceed their resources."[1] That is to say; The revenue of the Indian government, at the close of the administration of Mr. Hastings, was not equal to its ordinary expense.

BOOK V. Chap. 8. 1785.

BOOK V. Chap. 8. 1785.

The incidents which had occurred under the Presidency of Madras, from the period of terminating the war with Tippoo, till the time when Mr. Hastings surrendered his office, remain to be adduced.

BOOK V. Chap. 8. 1782.

The situation of the Nabob of Arcot, as it had long been, so it continued to be, a source of uneasiness and of difficulty to the English rulers in the southern Presidency. The wretched government, which that Nabob maintained, and which his want of talents, his want of virtue, and the disadvantages of his situation, disqualified him for improving, not only sunk the people into the deepest wretchedness, but cut off the resources required for the defence of the country. The impossibility, which the Presidents had experienced, of obtaining, through his hands, the means which were necessary to provide for the security of the province; or their connivance, from unworthy motives, at his unwillingness to provide them, had laid open the country to all the disasters, to which the weak and unprotected state in which it was found by Hyder Ali exposed it. When the war began, the strongest necessity existed for rendering the resources of the country available to its defence. Supplies, in the highest degree defective, had been obtained from the Nabob; nor was there any rational prospect of improvement. For the payment of particular debts, both to the Company and to individuals, it had been usual with him, according to the custom of Indian princes, to grant assignments on the revenues of particular districts; and no inconsiderable portion of the whole was under this disposition. As the exigency was peculiarly violent; nothing less being immediately at stake, than the existence, in the Carnatic, of both the Nabob and the English; Lord Macartney regarded an extension of the same expedient, namely, an assignment of all his revenues, as the only feasible plan for meeting the present difficulties; and compliance with it, as no unreasonable condition imposed

on the Nabob, seeing the proceeds were to be employed for his own defence, and that it was impossible he could, if defended at all, be so well defended, by any other means. Not without great difficulty the consent of the Nabob was obtained. It was an arrangement far from agreeable to that vanity and ambition, which formed a strong ingredient in his character. And there was no want of persons in his confidence who inflamed his discontent; and who excited him to employ every stratagem to obtain the surrender of the power he had given away.

It has already been observed, that the seat or durbar of the Nabob, who had taken up his residence at Madras, was one of the most corrupt and active scenes of intrigue, that had ever been exhibited in India. The Nabob, who was totally incompetent to his own defence, was necessarily in a state of abject dependance upon the Company: but, receiving directly the revenues of the country, he endeavoured, as far as possible, by the application of money, to secure the gratification of his will. His policy was, to purchase friends among the English rulers; and to excite opposition to those whose acquiescence he failed in acquiring. The effects were mischievous, in a variety of ways. The servants of the Company were too frequently taught to look to the violation, rather than the performance of their duties, as their most certain source of reward; and the business of the Presidency was in general disturbed by a violent spirit of division and counteraction.

The mind of the Nabob was of that class of minds which must, by a kind of necessity, be always governed by somebody; and in the imbecility of age, and of a constitution worn with indulgence, he now leaned more absolutely on the accustomed support, than at an earlier period of his life. The persons who at this period had acquired the entire ascendancy over

BOOK V. Chap. 8. 1782.

him were Ameer ul Omrah, his second son, and Paul Benfield. The former is described as excelling in all the arts of eastern, the latter in all the arts of western, villainy. The passion of the former was power, the passion of the latter, money; and this much, at least, appears, that both pursued their ends with much ardour, with great talents for intrigue, with great audacity, and not much of moral restraint. The immediate object of the former was to get his elder brother disinherited, and to obtain the succession for himself. For this purpose the old Nabob, whose passions and those of his favourite were one, had employed all his arts to obtain from the Company an acknowledgment, that he had the right of naming his successor, without regard to the established order of inheritance. With a view, by obtaining favour with the English, to pave the way to this and other desirable objects, the Ameer ul Omrah had acted the part of a zealous instrument in obtaining the consent of his father to the assignment of the revenues. When he found that Lord Macartney was as little subservient to his purposes, after this event as before, his disappointment and his enmity were equally strong. His endeavour was to render the assignment useless; to annul, if possible, the transaction. As he had his father's mind complaint in all things, so he had it eager in the pursuit of an end, the hope of which served as a balm to the wound his pride had received, in ever relinquishing the management of the revenues. In Benfield he met with an able coadjutor. Benfield had been removed by Lord Macartney from some of the offices

which he held as a servant of the Company. The liberalities and the views of the Nabob and his son pointed out a path to fortune as well as revenge.



The first expedient was, by practising on the renters, and other persons in charge of the revenues, to render unproductive the collections. Disordered and desolate as the country was, without a government, and ravaged by a destructive foe, the realizing of any revenue was in itself a difficult task. Lord Macartney had appointed a committee, consisting of some of the most trust-worthy of the Company's servants at the Presidency, for conducting the business relative to the assigned revenues. They speedily discovered, that secret orders and suggestions, which counteracted all their proceedings, had been sent into the districts. The people had been taught to distrust the validity of the engagements formed with the English government; and hence to practise all the arts of delay and evasion. The greatest oppression was evidently exercised upon the unhappy cultivators: yet little could be obtained from the renters and collectors for the Company's treasury; while large sums, it is affirmed, were privately sent to the Ameer ul Omrah.[1]

The known enmity of Sir Eyre Coote to Lord Macartney suggested the first stratagem for overturning the engagement with the President. A bait was offered, the attractions of which, it was supposed, the avidity of the General for power would not be able to resist. The Nabob offered to vest in his hands full authority over all the officers of his government and revenues. But the general too well knew what a frightful chaos his government was, to have any desire for the responsibility of so dangerous a trust.

BOOK V. Chap. 8. 1782.

As soon as it was found that the ear of the Governor-General was open to representations against the Governor of Madras, it was a channel in which the Nabob and his instruments industriously plied. Lord Macartney was accused of not having abilities to render the assignment of the revenues productive; of enhancing the disorders of the country; and, above all, of practising the utmost cruelty and oppression towards the Nabob and his family. Letters of this import were not only sent at various times in the Nabob's name to Bengal; but one was written and transmitted to the British King.

Sufficient encouragement having been received from the Governor-General, the Nabob ventured at last to solicit the restoration of his revenues, by the surrender of the assignment: And his former agents, Assam Khan and Mr. Richard Sullivan, were sent on a second mission to Bengal in January, 1783.

Their criminative representations against Macartney were received; and not only entered on the records, but immediately sent to England; without communication to the party accused; and of course without an opportunity afforded him of obviating their effects, however undeserved, by a single word of defence. A most singular examination of the Nabob's agents or advocates took place before the Supreme Council, on the subjects on which the Nabob prayed their interference. The agents were directed to state whatever they knew, and did state whatever they chose; matters of hearsay, as much as of perception; without a word of cross-examination, from an

opposite party, to limit and correct the partial representation of interested reporters. After completing their statements, and not before, they were asked, if they would swear to the truth of what they had stated. The compulsion was almost irresistible. To have said, they would not swear, was to confess they had not spoken truth. Assam Khan, however, excused himself, on the plea that it was not honourable for a Mussulman to confirm what he said by an oath. Mr Sullivan had no such apology, and therefore he took his oath, but with a tolerable latitude; that, "to the best of his belief and remembrance, he had spoken the truth and nothing but the truth;" an oath which, if we have charity enough to believe it to be in no degree strained, affected not any part of the truth, however material, which it might have suited and pleased him to suppress.



On the strength of this information, partial and interested as it was, a resolution was passed, on the 8th of January, 1783, to surrender the assignment into the hands of the Nabob: though not only had this assignment been formerly approved and highly praised by the Governor-General and Council, as an act of equal utility and justice, but the delicacy of the Madras government, which endeavoured to accomplish the end by gentle means, had been treated as too scrupulous, and the utility of a greater severity particularly and strongly displayed.1

The interruption and disturbance, which the Nabob was able to give to the government of Madras, he was emboldened to carry to the greatest height, by the encouragement which he received from so high a quarter. A viler display of hypocrisy is not upon record, than the language in which the author of the calamities of the whole Rohilla nation, of those of Cheyte Sing, and of the Begums of Oude, affected to bewail the cruelties which, he said, were practised upon the Nabobs of Carnatic and Oude, by Lord Macartney, and Mr. Bristow. "The condition," Mr. Hastings said,1 "of both Princes is equally destitute and equally oppressed; and the humiliation of their remonstrances shows them to be equally hopeless of any redress but in the mercy of their oppressors." Orders were despatched to Madras for the restoration of his revenues to the Nabob; of which the sixth part, which he had reserved to himself, as requisite for the maintenance of his family and dignity, had been exactly paid; and in reality yielded to him more money for his private purposes, than he had ever before enjoyed. It curiously happened, that before the orders of the Supreme Council arrived at Madras, dispatches were received from the Court of Directors, which conveyed their approbation of the assignment, and commanded the assistance of the Bengal government to render it effectual; dispatches which, at the same time, contained the condemnation of the transaction by which Mr. Sullivan was appointed an agent of the Supreme Council at the residence of the Nabob, and a declaration that the only organ of communication with Mahomed Ali was the Governor and Council of Madras. Upon this communication from the Court of Directors, the Governor and Council applied to the Supreme Council for the assistance which they were commanded to yield. After a hesitation of a few months, the Supreme Council resolved to disobey: And informing the Governor and Council of Madras, that they assumed the right of judging for

themselves, they repeated their orders of the 13th of January, and commanded the surrender of the assignment.

The consequences of obedience appeared to Lord Macartney of the most alarming description. The pay of the Madras army was at that moment seven months in arrear: from the resources of Carnatic alone was any supply to be obtained: not a single pagoda, since the death of Sir Eyre Coote, had been sent from Bengal: if the assignment was given up, the slender produce of the Circars, which Mr. Hastings would have sacrificed, would alone have remained: and neither the native, nor European troops, could be expected to bear any addition to the privations which they now endured. With a prospect of the actual dissolution of the government, if the revenues, on which every thing depended, were at so extraordinary a moment given up; and fully impressed with the conviction, that to surrender them to the Nabob was to render them unavailing to the defence of the country, defence which then fell upon the Company without any resources, and oppressed them with a burden which they were unable to bear, he resolved to maintain the assignment, which, at the close of the second year, had yielded one million sterling from those very countries, which for eighteen
months after the invasion of Hyder Ali had not contributed a pagoda toward the expenses of the war.



With this disobedience, Mr. Hastings, whose administration was now so formidably assailed in England, and who was deeply concerned in the success with which he might perform the business of winding it up, found, either not leisure, or not inclination, to enter into contest.[1]

After the unreserved exhibition, which I have accounted it my duty to make, of the evidence which came before me of the errors and vices of Mr. Hastings's administration, it is necessary, for the satisfaction of my own mind, and to save me from the fear of having given a more unfavourable conception than I intended of his character and conduct, to impress upon the reader the obligation of considering two things. The first is, that Mr. Hastings was placed in difficulties, and acted upon by temptations, such as few public men have been called upon to overcome: And of this the preceding history affords abundant evidence. The second is, that no man, probably, who ever had a great share in the government of the world, had his public conduct so completely explored, and laid open to view. The mode of transacting the business of the Company, almost wholly by writing; first, by written consultations in the Council; secondly, by written commands on the part of the Directors, and written statements of every thing done on the part of their servants in India; afforded a body of evidence, such as under no other government ever did or could exist. This evidence was brought forward, with a completeness never before
exemplified, first by the contentions of a powerful party in the Council in India; next by the inquiries of two searching committees of the House of Commons; in the third place by the production of almost every paper which could be supposed to throw light upon his conduct, during the discussions upon the proceedings relative to his impeachment in the House of Commons; lastly, by the production of papers upon his trial. And all this was elucidated and commented upon by the keenest spirits of the age; and for a long

time without any interposition of power to screen his offences from detection. It is my firm conviction, that if we had the same advantage with respect to other men, who have been as much engaged in the conduct of public affairs, and could view their conduct as completely naked, and stripped of all its disguises, few of them would be found, whose character would present a higher claim to indulgence than his. In point of ability, he is beyond all question the most eminent of the chief rulers whom the Company have ever employed; nor is there any one of them, who would not have succumbed under the difficulties which, if he did not overcome, he at any rate sustained. He had no genius, any more than Clive, for schemes of policy including large views of the past, and large anticipations of the future; but he was hardly ever excelled in the skill of applying temporary expedients to temporary difficulties; in putting off the evil day; and in giving a fair complexion to the present one. He had not the forward and imposing audacity of Clive; but he had a calm firmness, which usually, by its constancy, wore out all resistance. He was the first, or among the first of the servants of the Company, who attempted to acquire any language of the natives, and who set on foot those liberal inquiries into the literature and institutions of the Hindus, which have led



to the satisfactory knowledge of the present day. He had that great art of a ruler, which consists in attaching to the Governor those who are governed; his administration assuredly was popular, both with his countrymen and the natives in Bengal.

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# CHAP. IX.

*Legislative Proceedings from 1773 to 1780—Renewal of the Charter—Select and Secret Committees of the House of Commons—Proceedings against Indian Delinquency—Mr. Dundas's East India Bill—Mr. Fox's East India Bills—Mr. Pitt's East India Bill.*

BOOK V. Chap. 9. 1780.

It is now time to inquire into the proceedings to which the affairs of India had given birth in England since the last great legislative interference. From the year 1767 till the year 1773, the East India Company was bound to pay to the public yearly the sum of 400,000*l.*, "in respect of the territorial acquisitions and revenues lately obtained in the East Indies." But in the year 1773, the financial embarrassments of the Company became so great, that they were obliged to solicit, and they received, a loan from the public of 1,400,000*l.* At that time it was represented, "That, in the then circumstances of the East India Company, it would not be in their power to provide for the repayment of such loan, and for the establishing their affairs upon a more secure foundation for the time to come, unless the public should agree to forego for the present, all participation in the profits arising from the territorial acquisitions and revenues lately obtained in the East Indies."[1] It was, accordingly, at that time enacted, that it should not be lawful to make a dividend of more than six per cent. per annum on the Company's capital stock, till that loan was repaid; and that the whole of their surplus profits should be applied to its liquidation: that after the loan of 1,400,000*l.* should be repaid, it should not be lawful to make a dividend of more than seven per cent. per annum, upon the capital stock, until, by the application of the whole of their surplus profits, their bond debt should be reduced to the sum of 1,500,000*l.* In the year 1779, the loan being repaid, and the debt reduced, according to the terms of the preceding ordinance, an act was passed, to be in force for one year, permitting a dividend of eight per cent, for that year, and reserving the surplus profits for the future disposal of the legislature. In the year 1780, another act was passed for one year also, containing precisely the same enactments as that of the preceding year.

BOOK V. Chap. 9. 1780.

As the exclusive privileges were to expire upon three years notice after the 25th of March, 1780, it was now high time to treat about a renewal of the charter; and accordingly, during the latter part of that year, and the beginning of 1781, much negotiation took place between the treasury and the East India House. In parliament, the business was of very difficult handling. The contests between the Supreme Council and Supreme Court, which were represented as actually opposing one another with an armed force, had given occasion to petitions from the British subjects in India, from the Governor-General and Council, and from the East India Company; and had made a deep impression upon the public mind: The complaints and representations of Mr. Francis, taken up warmly by a powerful party in the legislative assembly, had filled the nation with ideas of injustice and other crimes on the part of Mr. Hastings: Intelligence had been received of the irruption

of Hyder Ali into Carnatic, with the strongest representations of the misconduct of those agents under whom so much calamity had arrived: And strong fears were excited, that the ruin of the English interests, in that part of the world, was at hand.



The points were two, upon which the views of the minister and the Company found it difficult to concur: the right to the territory; and the remuneration due to the public for the advantages which the East India Company were allowed to enjoy. According to the minister, the right of the crown to all territory acquired by subjects, was a matter of established law: The Company were at this time sufficiently bold to assert, that the Indian territory which they had acquired belonged of right to themselves. On the other point, the only question was, what proportion of the proceeds from the Indian territory, the East India Company should be made to give up to the nation.

Lord North was now tottering on the ministerial throne: The East India Company were, therefore, encouraged to greater boldness, in standing out for favourable terms: And they declined to bring forward a petition for a renewal of the charter, on those terms to which the minister desired to reduce them. On the 9th of April, 1781, he represented, that "though he did not then intend to state any specific proposition relative to the future management of the Company's affairs, still he held it to be his duty to state to the House some points, that would be very proper for them to consider, before they should proceed to vote: First, the propriety of making the Company account with the public for three-fourths of all the net profits above eight per cent. for dividend; Secondly, of granting a renewal of the charter for an exclusive trade for a short rather than a long term; Thirdly, of giving a greater degree of power than
had been hitherto enjoyed, to the Governor of Bengal, that, in future, among the members of the Council he might be something more than a mere *primus inter pares,* equal with the name of chief; Fourthly, of establishing a tribunal in England, for jurisdiction in affairs relating to India, and punishing those servants of the Company who should be convicted of having abused their power; Fifthly, the propriety, as all the dispatches received from India by the Directors were by agreement shown to his Majesty's Secretary of State, of making all dispatches to India be shown to him before they were sent, lest the Directors might at some time or other precipitate this kingdom into a war without necessity with the princes of that country; Sixthly," he said, "it would be the business of the House to determine, upon what terms, and whether with or without the territorial revenues, the charter should be renewed; Seventhly, whether, if government should retain the territories, it might not compel the Company to bring home the revenue for government; and Eighthly, whether any, and what regulations ought to be made, with respect to the Supreme Court of Judicature."[1]



Of these propositions, the third, the fourth, and the fifth, are remarkable, as the archetype, from which were afterwards copied three of the principal provisions in Mr. Pitt's celebrated East India bill.[2]

At last a compromise was effected between the minister and the Directors. A petition for renewal of the charter was presented

from the Directors, on the 26th of June, 1781. And an act was passed, of which the following were the principal provisions: That, whereas the Company, since the 24th of June, 1778, when they had paid their loan to the public, and reduced their bond debt to the pre-appointed limits, had been in possession of all the profits arising from the Indian territory, exempt from participation with the public, they pay 400,000*l.* to the public, in discharge of all claims upon that account previous to the 1st of March, 1781: That all the former privileges granted to the Company be continued to them, till three years notice after the 1st of March, 1791: That the Company pay out of their clear profits, a dividend of eight per cent. per annum on the capital stock, and of the surplus three-fourths to the public, reserving the remainder to their own use: And that the claims with respect to the territory, on the part both of the Crown and the Company, remain unaffected by the present act. Of the propositions, thrown out by the minister, for the introduction of reforms into the government of India, only one was carried into effect; namely, that regarding the powers of ministers over the political transactions of the Company. It was ordained that they should communicate to ministers all dispatches which they sent to India, with respect to their revenues, and their civil and military affairs; and that in all matters relative to war and peace, and transactions with other powers, they should be governed by the directions which ministers might prescribe.[1]



On the 12th of February, 1781, petitions from the Governor-General and Council, and from a number of British subjects residing in Bengal, and from the United Company of merchants trading to the East Indies, against the pretensions and proceedings of the Supreme Court of Judicature, were read in the House of Commons; and after a debate it was agreed, that a Select Committee should be chosen to whom they were referred. This was that celebrated committee who were afterwards instructed to take into consideration the administration of justice, in the provinces of Bengal, Bahar, and Orissa; and in what manner that country might be governed with greatest advantage to the people both of Great Britain and of India: in which Committee the most conspicuous, as well as the most laborious member, was Edmund Burke.

The Select Committee was moved for by General Smith, who belonged to what is called the opposition party in the House; and it was chiefly composed of members who had acted not in concert with the minister. That a want of equal zeal for the elucidation of Indian delinquency might not be imputed to his party, the minister, on the 30th of April, immediately after the arrival of news of the irruption of Hyder Ali into Carnatic, moved for the formation of a Secret Committee, who should enquire into the causes of the war, then subsisting in the Carnatic, and into the state of the British possessions on the coast. This Committee was composed almost entirely of persons connected with the Minister; and Mr. Henry Dundas, then Lord Advocate of Scotland, was its presiding and most active member.

BOOK V. Chap. 9. 1781.

The first of these Committees presented the House with twelve Reports, the other with six; and the public is deeply indebted to them for the publication of the most important documents of the Indian government, during the period to which their

inquiries applied. Any considerable desire for the welfare of India, guided by any considerable degree of intelligence, would have drawn a great lesson from that example. An adequate plan for a regular, and successive, and still more perfect publication of the most material documents of the Indian administration, would be one of the most efficient of all expedients for improving the government of that distant dependency.

On the 23d of May, a report from the Select Committee on the petitions against the Supreme Court was read; and leave given to bring in a bill, for the better administration of justice in Bengal, for the relief of certain persons imprisoned at Calcutta under a judgment of the Court, and for indemnifying the Governor-General and Council for resisting its process. The subject was debated on the 19th of June, Mr. Dunning being the most remarkable of the opponents of the bill. It was passed without delay; and it exempted from the jurisdiction of the Supreme Court the Governor-General and Council, all matters of revenue, and all Zemindars, and other native farmers and collectors of the revenue.



Lord North resigned the office of minister in the month of March, 1782; and was succeeded by the Marquis of Rockingham and party, the hostility of whom to the present managers in India was sufficiently known.

On the 9th of April, 1782, Mr. Dundas moved that the reports which he had presented as Chairman of the Secret Committee should be referred to a Committee of the whole House; and, in a speech of nearly three hours in length, unfolded the causes and extent of the national calamities in the East. He expatiated on the misconduct of the Indian Presidencies, and of the Court of Directors; of the former, because they plunged the nation into wars for the sake of conquest, contemned and violated the engagement of treaties, and plundered and oppressed the people of India; of the latter, because they blamed miscondnct only when it was unattended with profit, but exercised a very constant forbearance towards the greatest delinquency, as often as it was productive of a temporary gain. The speech was followed up by a number of propositions, which he moved in the shape of resolutions. Beside the reproaches which these resolutions cast upon the general strain of the Company's administration in India, they pronounced a condemnation, so strong, upon the measures of the Presidency of Madras, that nothing less than criminal proceedings against the authors of them could accord with so vehement a declaration of their guilt. The resolutions were solemnly voted; articles of charge against Sir Thomas Rumbold and other Members of the Madras Council were adopted; and a bill of pains and penalties, for breaches of public trust, and high crimes and misdemeanors, committed by Sir Thomas Rumbold, was introduced by Mr. Dundas. The bill was read a first time. Before the second reading, Sir Thomas Rumbold was heard in his defence. The session drew to a close, before a great progress was made. In the beginning of 1783, the state of the ministry was unsettled. And, as if, when ministry is unsettled, parliament were inadequate to its functions, the bill was neglected till the middle of the session. After the middle of the session, the members soon began to be remiss in their attendance.[1] And on the 19th of December, immediately after the dismissal of Mr. Fox's coalition ministry, a

BOOK V. Chap. 9. 1782.

motion was made and carried for adjourning the further consideration of the bill till the 24th day of June next, by which the prosecution was finally dropped. Sir Thomas consented to accept of impunity without acquittal; his judges refused to proceed in his trial, after they had solemnly affirmed the existence of guilt; and a black stain was attached to the character of both.



Beside his prosecution of Sir Thomas Rumbold, Mr. Dundas proceeded to urge the legislature to specific propositions against Mr. Hastings, and Mr. Hornby, the presiding members of the other Presidencies. Against Mr. Hastings, in particular, he preferred a grievous accusation, grounded on the recent intelligence of the ruin brought upon the Rajah Cheyte Sing. On the 30th of May, 1782, he moved, and the House adopted, the following resolution: "That Warren Hastings, Esq. Governor-General of Bengal, and William Hornby, Esq. President of the Council of Bombay, having in sundry instances acted in a manner repugnant to the honour and policy of this nation, and thereby brought great calamities on India, and enormous expences on the East India Company, it is the duty of the Directors of the said Company to pursue all legal and effectual means for the removal of the said Governor-General and President from their respective offices, and to recall them to Great Britain." The Marquis of Rockingham was still minister; and his party appeared to have firmly determined upon the recall of Mr. Hastings. The vote of the House of Commons was therefore followed by a similar proceeding on the part of the Directors. But the death of the Marquis, which happened at this critical period, gave courage and strength to the friends of that Governor, and in a Court of Proprietors of East India Stock on the 31st of October, 1782, the order of recall which had been made by the Court of Directors was rescinded by a large majority.

BOOK V. Chap. 9. 1783.

On the 24th of April, 1782, the Chairman of the Select Committee presented a series of resolutions, which referred to little more than two points. Mr. Sullivan, who was Chairman of the East India Company, had mis-stated a conference held between him and certain Members of the House of Commons; and the consequence had been, that the relief intended to certain persons confined in the common goal at Calcutta, had been considerably delayed: Mr. Sullivan had also postponed the transmission of the act of parllament for the remedy of the evils arising from the proceedings of the Supreme Court of Judicature: Mr. Sullivan had, moreover, bound a clerk at the India House, peculiarly qualified to give information, by an oath of secrecy, from communicating evidence to the Select Committee. A series of resolutions were, therefore, moved and carried for the censure of Mr. Sullivan. This is the first of the points to which the resolutions moved on the part of the Select Committee referred. On the second, viz. the conjunct transaction of Mr. Hastings and Sir Elijah Impey, in making the Chief Justice of the Supreme Court head of the Sudder Duannee Adaulut, it was resolved, That the dependance of the Chief Justice, created by holding emoluments at the pleasure of the executive government, was inconsistent with the faithful administration of justice: That the Governor-General and Chief Justice were highly culpable in that transaction: And that the appointment should be immediately vacated and annulled. To these resolutions were added other two: The first, "That the powers given to the Governor-General and Council by the East India Act of 1773, ought to be more distinctly

ascertained:" The second, "That it will be proper to reduce into one act the several acts of parliament made to regulate the East India Company, and further to explain and amend the same, and also to make new regulations and provisions to the same end." The whole of these resolutions were carried; and upon those which related to the dependence, in other words the corruption, of the Chief Justice, was founded a resolution,



voted on the 3d of May, for an address to the King, that he would recall Sir Elijah Impey, to answer for his conduct in that transaction.

The vote of the Court of Proprietors, in opposition to the recall of Mr. Hastings, was severely reprobated by Mr. Dundas, at the beginning of the next session of parliament, when he moved, that all the proceedings in relation to it should be laid before the House; and pronounced it an act both dangerous in principle, and insulting to the authority of parliament.

On the 5th of March, 1783, a petition from the United Company of Merchants trading to the East Indies was presented to the House of Commons, and referred to a Committee. It set forth, that having paid 300,000*l.* of the sum exacted of them for the benefit of the public, by the late act, they were unable to pay the 100,000*l.* which remained; that the advances which had already been received by the public "were made under mistaken ideas of the petitioners' pecuniary abilities;" that the aid necessary to carry on their affairs only to the 1st of March, 1784, would upon the most moderate calculation be 900,000*l.,* even if excused the payment of the sum of 100,000*l.,* due upon the late agreement; and they prayed, that if re-imbursement be not made to them, they be allowed to increase their bond debt, without diminishing their dividend, which would affect their credit; that they be not required to share any thing with the public, till the increase thus made of their bond debts be again wholly reduced; that the term of their exclusive privileges, a short term being injurious to their credit, should be enlarged; and that the petitioners be relieved from that share of the expense attending the service of the King's troops and navy which according to the late act they were

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bound to afford. Two acts were passed for their relief; the first allowing more time for the payment of the taxes for which they were in arrear, and enabling them to borrow money on their bond, to the amount of 500,000*l.;* the second act, (the relief granted by the first being found insufficient), accommodated them with a loan from the public to the amount of 300,000*l.;* both acts permitting them to continue a dividend of eight per cent.; though, after paying necessary expenses, their receipt fell short of that dividend by a sum of 255,813*l.*[1] They borrowed money, therefore, to be divided among themselves, to that amount; a singular way for a trader to keep out of debt.

Upon the death of the Marquis of Rockingham, the Earl of Shelburne, afterwards Marquis of Lansdowne, became minister, and continued in office from the 13th of July, 1782, till the 5th of April, 1783. At that time, the coalition of Lord North and Mr. Fox gave existence to the ministry which that circumstance has served to designate, and to characterize.

The former exertions of Mr. Dundas, in the investigation and adjustment of the nation's Indian affairs, were followed up by a bill, which he introduced to the House on the 14th of April, 1783. Its principal provisions were these; That the King should have the power of recall over the principal servants of the Company: That the Governor-General and Council of Bengal should have a controling power over the other presidencies; and that the Governor-General should have a power of acting, on his own responsibility, in opposition to the opinion of his Council: That the Governors at the other presidencies should not have a power of originating any measure, contrary to their Councils, but a power of suspending their action by a negative till the opinion of the Controling Presidency should be known: That the displaced Zemindars should be replaced: That the Rajah of Tanjore should be secured in all his present possessions. In his speech he repeated his former arguments for the recall of Mr. Hastings; and then launched out into the numerous and extraordinary circumstances, which pointed out Lord Cornwallis as the fittest person in the world for the government of India. "Here there was no broken fortune to be mended! Here was no avarice to be gratified! Here was no beggarly, mushroom kindred to be provided for! No crew of hungry followers, gaping to be gorged!"[1] Leave was given to bring in the bill. But Mr. Dundas, who was now in opposition, and of course received no encouragement from the ministry, did not persevere.



On the 11th of November in the year 1783, a new parliament met. In the speech from the throne they were informed, that definitive treaties of peace had been signed, or preliminaries ratified, with the courts of France and Spain, with the United States of America, and the States General of the United Provinces. They were also informed, that among the important objects, the urgency of which had required their presence after so short a recess, the affairs and government of India solicited the utmost exertions of their abilities, and that the fruit was now expected of those important inquiries, which had been so long and diligently pursued.

By the treaty of peace with France, Pondicherry and Carical, to both of which some territory was annexed, the whole of the possessions which France enjoyed in Bengal and Orissa at the commencement of the war, together with Mahé, and the power of restoring their factory at Surat, were conceded to the French. In the treaty with the Dutch, Trincomalee was restored; but Negapatam was retained.



The opponents of the ministry, in both houses of parliament, proclaimed aloud the necessity, occasioned by the state of affairs in India, for instant and effectual reform. They enumerated the abuses which appeared to prevail; and they called upon, they stimulated, and importuned the minister to bring forward a scheme of improvement, and without delay to gratify the impatient expectation of the people. In these vehement calls, the voice of Mr. William Pitt was distinguished for its loudness and importunity. At that time, it suited him, to desire not only reform, but complete reform; reform, co-extensive with the evil, possible to be removed; and the good, capable of being attained. He challenged and summoned the minister to bring forward a plan, "not of temporary palliation or timorous expedients; but vigorous and

effectual; suited to the magnitude, the importance, and the alarming exigency of the case." Mr. Fox afforded his adversaries but little time to complain of delay.

His plan was divided into two parts, and introduced in two separate bills; one having a reference to the governing power at home; the other to the administration in India.

I. For constituting an organ of government at home, the two existing Courts, of Directors, and Proprietors of the East India Company, were to be abolished, as totally inadequate to the ends of their institution; and, in their room, seven commissioners were to be named in the act, that is chosen by the legislature. These commissioners, acting as trustees for the Company, were to be invested with full powers for ordering and administering the territories, revenues and commerce of India; and to have the sole power of placing and displacing all persons in the service of the Company, whether in England or abroad.



The following were the most material of the subordinate regulations.

For managing the details of the commerce, but subject to the authority and commands of the Superior Board, nine assistant Directors were to be named by the legislature, being Proprietors, each, of not less than 2,000*l.* of East India capital stock.

In the superior body, vacancies were to be supplied by the King: in the inferior they were to be supplied by the Proprietors, voting by open poll. Removals in the superior body were to be performed by the King, upon the address of either house of parliament; in the inferior, by the same authority, and also by concurrence of any five of the Chief Directors, recording their reasons.

For the more speedy and effectual repression of offences committed in India, the Directors were, within twenty-one days after the receipt of any accusation or charge, to enter upon the examination of it, and either punish the offender, or record their reasons for not punishing.

Before any person who had served in India, and against whom any charge appeared, should be allowed to return, the Directors were to make a particular inquiry into the circumstances of the charge, and to record their reasons for permitting the return.

Upon knowledge of any dispute subsisting between the heads of the different settlements, or between the heads and their councils, the Directors were to institute immediate inquiry, and come to a decision in three months, or to record their reasons why they did not.

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If the constituted authorities at any of the settlements should require the direction or opinion of the Directors, they were to give it in three months, or to record their reasons for not giving it.

If any injury to any native prince should be complained of, or appear, the Directors were to inquire, and to make compensation wherever it was due.

For publicity, one expedient was thought to suffice; that the Directors should once in six months lay before the Proprietors the state of the commerce; and before the commencement of each parliamentary session, should present to the ministers, certain political and commercial statements, which the ministers should exhibit to parliament.

It was provided, that no Director or Assistant Director, should, while in office, hold any place of profit under the Company, or any place during pleasure under the King; but neither was to be disqualified for retaining a seat in parliament. And the act was to continue in force during four years.

II. Under the second part of the plan, that which had for its object the reform of the immediate administration in India, no improvement whatsoever, in the order and distribution of the powers of government, was attempted, and hardly any thing higher was proposed, than to point out what were deemed the principal errors or delinquencies into which the Indian government had strayed, and to forbid them in future.

Strict obedience was enjoined to the commands of the Directors, because Mr. Hastings, whenever a strong motive occurred, disobeyed them.

The councils were forbidden to delegate their powers; because, in two memorable instances, those of his journeys to the Upper Provinces, the Supreme Council had delegated theirs to Mr. Hastings.



The regular communication to the councils of all correspondence was rendered imperative upon the Governor-General and other Presidents, because Mr. Hastings, when he had certain objects to serve, had withheld parts of the correspondence.

Because the other servants of the Company had usually united with the governors, in those proceedings of their which were most highly condemned, the servants were to be rendered less dependant upon the governors, by lodging a greater share of the patronage in the hands of the commissioners.

No banyan, or native steward, of any of the principal servants was to be allowed to rent the revenues; because the banyan of Mr. Hastings had rented them to a great amount. Such renting to the banyan was declared to be the same thing as renting to the master.

No presents were to be taken even for the use of the Company; because Mr. Hastings had taken presents, and skreened himself by giving them up at last to the Company.

The abolition was to be ordained of all monopolies; because the Company's servants in Bengal had been the cause of evil, by monopolizing salt, beetel-nut, and tobacco.

Passing then from the imputed errors in Bengal to those at Madras, the bill proposed to enact:

That no protected or dependant prince should reside in the Company's territory, or rent their lands; because the Nabob of Arcot had disturbed the Presidency with intrigues by residing at Madras, and had rented, as was alleged, corruptly, the Madras jaghire:



That no civil or military servant of the Company should lend money to such prince, rent his lands, or have with him any pecuniary transaction; because the lending of money to the Nabob of Arcot, renting his lands, and other money transactions between him and the Company's servants, had given rise to many inconveniences.

As the inaccurate definition of the limits prescribed to the control of the Governor-General and Council over the other Presidencies had been fertile in disputes, an attempt, but not very skilful, was made to remove that deficiency, by enacting that it should extend to all transactions which had a tendency to provoke other states to war.

The old prohibition of the extension of territory was enforced; by forbidding hostile entrance upon any foreign territory, except after intelligence of such hostile preparations, as were considered serious by a majority of the Council; forbidding alliance with any power for dividing between them any acquirable territory; and loans of troops to the native princes; excepting, in all these cases, by allowance of the Directors.

The project of declaring the Zemindars, and other managers of the land revenue, hereditary proprietors of the land, and the tax fixed and invariable; originally started by Mr. Francis, and in part proposed for enactment in the late bill of Mr. Dundas; was adopted.

Instead of the regulation, introduced into the bill of Mr. Dundas, that the Governor-General should have a power of acting upon his own responsibility, independently of the will of his Council, power was only to be given to him, and to the Presidents at the other settlements, of adjourning or postponing, for a limited time, the consideration of any question in their respective councils.

A mode was prescribed for adjusting the disputes of the Nabob of Arcot with his creditors, and with the Rajah of Tanjore.

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All offences against the act were rendered amenable to the courts of law in England and India. And all persons in the service of the Company, in India, or in that of any Indian prince, were declared unfit, during the time of that service, and some succeeding time, to hold the situation of a member of the lower house of parliament.

No proceeding of the English government, in modern times, has excited a greater ferment in the nation, than these two bills of Mr. Fox. An alarm diffused itself, for which the ground was extremely scanty, and for which, notwithstanding the industry and the art with which the advantage was improved by the opposite party, it is difficult, considering the usual apathy of the public on much more important

occasions, entirely to account. The character of Mr. Fox, who was at that time extremely unpopular, and from the irregularity of his private habits, as well as the apparent sacrifice of all principle in his coalition with Lord North, was, by a great part of the nation, regarded as a profligate gamester, both in public and in private life, contributed largely to the existence of the storm, and to the apprehensions of danger from the additional power which he appeared to be taking into his hands.1 In the House of Commons, indeed,



the party of the minister eminently prevailed; and though every objection which the imaginations of the orators could frame was urged against the measure with the utmost possible pertinacity, vehemence, and zeal, the bill passed by a majority of more than two to one.

In the mean time opportunity had been found for alarming the mind of the King. The notion circulated was, that, by vesting the whole patronage of India in the hands of Mr. Fox, by vesting it in a board of commissioners, under his appointment, it would be impossible for the King ever to employ, as minister, any other man; and the power of Mr. Fox would be rendered absolute over both the King and the people. Instead of having recourse to the expedients, which the law had placed in his hands, of dismissing his ministers, or even dissolving the parliament; a clandestine course was adopted, which violated the forms of the constitution. Though it had often been declared that the constitution depended on the total exemption of the deliberations in parliament from the impulse of the royal will, the King employed Lord Temple to inform as many as he thought fit of the peers of parliament, that those who should vote for the Indian bill, he would take for his enemies. On the day of the second reading of the bill, the minister was left in a minority of seventy-nine to eighty-seven.

The outery which was raised against this measure, holds a considerable rank among the remarkable incidents in the history of England. It was a declaration, a vehement declaration, on the part of the King, and of the greatest portion of all the leading orders in the state, as well as of the body of the people, that the Commons House of Parliament, as now constituted, is altogether inadequate to the ends which it is meant to fulfill. Unless that acknowledgment was fully

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made, the outcry was groundless and impostrous.

The essence of the change which Mr. Fox proposed to introduce consisted in this, and in nothing but this: That the Board of Directors should be chosen, not by the owners of Company's stock, but by the House of Commons.

Surely, if the House of Commons were a fit instrument of Government, a better choice might be expected from the House of Commons, than from the crowd of East India Proprietors. The foundation on which the justice of the clamour had to rest, if any justice it contained, was this: that the House of Commons would act under a fatal subservience to the profligate views of the minister. But to suppose that the House of Commons would do this in one instance only, not in others, the motive being the same; that they would make a sacrifice of their duty to their country, in one of the most ruinous to it of almost all instances, while in other instances they were sure to perform it well, would be to adopt the language of children, or of that unhappy part of our species whose reason is not fit to be their guide. If the House of Commons is so

circumstanced, as to act under motives sufficient to insure a corrupt compliance with ministerial views, then, undoubtedly, the House of Commons is a bad organ for the election of Indian rulers. If it is not under such motives to betray the interests of the country to the views of ministers, then it is undoubtedly the best instrument of choice which the country can afford: Nor is there any thing which can render it, compared with any other electing body, which could be formed in the country, unfit for this function, which does not, by necessity, imply an equal unfitness for all its peculiar functions: If it is unworthy to be trusted with the election of East India Directors, it is still less worthy to be trusted with the purse strings of the nation: If there would be danger to the British people in the one case, the danger is far greater in the other.



An heart-felt conviction, that the House of Commons, as now constituted, is totally unworthy of trust, announced in the strongest of all possible terms, by the King, by the principal part of the aristocracy, of the whole, in short, of that part of the nation whose interests and ideas are in the strongest manner linked to monarchical and aristocratical privileges and distinctions, is of infinite importance; because it may be so employed as to make them ashamed of that opposition to reform, which, by so many selfish and mean considerations, they are in general engaged to maintain.

There is but one allegation, which appears capable of being employed to elude the force of this deduction: That the House of Commons would not act under a profligate subservience to the views of a minister, if subject only to the influence which was then at the command of the minister; but would be sure to do so, if subject to all that influence which would be created by adding the patronage of India.

This allegation, then, rests upon the assumption, that the profligate subservience of the House of Commons depends wholly upon the degree, more or less, of the matter of influence to which it is exposed: If the quantity to which it is exposed is sufficiently small, it will have no profligate subserviency: If the quantity to which it is exposed is sufficiently great, its profligate subserviency will be unbounded. Admit this: and is any thing necessary, besides, to prove the defective constitution of that assembly? In taking securities against men, in their individual capacity, do we rest satisfied, if only small temptations to misconduct exist? Does not experience prove, that even small temptations are sufficient, where there is nothing to oppose them?

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In the allegation is implied, that the House of Commons would, as not yet feeling the influence of Indian patronage, have, in choosing men for the Board of Direction, at that first time, chosen the best men possible; but these men, being the best men possible, would have employed the Indian patronage placed in their hands, to corrupt the House of Commons into a profligate subservience to the views of the minister. For what cause?

The analysis of the plea might, it is evident, be carried to a great extent, but it is by no means necessary; and for the best of reasons; because the parties who joined in predicting the future profligacy of the House, universally gave it up. The House of

Commons, they said, is now, is at this instant, that corrupt instrument, which the patronage of India applied to it in the way of influence would make it. The House of Commons, they maintained, was then at the beck of the minister; was, even then, in a state of complete subservience, even for the worst of all purposes, to the minister's views. Mr. Pitt said, "Was it not the principle, and declared avowal of this bill, that the whole system of India government should be placed in seven persons, and those under the immediate appointment of no other than the minister himself? He appealed to the sense and candour of the House, whether, in saying this, he was the least out of order? Could it be otherwise understood, or interpreted? That these seven men were not to be appointed solely by the minister?"[1] On another occasion, he said, that he objected to Mr. Fox's bill, "because it created a new and enormous influence, by vesting in *certain nominees of the minister* all the patronage of the East."[1] Mr. W. Grenville (afterwards Lord Grenville) said, "The bill was full of blanks, and these blanks were to be filled by that House: It was talking a parliamentary language to say, the minister was to fill the blanks; and that the seven commissioners were the seven nominees of the minister; Seven commissioners chosen, by parliament ostensibly, but in reality by the servants of the Crown, were to involve in the vortex of their authority, the whole treasures of India: These, poured forth like an irresistible flood upon this country, would sweep away our liberties, and all that we could call our own."[2] But if parliament would choose these seven commissioners at the beck of the minister; what is there they would not do at the beck of the minister! The conclusion is direct, obvious, and irresistible. Upon the solemn averments of these statesmen, the question is for ever set at rest.



At the same time it must be admitted, that the bills of Mr. Fox, many and celebrated as the men were who united their wisdoms to compose them, manifest a feeble effort in legislation. They afford a memorable lesson; because they demonstrate, that the authors of them, however celebrated for their skill in speaking, were not remarkable for the powers of thought. For the right exercise of the powers of government in India, not one new security was provided; and it would not be very easy to prove, that any strength was added to the old.

I. There was nothing in Mr. Fox's number *Seven,* more than in the Company's number *Twenty-Four,* to ensure good government: and by his change of one electing assembly for another, the nation decided, and under the present constitution of the House of Commons decided well, that bad would only be improved into worse.



If such was the nature of the fundamental expedient, it cannot be imagined that the subsidiary ones would impart a high degree of merit to the whole. If not absolutely nugatory, they were all feeble in the highest degree. What useful power of publicity, for example, was involved in transferring annually to the hands of the ministers, a certain portion of Indian papers? A proper policy being established between the minister and his seven directors, they could present to parliament every thing which favoured their own purposes, keep back every thing which opposed them; and thence more effectually impose upon the nation. It seems, from many parts of the bill, to

have been the opinion of its authors, that if they only gave their commands to the rulers of India to behave well, they would be sure to do so. As if there was no channel of corruption but one, it was held sufficient, if the directors, while in office, were prohibited from holding places of profit under themselves, and places of profit during pleasure under the King.

The seven directors, in the case of some of their most important decisions, were bound to record their reasons; a most admirable security where the *public* are to see those reasons: Where they are to be seen only by the parties themselves, and by those who have like sinister interests with themselves, as in this case by the minister, they are obviously no security at all.

Good conduct in any situation depends upon the motives to good conduct, which operate in that situation; and upon the chance for intelligence and probity, in the individuals by whom it is held. That, in regard to motives, as well as intelligence, and probity, the public had less security for good conduct, in the case of the ministerial commissioners, than in the case of Directors chosen by the Company, will be fully made to appear, when we come to examine the nature of the ministerial board erected by Mr. Pitt; a board, which, in all those particulars, is very nearly on a level with that of Mr. Fox.



II. With regard to that part of the scheme which was intended to improve the state of administration in India, no change in the order and distribution of the powers of government was attempted. The play of the machinery, therefore, that is, the whole of its old tendency to evil, described by Mr. Fox as enormous, was to remain the same. All, it is evident, that, upon this foundation, could be aimed at, was, to palliate; and in the choice of his palliatives, Mr. Fox was not very successful.

Merely to forbid evil, in a few of the shapes in which it had previously shown itself, was a slender provision for improvement, when the causes of evil remained the same as before; both because there were innumerable other shapes which it might assume, and because forbidding, where there is no chance, or little change, of harm from disobedience, is futile, as a barrier against strong temptations.

To lessen the power of the Chief Ruler in selecting the immediate instruments of his government, was so far to ensure a weak and distracted administration. The sure effect of it was, to lessen the power of a virtuous ruler in obtaining assistance to good: And as the co-operation of the inferior servants, in the imputed plunder, embezzlement, and oppression, was secured not, by the power of the Governor-General to promote them; but by the common interest which they had in the profits of misrule; his not having the power to promote them was no security against a co-operation secured by other means.



In respect to sanctions, on which the efficiency of every enactment depends, Mr. Fox's bill provided two things; chance of removal; and prosecution at law; nothing else. In respect to chance of removal; as the effect of the bill was to render the

minister absolute with regard to India, those delinquencies alone, which thwarted the views of the minister, created any danger; those which fell in with his views were secure of protection. From prosecution at law, under tribunals and laws such as the English, a man who wields, or has wielded the powers of government, has, it is obvious from long experience, very little to fear.

It really is, therefore, hardly possible for any thing in the shape of a law for regulating the whole government of a great country, to be more nugatory than the bill of Mr. Fox.

On the great expedient for ensuring the rights of the native subjects, borrowed from Mr. Francis, the scheme of declaring the rent of the land unchangeable, and the renters hereditary; we have already made some and shall hereafter have occasion to make other remarks; to show, that it is founded upon false ideas, and productive of evil rather than good.

The prohibition of monopolies, and presents, and some other minor regulations, were beneficial, as far as they went.

If this project of a constitution for India proves not the existence of a vast portion of intellect, among those by whom it was framed, the objections of those who had only to criticize, not to invent, appear to prove the existence of a still smaller portion among its opponents. Not one of their objections was drawn from the real want of merits in the plan; from its total inefficiency, as a means, to secure the ends, at which it pretended to aim. They were all drawn from collateral circumstances; and, what is more, almost all were unfounded.



The danger to the constitution, in giving the appointment of Directors to the House of Commons, was the subject of the principal cry. But it has been shown, that this could have no injurious effect, unless the House of Commons were already perverted from its supposed ends, and the goodness of the constitution destroyed.

Much rhetoric was employed to enforce the obligation created by the “chartered rights of men.” But it was justly observed, That the term “chartered rights of men,” was a phrase full of affectation and ambiguity: That there were two species of charters; one, where some of the general rights of mankind were cleared or confirmed by the solemnity of a public deed; the other, where these general rights were limited for the benefit of particular persons: That charters of the last description were strictly and essentially trusts, and ought to expire whenever they substantially vary from the good of the community, for the benefit of which they are supposed to exist.

The loss of the India bill, in the House of Lords, was the signal for the dissolution of the ministry. At the head of the new arrangement was placed Mr. Pitt. On the 14th of January, 1784, he moved for leave to bring in a bill on the affairs of India. A majority of the House of Commons still supported his opponent, and his bill was rejected. Mr. Fox gave notice to the House of his intention to bring in a second bill. On the 10th of March, however, parliament was dissolved; and in the new House of

Commons the minister obtained a decided majority. The re-introduction of his India bill could now wait his convenience.

The new ministry had been aided in the triumph obtained over their opponents, by all the powers of the East India House, who had petitioned against the bills of Mr. Fox, had employed every art to excite the public disapprobation, and had exerted themselves at the general election to swell the ministerial majority. The minister owed a grateful return. The Company's sale of teas was a principal source of their income. It had of late been greatly reduced by the powers of smuggling. As high price afforded the encouragement of smuggling, a sufficient reduction would destroy it. Any part of the monopoly profit would not have been a pleasant sacrifice to the Company. The public duties, they thought, were the proper source of reduction; and it pleased the minister to agree with them. On the 21st of June, he moved a series of resolutions, as the foundation for an act, which soon after passed, and is known by the name of the Commutation Act. The duties on tea, about 50 per cent., were reduced to 12 1/2 per cent. It was estimated that a diminution would thence arise of 600,000*l.* in the public revenue. Under the style and title of a commutation, an additional window-tax, calculated at an equal produce, was imposed.

To relieve their pecuniary distress, the Company, as we have seen, had applied to parliament for leave to borrow 500,000*l.,* and for a further aid, after wards, of 300,000*l.* in exchequer bills. They had also prayed for a remission of the duties which they owed to the public, to the amount of nearly a million. They were bound not to accept, without consent

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of the Lords of the Treasury, bills drawn on them from India, beyond the annual amount of 300,000*l.* Bills however had arrived from Bengal to the amount of nearly one million and a half beyond that amount. For these distresses some provision had been made before the dissolution of the preceding parliament. The minister now introduced a bill, to afford a further relief in regard to the payment of duties, and to enable them to accept bills beyond the limits which former acts of the legislature had prescribed.

In other pecuniary adventures, the receipts upon the capital embarked are in proportion to the gains. If profit has been made; profit is divided. If no profit, no division. Instead of profit, the East India Company had incurred expense, to the amount of an enormous debt. It was proposed that they should still have a dividend, though they were to borrow the money which they were to divide, or to obtain it, extracted, in the name of taxes, out of the pockets of their countrymen. A bill was passed which authorized a dividend of eight per cent. In defence of the measure, it was urged, that unless the dividend was upheld, price of India stock would fall. But why should the price of India stock, more than the price of any thing else, be upheld, by taxing the people? It was also urged, that not the fault of the Company, but the pressure arising from the warlike state of the nation, produced their pecuniary distress. If that was a reason, why was not a similar relief awarded to every man that suffered from that cause? The arguments are without foundation; but from that time to this they have supported an annual taxation of the English people, for the convenience of the parties on whom the government of India depends.

At last, Mr. Pitt's bill, for the better government of the affairs of the East India Company, was again introduced; and, being now supported by a competent majority, was passed into an act, on the 13th of August, 1784. With some modification, it was the same with the bill which the former House of Commons had rejected.



The Courts of Directors and Proprietors remained, in form, the same as before. The grand innovation consisted, in the erection of what was called a Board of Control. This, together with, 1. The creation of a Secret Committee of Directors; 2. A great diminution in the powers of the Court of Proprietors; 3. A provision for a disclosure of the amount of the fortunes brought home by individuals who had been placed in offices of trust in India; 4. The institution of a new tribunal for the trial and punishment of the offences liable to be committed in India; constituted the distinctive features of this legislative exertion; and are the chief particulars, the nature of which it is incumbent upon the historian to disclose. The other provisions were either of subordinate efficacy, or corresponded with provisions in the bills of other reformers, which have already been reviewed.

I. The Board of Control was composed of six Members of the Privy Council, chosen by the King, of whom the Chancellor of the Exchequer, and one of the principal secretaries of state were to be two; in the absence of whom, the senior of the remaining four was to preside. In point of fact, the whole business has rested with that senior; the other commissioners being seldom called to deliberate, or even for form's sake to assemble. The senior is known by the name of the President of the Board of Control, and is essentially a new Secretary of State; a secretary for the Indian department. Of this pretended Board and real Secretary, the sphere of action extended to the whole of the civil and military government, exercised by the Company; but not to their commercial transactions. Its duties, very ill defined, or rather not defined at all, were adumbrated, in the following vague and uncertain terms: "From time to time, to check, superintend, and control, all acts, operations, and concerns, which in any wise relate to the civil or military government, or revenues, of the territories and possessions of the said United Company in the East Indies." All correspondence, relative to the government, was to be communicated to the Board; including all letters from India, as soon as received, and all letters, orders, or instructions intended for India, before they were sent. The Board was also to be furnished with copies of all proceedings of the Courts of Directors and Proprietors; and to have access to the Company's papers and records. By one clause it was rendered imperative on the Court of Directors to yield obedience to every command of the Board, and to send out all orders and instructions to India altered and amended at the pleasure of the Board. On the second introduction of the bill, when a sure majority made the minister bold, a power was added by which, in cases of secrecy, and cases of urgency; cases of which the Board itself was to be the judge; the Board of Control might frame and transmit orders to India without the inspection of the Directors. It was only in the case of a doubt whether the orders of the Board of Control related or did not relate to things within the sphere of the civil and military government, that the Directors were allowed an appeal. Such a doubt they

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were to refer to the King in Council. An appeal from the King's Council, to the King in Council, was an appeal from men to themselves.

Of two bodies, when one has the right of unlimited command, and the other is constrained to unlimited
obedience, the latter has no power whatsoever, but just as much, or as little, as the former is pleased to allow. This is the relative position of the Board of Control, and the East India Company.

The powers of the Board of Control convert the Company's Courts into agents of its will. The real, the sole governing power of India is the Board of Control, and it only makes use of the Court of Directors as an instrument, as a subordinate office, for the management of details, and the preparation of business for the cognizance of the superior power.

The real nature of the machine cannot be disputed, though hitherto its movements have been generally smooth, and the power is considerable which appears to remain in the hands of the Directors. The reasons are clear. Whenever there is not a strong motive to interfere with business of detail, there is always a strong motive to let it alone. There never yet has been any great motive to the Board of Control to interfere; and of consequence it has given itself little trouble about the business of detail, which has proceeded with little harm, and as little benefit, from the existence of that Board. So long as the Court of Directors remain perfectly subservient, the superior has nothing further to desire. Of the power which the Directors retain much is inseparable from the management of detail.

The grand question relates to the effects upon the government of India, arising from an authority like the Board of Control, acting through such a subordinate and ministerial instrument as the Court of Directors.

It is evident, that, so far as the Directors are left to themselves, and the Board of Control abstain from the trouble of management, the government of India
is left to the imperfections, whatever they were, of the previous condemned system, as if no Board of Control were in existence.
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In that part of the business, in which the Board takes a real share, it is still to be inquired, what chance exists, that better conduct will proceed from the Board of Control, than would have proceeded from the Court of Directors?

Good conduct in public men arises from three causes; from knowledge or talent; from the presence of motives to do good; and the absence of motives to do evil.

I. Few men will contend that the lord, or other person, whose power, or powerful kinsman, may recommend him for President of the Board of Control, is more likely to possess knowledge or talent, than the Court of Directors. That which the practical state of the British constitution renders the presiding principle in directing the choice of men for offices wherein much either of money or power is to be enjoyed, affords a much greater chance for ignorance than knowledge. Of all the men who receive education, the men who have the most of parliamentary influence are the least likely to have any unusual portion of talent; and as for appropriate knowledge, or an

acquaintance in particular with Indian affairs, it cannot be expected that the Board of Control should ever, except by a temporary and rare contingency, be fit to be compared with the Court of Directors: besides, it would have been easy, by laying open the direction to men of all descriptions, and by other simple expedients, to increase exceedingly the chance for talent in the Court of Directors.

II. If the Board of Control then is more likely than the Court of Directors to govern India well, the advantage must arise from its situation in regard to motives: motives of two sorts; motives to application; and motives to probity. Both the Board of Control, and the Court of Directors, are destitute of these motives to a high degree; and it is a matter of some nicety to make it appear on which side the deficiency is most extraordinary.



Motives to application, on the part of the Board of Control, can be discovered none. And application, accordingly, such as deserves the name, a careful pursuit of knowledge, with incessant meditation of the ends and the means, the Board has not even thought of bestowing. If Mr. Dundas be quoted as an objection, it is only necessary to explain the circumstances of the case. The mind of Mr. Dundas was active and meddling, and he was careful to exhibit the appearance of a great share in the government of India; but what was it, as President of the Board of Control, that he ever did? He presented, as any body might have presented, the Company's annual budget, and he engrossed an extraordinary share of their patronage. But I know not any advice which he ever gave, for the government of India, that was not either very obvious, or wrong.

The institution of the Board of Control, as it gave no motives to application in the members of that Board, so it lessened prodigiously the motives to application in the Court of Directors. Before the existence of the Board of Control, the undivided reputation of good measures, the undivided ignominy of bad, redounded to the Court of Directors. The great sanction of public opinion acted upon them with undivided energy. Men are most highly stimulated to undergo the pains of labour, when they are most sure of reaping the fruits of labour; most surely discouraged from labour, when they are least sure of reaping its advantages; but, in taking pains to understand the grounds of action, and laboriously to frame measures adapted to them, the Court of Directors, before their subjugation to the Board of Control, were sure of reaping the fruits of their labours in the execution of their schemes. What motive, on the other hand, to the laborious consideration of measures of government, remained, when all the fruits of knowledge and of wisdom might be rejected by the mere caprice of the President of the Board of Control?

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Such is the sort of improvement, a retrograde improvement, in respect to knowledge or talent, and in respect to application, which the expedient of a Board of Control introduced into the government of India.

It only remains that we examine it in relation to probity; and inquire, whether the men who compose it are subject to the action of stronger, or weaker motives, to the exercise of official probity, than the Court of Directors.

There are two sorts of motives, on which, in regard to probity, the conduct of every man depends; by the one he is attracted to virtue; by the other repelled from it.

In regard to attracting motives, very little is provided to operate either upon the Board of Control, or the Court of Directors. The sanction of public opinion, the credit of good, and the discredit of bad conduct, is one source; and it does not appear that there is any other. In the first place, it ought to be remembered, as a law of human nature, that the influence of this sanction is weakened, or more truly annihilated, to any important purpose, by division. Whatever might have been its force, upon either the Board of Control, or the Court of Directors, acting alone, it is infinitely diminished when they act both
together, and by sharing, go far to destroy responsibility.



For the salutary influence of public opinion, both the Board of Control, and the Court of Directors, are unfavourably situated; but it will probably, without much dispute, be allowed, that the Court of Directors is the least unfavourably situated. So long as they acted by themselves, the Court of Directors were exposed, without shelter, to the public eye. The President of the Board of Control is the mere creature of the minister, existing by his will, confounded with the other instruments of his administration, sheltered by his power, and but little regared as the proper object either of independent praise, or of independent blame.

With regard to motives repelling from probity, in other words, the temptations to improbity, to which the Board of Control and the Court of Directors are respectively exposed, the following propositions are susceptible of proof: That almost all the motives of the deleterious sort, to which the Court of Directors stand exposed, are either the same, or correspond, with those to which the Board of Control is exposed: That those to which the Court of Directors are exposed, and the Board of Control is not exposed, are of inconsiderable strength: That those to which the Board of Control is exposed, and the Court of Directors are not exposed, are of great and uncommon strength: And that by the conjunct action of the two bodies, the deleterious motives of the one do not destroy those of the other, but combine with them, and increase the power of the whole.

It is to be observed, that neither the Board of Control, nor the Court of Directors have any *direct* interest in the misgovernment of India. Their ambition is not gratified by the unnecessary wars, nor their pockets filled by the oppressions and prodigalities of the Indian rulers. In as far as the Directors are proprietors of India stock, and in as far as
good government has a tendency to increase the surplus produce of India, and hence the dividend upon stock, the Court of Directors have an interest in the good government of India. The Board of Control, as such, has necessarily no such interest; in this respect, therefore, it is inferior to the Court of Directors.

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If exempt from motives of the *direct* kind, to the misgovernment of India, it remains to inquire what are the motives of the *indirect* kind, to the action of which the Board of Control, and the Court of Directors, are severally and respectively exposed.

In the first place, we recognize the love of ease; an incessant force, and for that reason of the most potent agency in human affairs. Bating the cases in which the result depends not upon the general qualities of the species, but the accidental ones of the individual, this is a motive which it is not easy to find other motives sufficient to oppose; which, in general, therefore, prevails and over-rules. This is a motive, to the counteraction of which, there is scarcely any thing provided, in the case either of the Board of Control, or of the Court of Directors. To a great extent, therefore, it is sure to govern them. Provided things go on in the beaten tract, without any unusual stoppage or disturbance, things will very much be left to themselves.

Little, however, as is the application to business, which can rationally be expected from the Court of Directors, still less can be looked for on the part of the Board of Control, where either hereditary idleness and inefficiency will preside; or the mind of the President will be engrossed by those pursuits and struggles on which the power of the ministry, or the consequence of the individual, more immediately depends. The consequence is certain; whenever aversion to the pain and constraint of labour governs the superintendant, the interest of the subordinates, in every branch, is naturally pursued at the expense of the service, or of the ends which it is the intention of the service to fulfil.



Beside the love of ease, which every where is one of the chief causes of misgovernment; the motives to the abuse of patronage, and to a connivance at delinquency in India, seem almost the only deleterious motives, to the operation of which either the Board of Control, or the Court of Directors, are exposed.

In regard to patronage, the conduct of the Court of Directors will be found to exhibit a degree of excellence which other governments have rarely attained. In sending out the youths who are destined for the different departments of the service, the Directors have been guided, no doubt, by motives of affection and convenience; but all youths go out to the lowest stations in their respective departments, and can ascend only by degrees. The rule of promotion by seniority has sometimes been too rigidly observed; seldom, comparatively, violated by favouritism. The Directors, who send out their relatives and connexions, have very often retired from the direction, before the youths whom they have patronized are of sufficient age or standing in the service, to occupy the stations in which the power of producing the greater evils is enjoyed.

But, as the constitution of the Court of Directors has prevented any considerable abuse of patronage; so the situation of the British minister, depending as he does upon parliamentary interest, creates, it may, without much fear of contradiction, be affirmed, a stronger motive to the abuse of patronage, than, under any other form of government, was ever found to exist. In this respect, good government is far less exposed to violation from an institution, such as that of the Court of Directors, than an institution such as that of the Board of Control.[1]

To connivance at delinquency in India, the Directors may be supposed to be led by three sorts of motives:

1. Inasmuch as they may have been delinquents themselves;
2. Inasmuch as they may send out sons and other relatives, who may profit by delinquency;
2. Inasmuch as delinquents may be proprietors of India stock, and hence exert an influence on the minds of Directors.

1. The motive to connive at any delinquency, in which a man is to have no profit, because he himself has formerly been delinquent in a similar way, must be regarded as a feeble, if any motive at all. Experience proves it. Clive was not less violent against the undue emoluments of the Company's servants, because he had drawn them so copiously himself if the Court of Directors be inferior in this respect to the Board of Control, it must be allowed to be an inferiority easily compensated by other advantages Besides, if a man must be supposed to sympathies with delinquency, because he has been a delinquent



himself, the disposition is pretty nearly the same which leads to delinquency in India and in England; and hence a danger fully as great, of finding this kind of sympathy at the Board of Control, as in the Court of Directors.

2. The Directors may send out sons and nephews. So may the Secretary of State for the India department, the President of the Board of Control.

3. East India delinquents may operate on the minds of Directors through influence in the Court of Proprietors. East India delinquents may also operate on the minds of ministers through parliamentary influence. And the latter operation, it is believed, will certainly appear to be, out of all comparison, the stronger, and more dangerous operation of the two.

In point of fact, the influence exerted upon the Directors through the Court of Proprietors has never been great. The Court of Directors have habitually governed the Court of Proprietors; not the Court of Proprietors, the Court of Directors. The Company's servants returned from India have not been remarkable for holding many votes in the General Court.

The powerful operation of ministerial support extends to every man in India, whose friends have a parliamentary interest in England. The men who have the greatest power of doing mischief in India, are the men in the highest stations of the government. These are sure to be generally appointed from views of ministerial interest. And the whole force of the motives, whatever they are, which operate to their appointment, must operate likewise to connivance at their faults.

In every one of the circumstances, therefore, upon which good government depends, the Board of Control, when examined, is found to be still more defective,



as an instrument of government, than the Court of Directors, the incompetency of which to the right government of India, had been so loudly and so universally proclaimed.

What will be said in its favour is this: That the Board of Control, and the Court of Directors check each other. To this end we must of necessity suppose, that where the Court of Directors may have an interest in misgovernment, the Board of Control will have no such interest, and in that case will not allow the Court of Directors to pursue their interest: that, in like manner, where the Board of Control may have an interest in misgovernment, the Court of Directors will have no such interest, and in that case will not allow the Board of Control to pursue their interest.

According to this supposed mode of operation, the interests of all the governing parties are defeated. The theory unhappily forgets that there is another mode of operation; in which their interests may be secured. This is the mode, accordingly, which stands the best chance of being preferred. It is a very obvious mode; the one party having leave to provide for itself, on condition that it extend to the other a similar indulgence. The motives to misgovernment, under this plan, are increased by aggregation, not diminished by counteraction. Such are the greater part of the pretended checks upon misgovernment, which have ever been established in the world; and to this general law the Board of Control and Court of Directors do not, certainly, form an exception.

There is still another circumstance; and one to which the greatest importance will doubtless be attached. So long as the government of India was independent of the minister, he had no interest in hiding its defects; he might often acquire popularity by disclosing them. The government of India, in these circumstances, was subject to a pretty vigilant inspection from Parliament. Inquiries of the most searching description had twice been instituted, and carried into its innermost recesses. The persons charged with the duties of government in India, acted under a full sense of the attention with which they were watched, and of the exposure to which their conduct was liable. A beneficial jealousy was preserved alive, both in parliament, and in the nation. At that time both erred, perhaps, by too much, rather than too little, of a disposition to presume among their countrymen in India the existence of guilt: a disposition far more salutary, notwithstanding, than a blind confidence, which, by presuming that every thing is right, operates powerfully to make every thing wrong. A great revolution ensued, when the government of India was made dependant upon the minister, and became in fact an incorporated part of his administration. Then it was the interest of the minister to prevent inspection; to lull suspicion asleep; to ward off inquiry; to inspire a blind confidence; to praise incessantly the management of affairs in India; and, by the irresistible force of his influence, make other men praise it. The effects are instructive. From the time of the acquisition of the territorial revenues of Bengal, parliament and the nation had resounded with complaints of the Indian administration. The loudness of these complaints had continually increased, till it became the interest of the minister to praise. From that very moment, complaint was extinguished; and the voice of praise was raised in its stead. From that time to this, no efficient inquiry into the conduct of the government in India has ever taken place. Yet in the frame of the government no one new security can be pointed out, on which a rational man would depend for any improvement; and the incumbrances of the East India Company have continued to increase.



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II. It was ordained by this act, that the Court of Directors should choose a Committee of Secrecy, not to exceed the number of three. As often as the Board of Control should frame orders which required secrecy, they were to transmit these orders, without communicating them to the Court of Directors; and receive answers to them under the same concealment. This was a regulation which enabled the Board of Control, and the Committee of Secrecy, to annihilate, as often as they pleased, the power of the Court of Directors. With respect to the government of India, the Court of Directors might be regarded as in fact reduced to three. Of this subsidiary regulation the effect was to render more complete the powers of the Board of Control.

III. It was ordained, that no act or proceeding of the Court of Directors, which had received the approbation of the Board of Control, should be annulled or in any way affected, by the Court of Proprietors. This was a provision, by means of which, as often as it pleased the Board of Control, and the Court of Directors, they could annihilate all direct power of the Court of Proprietors. By these several regulations, for more and more lessening the number of persons in whom any efficient part of the power of the East India Company remained, the facility of using it as a tool of the minister was more and more increased.

IV. The next important provision, in the bill of Mr. Pitt, was that by which it was rendered obligatory upon the servants of the Company, to give an inventory of the property which they brought from India. If the undue pursuit of wealth was there the grand cause of delinquency, this undoubtedly was a regulation of no ordinary value. When the amount of a man's acquisitions in India was known, comparison would take place between his acquisitions and his lawful means of acquiring; and the great sanction of popular opinion would operate upon him with real effect. The difficulty of convicting the delinquent would thus be exceedingly diminished; and this prospect of punishment would contribute powerfully to save him from crime.



To the credit of the authors of the bill be it spoken, means of far greater than the usual efficacy were employed to force out the real state of the facts, and to defeat the efforts of concealment or deception. The parties were rendered subject to personal examination upon oath; and, for false statement, to the forfeiture of all their goods, to imprisonment and incapacitation. Information tending to the detection of falsehood was called for by the greatest rewards.

So important an instrument of good government as this, ought not, assuredly, to be confined to India. Wherever the pursuit of wealth is liable to operate to the production, in any degree, of bad government, there undoubtedly it ought to exist.

V. A new tribunal was constituted "for the prosecuting and bringing to speedy and condign punishment British subjects guilty of extortion, and other misdemeanors, while holding offices in the service of the King or Company in India." The Judicature was composed of one judge from each of the common law courts in Westminster Hall, chosen by his Court; four peers, and six members of the House of Commons, chosen, after an operose method, by their respective houses of parliament.

Of the procedure, according to which justice was, in this channel, to be administered, the only part which it is here material to notice, is that, which regards its powerful instrument, Evidence.

For more effectually opening the sources of evidence, it was ordained, that witnesses should be compelled, by punishment, as for a misdemeanor, to attend, and by fine or imprisonment, at the discretion of the Court, to give evidence. The Commissioners or Judges might send for papers, persons, and records, and commit to prison for all prevarication.

The punishment of offences committed in India, by trial in England, conducted under the rules of evidence mischievously established in the English courts, was impracticable, and the attempt absurd. This important truth seems, in part at least, to have been now very clearly perceived by the legislature; and an attempt was made, very feeble indeed, and far from commensurate with the evil, to remedy a defect of the law; a disgusting defect, which ensured, or little less than ensured, impunity to one of the highest orders of crimes.

"Whereas the provisions made by former laws" (such are the words of the statute,) "for the hearing and determining in England offences committed in India, have been found ineffectual, by reason of the difficulty of proving in this kingdom matters done there," it was enacted, that witnesses should be examined in India by the competent judges, that their testimony should be taken down in writing, and that, when transmitted to England, it should be received as competent evidence by the tribunal now to be established. It was further enacted, "in order" (says the statute) "to promote the ends of justice, in ascertaining facts committed at so great a distance from this country, by such evidence as the nature of the case will render praoticable," that all writings



which might have passed between the Company and their servants in India, might, as far as they related to the facts in question, be read, and their evidence, as far as to the Court it might appear to weigh upon the question, should be received. And also, upon the prayer of either of the parties, power was given of obtaining the examination, upon interrogatories, before a commissioner duly appointed, of absent witnesses, the depositions of whom, in this manner procured, should be admitted as evidence.

Of this important provision, in the East India bill of Mr. Pitt, the nature will appear, if we consider, first the necessity for it, and next its adaptation to the ends which it had in view.

1. The necessity for it implies, that there was no tribunal, as yet existing in this kingdom, which was adequate to the purpose of punishing and repressing crimes committed in India: because, if there was any such tribunal, no other, for a purpose which might have been answered without it, ought to have been called into existence. By enacting, therefore, a law for the creation of this new tribunal, the legislature of the country, with all the solemnity and weight of legislation, declared, that, for the punishment of crimes of the description here in question, the other tribunals of the kingdom, the courts of law, the courts of equity, and even the high court, as it is

called, of parliament, are unfit. In what respect, unfit? Not merely for their absurd exclusion of such evidence as it was ordained that the new tribunal should receive. Because, had this been the only objection, it might have been easily removed, by simply prescribing what sort of evidence they ought to receive. They were therefore, according to the declaration of the legislature, unfit on other grounds, and these so fundamental, that no superficial change could remove the unfitness.



This declaration is of very great extent. For if the tribunals, previously existing, were all, even with such rules for the admission of evidence, as the legislature might have compelled them to observe, unfit to try and to punish the crimes of high functionaries in India, they were equally unfit to try and to punish the crimes of high functionaries in England. The crimes of high functionaries are not one sort of thing in England, another sort of thing in India. They are the same sort of thing in both countries. And the only difference is, that the means of proof are to be brought in one case from a greater distance.

That the courts of law and equity are not tribunals by which the crimes of high functionaries can be repressed, was already the doctrine of the constitution; since it appointed the method of impeachment before the high court of parliament. The present declaration of the legislature before, then, particularly, only upon the method of impeachment. That the declaration was just, in regard to the method of impeachment, if any doubt till then could possibly have remained, was made appear, according to the confession of all parties even in parliament, a few years afterwards, by the trial of Mr. Hastings.

We may then proceed upon it as a fact, fully established by experience, and solemnly recognized by the legislature, that, as far as law is concerned, there is impunity, almost or altogether perfect, to the crimes of high functionaries in England.

2. If we consider the adaptation of this tribunal of Mr. Pitt to the ends which it had in view, we shall first perceive that it was so constituted as to be an instrument in the hands of the minister, and sure to do whatever could be done with any tolerable degree of safety, to secure his objects, whatever they might be.

It consisted of two parts; three judges sent from the three courts of common law; and ten members
from the houses of parliament. The subservience of the judges of the common law courts to the minister, or to the master of the minister, is the doctrine of one of the most remarkable parts of the British constitution; the trial by jury. If it were not for the wrong bias to which the judges of England are liable, and all biases are trifling compared with the bias towards the Court, the institution of a jury would not only be useless, but hurtful. And if this be the doctrine of the constitution, there is assuredly none of its doctrines, which an experience more full and complete, an experience more nearly unvarying, can be adduced to confirm.

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Such is the state of the case, in as far as regards that part of the proposed tribunal, consisting of the ordinary judges. With regard to that part which consisted of members chosen by the two houses of parliament, the case is cleared by the doctrine of the authors of the bill themselves. Mr. Pitt and his friends maintained, and nobody affected to deny, that the members to be chosen by parliament for Mr. Fox's Directors, would be "nominees" of the minister. There was nothing which could give the minister a power of nomination in that, which he would not possess in the present case. The second class of the members of the tribunal would, therefore, be "nominees" of the minister.1



The subservience of the whole would for that reason be complete. So far only as it was the interest of the minister that justice should be well administered, so far only would there be the *intention* to administer it well. How far, even where it *had* the intention, it would have the *other* qualities requisite for the detection and punishment of the official offences of official men, would demand a long inquiry sufficiently to unfold. I must leave it to the reader's investigation. Enough has probably been said to give a correct, if not a complete, conception of this new expedient for the better government of India.

Such were the five principal provisions in the celebrated India bill of Mr. Pitt. Of other particulars, not many require to be mentioned; and for such as do, a few words will suffice.

As the increase of the patronage and influence of the minister was the foundation of the furious outcry, which had been raised against the plan of Mr. Fox, there was a great affectation of avoiding all increase of ministerial patronage, by the bill of Mr. Pitt. In particular, no salaries were annexed to the offices of President, or Members of the Board of Control; and it was stated, that these offices might always be filled, without increase of expense to the nation, or of influence to the Crown, by functionaries who enjoyed other places of profit. We shall afterwards see, that this was a mask; which it was not long thought necessary that the project should wear.

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The patronage of India was left to the Directors, subject to the following inroads: That the nomination of the Commander-in-Chief, who should always be second in Council, should belong exclusively to the King; That the Governor-General, Presidents, and Members of all the Councils, should be chosen, subject to the approbation of the King: And that the King should have the power of recalling them.

When it is said that the patronage of the Company was left with the Directors, it can only, by any body, be meant, that it was *ostensibly* left. For it never can for one moment be doubted that whatsoever patronage is in the hands of the subordinate and obeying body, in *reality* belongs to the superordinate and commanding. To ministerial purposes in general the patronage of the East India House is the patronage of the minister: In all the departments subordinate to the minister a large portion of the patronage necessarily follows the superintendance of the details. And it is probable that, in the East India House, a less proportion of the patronage remains, not placed

immediately at the command of the minister, than in the most immediate departments of his administration, those, for example, of the Admiralty, and the Commander-in-Chief.1



Such were the contrivances for improving that part of the machinery of the Indian government, which had its seat in England. For immediate operation upon the faults of that part of it which had its seat, by unavoidable necessity, in India, the provisions of Mr. Pitt coincided to a great degree with the palliatives of Mr. Fox. A control was given to the Governor-General and Council of Bengal over the other Presidencies. Aggressive wars, presents, and disregard of orders, were forbidden. The Zemindars, who had been displaced, were to be restored, and their situation as much as possible rendered permanent; though nothing was said about their hereditary rights, or a tax incapable of augmentation. The debts of the Nabob of Arcot, and his disputes with the Rajah of Tanjore, were to be taken into consideration, and a plan of adjustment was to be devised, by the directors.

[1]Sixth Report of the Select Committee, 1781, Appendix, No. 1.

[1]"In the course of three years more, we think it much to be apprehended, that the continued operation of this system will have reduced the country in general to such a state of ruin and decay, as no future alteration will be sufficient to retrieve." Extract of a Minute from General Clavering, Col. Monson, and Mr. Francis, March 21, 1775.

[1]Report ut supra, and Appendix, No. 14 and 15: see also a publication entitled Original Minutes of the Governor-General and Council of Fort William, by Philip Francis, Esq. For the meaning of the terms Zemindar and Ryot, see i. 271; and for the interest which the Zemindar had in the land, see the considerations adduced on the introduction of the zemindary system during the administration of Lord Cornwallis.

[1]See Francis's Minute, ut supra, and the Draught of Hastings's Bill; Report, ut supra, Appendix, No. 13.

[1]Mr. Shore (Lord Teignmouth) said in his valuable Minute on the Revenues of Bengal, dated June, 1789, printed in the Appendix, No. 1, to the Fifth Report of the Committee on India Affairs in 1810, that "the settlement of 1772, before the expiration of the leases, existed, he believed, no where, upon its original terms."

[1]Sixth Report, ut supra, Appendix, No. 11, 12, 13, 14, 15, 16. Minutes of the Governor-General and Council of Fort William, by Philip Francis, Esq.

[2]Fifth Report of the Committee of Indian Affairs, 1812, p. 8.

[1]Ninth Report, Select Committee, 1783, and Appendix, No. 107, 108, 109, 112, 113, 114, 115; See also the Charges, No. 9, and the Answer of Mr. Hastings.

[1]The original documents respecting these transactions may be found in the Appendix to the Fifth Report of the Select Committee, 1781; and in the Minutes of Evidence on the Trial of Mr. Hastings.

[1]Minute of the Governor-General on the 7th Dec. 1775, Fifth Report, ut supra, p. 24, and App. No. 6.

[2]Secret consultations, 5th March, 1778. Fifth Report, p. 29. App. No. 6. (N.)

[1]At the time, when Nuncomar accused Mr. Hastings, an indictment for a conspiracy was brought against him, Roy Radachurn, and others. Roy Rodachurn was the Vakeel of the Bengal Nabob, and claimed the privilege of an ambassador. To bring him under the power of the Court, it was thought necessary to prove that his master was in no respect a Prince. For this purpose Mr. Hastings made an affidavit, that he and his council, in 1772, had appointed Munny Begum, and all her subordinates; that they had appointed courts of laws, both civil and criminal, by their own authority, and without consulting the Nabob; that "the civil courts were made solely dependant on the Presidency of Calcutta; and that the said criminal courts were put under the inspection and control of the Company's servants, although *ostensibly* under the name of the Nazim; and that the revenues were exclusively in the hands of the Company." The inference was, that not a particle of sovereign power belonged to the Nabob. Affidavits to the same purpose were made by Mr. George Vansittart and Mr. Lane. Upon this and other evidence the judges formed their decision; that the Nabob was not a sovereign in any sense, nor his Vakeel an ambassador. The words of some of them are remarkable. The Chief Justice said, that if the Nabob was a Prince, "the exercise of their power must be an usurpation in the India Company;" but this he affirmed was not the case, for the Nabob's treaty with the Company "was a surrender, by him, of all power into their hands." After a long argument to show that there was in the Nabob nothingt but a "shadow of majesty," he concludes; "I should not have thought that I had done my duty, if I had not given a full and determinate opinion upon this question. I should have been sorry if I had left it doubtful, whether the *empty name* of a Nabob could be thrust between a delinquent and the laws." The language of Mr. Justice Le Maistre was stronger still. "With regard to this phantom," said he, "this man of straw, Mobarek ul Dowla, it is an insult on the understanding of the Court, to have made a question of his sovereignty." "By the treaty which has been read," said Mr. Justice Hyde, "it appears that Mobareck ul Dowla deprives himself of the great ensign of sovereignty—the right to protect his own subjects. He declares *that* shall be done by the Company." When this opinion was received, Mr. Francis moved at the Board, that as it would preclude them from the use of the Nabob's name in their transactions with foreign states, the Directors might be requested, "if it should be determined by them that the Subah's government was annihilated, to instruct the Board in what form the government of the provinces should be administered for the future." Mr. Hastings objected to the motion, as the declaration of the judges told nothing but what, he said, was known, and acted upon, before. They had used the Nabob's *name,* it was true; in deference to the commands of the Directors; "but I do not," said be, "remember any instance, and I hope none will be found, of our having been so disingenuous as to disclaim our own power, or to affirm that the Nabob was the real sovereign of these provinces." He next proceeds to condemn the fiction of the Nobob's government. "In effect," he says, "I do not hesitate to say, that I look upon this state of indecision to have been productive of all the embarrassments which we have experienced with the foreign settlements…. It has been productive of great inconveniences; it has prevented us from acting with vigour in our disputes with the

Dutch and French…. Instead of regretting, with Mr. Francis, the occasion which deprives us of so useless and hurtful a disguise, I should rather rejoice were it really the case, and consider it as a crisis which freed the constitution of our government from one of its greatest defects. And if the commands of our honourable employers, which are expected by the ships of the season, shall leave us uninstructed on this subject, which has been so pointedly referred to them in the letters of the late administration, I now declare that I shall construe the omission, as a tacit and discretional reference of the subject to the judgment and determination of this Board; and will propose that we do stand forth, in the name of the Company, as the actual government of these provinces; and assume the exercise of it, in every instance, without any concealment or participation." Minutes of Evidence on the Trial of Mr. Hastings, p. 1071–1079. When all these facts are known, the vehement zeal which Mr. Hastings, because it now suited his purpose, displayed for the fictitious authority of the Nabob, has a name which every reader will supply.

[1]Of the mode in which such a letter was procured, nobody who knows the relative situation of the parties can entertion a doubt. The judges of the supreme court, upon a letter of the same Nabob, in July, 1775, unanimously gave the following opinion: "The Nabob's age, his *situation* is such, that there is no man, either in England or India, will believe he would be induced to write such a letter, was it not dictated to him by the agents of those who rule this settlement; or unless he was perfectly convinced it would be agreeable to and coincide with their sentiments. We always have, and always shall consider, a letter of business from that Nabob, the same as a letter from the Governor-General and Council." Minutes of Evidence on the trial, p. 1079, and Appendix, p. 547. According to this rule, the letter on which Mr. Hastings laid his superstructure was a letter from himself to himself.

[1]Fifth Report, ut supra, p. 24–32, and App. No. 6; also the charges against Mr. Hastings, No. 17, with Mr. Hastings's answer: see also the Evidence both for the Prosecution and Defence in Minutes of Evidence, ut supra.

[1]The sentiments of the Court of Directors were unfavourable to this attempted alliance. In their letter of the 14th of May, 1779, to the Governor General and Council, they say, "The undertaking appears to us contrary to the Company's former policy, to our engagements with Ragoba and Nizam Ali, and doubtful respecting any reasonable prospect of advantage." And in another letter dated on the 27th of the same month, to the President and Select Committee of Bombay, they say, "We earnestly hope, that upon your negotiation and treaty with Ragoba being communicated to our Governor General and Council, they would concur with you in giving full effect thereto, and desist from entering into any new connexions which may set aside, or counteract, your recent agreements with Ragoba." Sixth Report, Committee of Secrecy. 1781, p. 84.

[1]It is worthy of remark, that Gazee ad dien Khan, formerly Vizir of the empire, and grandson of the great Nizam al Mulk, was at this time found at Surat, in the disguise of a pilgrim, and confined, till the Supreme Council, being consulted, disapproved of all acts of violence, but forbade his appearing within the territories of the Company.

See the Letter from Gov. Gen. to Directors, dated 14th January, 1780. Sixth Report to the Secret Com. Appendix, No. 246.

[1]For the transactions relative to the Mahratta war, the materials are found in the Sixth Report of the Committee of Secrecy in 1781, and the vast mass of documents printed in its Appendix; the twentieth article of the Parliamentary Charges against Hastings, and his answer; the Papers printed for the use of the House of Commons on the Impeachment; and the Minutes of Evidence on the Trial of Mr. Hastings. The publications of the day, which on this, and other parts of the history of Mr. Hastings' Administration, have been consulted, some with more, some with less, advantage, are far too numerous to mention.

[1]Sixth Report of the Committee of Secrecy, 1781, p. 98, and appendix, No. 288; also Fifth Report of the Select Committee, 1781, p. 14, 18, 30; Memoirs of the late War in Asia, i.301, &c.

[1]The resolution of maintaining this absolute power is thus clearly expressed in the letter of the Court of Directors, to the Presidency of Madras, dated 24th December, 1765. "The Nabob has hitherto desired, at least acquiesced with seeming approbation, that garrisons of our troops should be placed in his forts: it is not improbable that after a time he may wish to have his protectors removed. Should such an event happen, it may require some address to avoid giving him disgust, and at the same time a degree of firmness to persist in your present plan; but persist you must; for we establish it as a fundamental point, that the Company's influence and real power in the province cannot be any way so effectually maintained as by keeping the principal forts in our hands." See First Report of the Committee of Secrecy, 1781, Appendix, No. 23.—"By being in possession of most of his strong places, the troops being officered by the Company, and the garrisons perfectly under their orders, the Company have it in their power to give law to the Carnatic. Without the concurrence of the Presidency he can do nothing; they are arbiters of peace and war; and even if one of his own tributaries refuse the peshcush, the payment of which they had guaranteed, without them he cannot call him to an account." Letter from Sir John Lindsay, to the President and Council of Madras, 22d June, 1771; Rous's Appendix, p. 368.

[1]See the account of these disputes, supra, vol. iii. book iv. chap. ix.

[1]Letter to Sir John Lindsay, dated 16th August, 1770, Rous's Appendix, p. 254.

[1]Letter to the Court of Directors, dated July 20th, 1771, Rous's Appendix, p. 400.

[1]Rous's Appendix, p. 245–253.

[2]Ibid. p. 248.

[3]Ibid. p. 250.

[4]Ibid p. 253.

[1]Rous's Appendix, p. 257.

[1]See Rous's Appendix, No. 17, *passim*.

[1]"It is with infinite concern the Committee observe that notwithstanding their repeated and earnest representations to the Court of Directors, of the very critical situation of affairs with respect to the Mahrattas and Hyder Ally, which were so fully and clearly explained in order to enable them to give us their sentiments and orders with respect to the conduct they would wish as to observe in so important and interesting a matter, we still find ourselves not only without orders, but without the least intimation of their opinion thereon." Select Consultations, 29th November, 1771; First Report, Committee of Secrecy in 1781, Appendix, No. 21.

[1]That they gave money and gave largely, appears plainly from a letter in Rous's Appendix, p. 952.

[1]See First Report, ut supra, p. 28, and Appendix, No. 20, 21, 22, 23; and the Papers published by the Directors in Rous's Appendix, No. 17 and 28.

[1]Official Papers, in Rous's Appendix, p. 525, 526.

[1]Papers, ut supra, p. 631.

[2]Ib. p. 563, 564.

[1]Papers, ut supra, p. 574.

[2]The Little Marawar.

[1]Papers, ut supra, p. 608, 614.

[2]Ibid. p. 645 and 609.

[1]Papers, ut supra, p. 579, 283

[1]See these considerations balanced, and this severe condemnation, passed upon their employers, Papers, ut supra, p. 662, 663, 666, 679.

[2]Ib. p. 682, 682*. According to this account, there is no constitution in India but the law of the strongest. The fact is important; and has often (I should not err much if I said always) been mistaken, by the inaccurate minds, which hitherto have contemplated Indian affairs.

[1]Papers, ut supra, p. 684, 685.

[1]Papers, ut supra, p. 696.

[2]Ibid, 717.

[3]Ibid. 718, 720.

[1]Papers, ut supra, p. 726–731.

[2]General Smith's Letter, ibid. 742.

[1]Papers, ut supra, p. 744–750.

[2]Ibid. 755–790.

[1]Papers, ut supra, p. 827.

[2]Ibid. p. 930, 931.

[1]Papers, ut supra, p. 803, 857.

[2]Sir John Lindsay.

[1]Tanjore papers, ut supra, p. 1082.

[2]Ibid. p. 969, combined with p. 1085, par. 54.

[1]Tanjore papers, ut supra, p. 1081.

[1]Papers, ut supra, p. 1081–1083, and 998.

[1]Papers, ut supra, p. 1083–1085, 1006, 1037.

[2]Ibid. p. 1058.

[1]Papers, ut supra, p. 1107.

[2]President's Report to the Select Committee, Ibid. 1108.

[3]His not getting for them assistance from the English, he represented as the cause of their want of friendship, since they believed (of course he had told them) that "he had got the entire control of the whole English nation, and could make them do as he pleased." Ibid.

[4]Ibid.

[1]The author of the Defence of Lord Pigot (Introd. p. 63) says, that by the Nabob people were employed to personate the Rajah's vakeels at Poonah: that letters were fabricated; and all sorts of artifice employed to mislead the Company's servants. The Presidency are often complaining that the Nabob's letters of intelligence state always a set of facts exactly calculated to support the point, whatever it is, which the Nabob is at that moment driving.

[1]Papers, ut supra, p. 1117.

[2]See the Letter from the Dutch to the Nabob (Ibid. 1273); Defence of Lord Pigot, Introd. 64.

[3]By present system, they mean the orders from England to support the Nabob, as absolute sovereign, in all his pretensions; which held their hands from interfering to protect the Rajah.

[1]Papers, ut supra, p. 1117.

[2]Ibid.

[1]Papers, ut supra, p. 1122, 1125. There is secret history in many of the proceedings of the Company's servants which it is not possible to bring forward with such evidence as history admits, and which, except in a very general manner, it is not within the province of history to trace. Such articles of evidence as present themselves may be submitted for consideration. The Author of the History and Management of the East India Company, than whom no man was better acquainted with the secrets of Madras, and who, though he is a prejudiced and unfair, is not a mendacious writer, says, (p. 219) that the crime of the Rajah was his sending to borrow money of the Dutch; and had he pursued the plan of borrowing at Madras, "with more constancy, and to a much larger extent, the GREAT FOLKS at Madras might have had an interest in overlooking, for some time longer, his designs. But Tulja-jî, though not more faithless, was less prudent than his father Pretaupa Sing, who had always an expert agent at Madras to negotiate a loan, when he wished to obtain a favour."

[1]This transaction is explained, in the following manner, by the Author of the "Defence of Lord Pigot." (Introd. p. 64.) "It happened that one Comera, a dubash of the virtuous Mr. Benfield, was at Tanjore, when the Nabob threatened a second visit. This Comera, servant of Mr. Benfield, was employed in lending money on mortgages. To him the Nabob addressed his Self; through him, he mortgaged to Mr. Benfield some districts, which had been formerly mortgaged to the Nabob; and obtained from Comera bills on his master Mr. Benfield payable at Madras for the twelve lacs which by the treaty of 1771 were still to be paid. But it was not the intention of the Nabob to receive this last instalment. His confidence in the servants of the Company was increased. And he now determined at all events to get possession of Tanjore. He therefore sent for the dubash, and by proper application, prevailed on him to deny that he gave the draughts: by proper applications he raised unexpected scruples in the breast of the delicate Mr. Benfield. Though he now avows that he has mortgages to a considerable amount in the Tanjore country; yet then, in a more enlightened moment, he discovered that it was his duty, as a servant obedient to the orders of the Company, to reject any proposal of lending money on mortgages. He does not indeed deny that the bills were drawn on him: he allows them to have been drawn, and actually sent to the Nabob: so far he contradicts his agent. But he seems not to know who it was that drew them. His own servant, Comera, dwindles, in his account, into an undescribable creature without a name; a black man to the southward, with whom the virtuous Mr. Benfield had indeed some mercantile concerns. In this statement, the fact of the drawing of the bills, and of their not being accepted by Mr. Benfield, are established. For the remaining points we have only the authority of the writer, and the mode of

gaining a delicate point at Madras; the writer, it is to be remembered, a partisan; but the mode of gaining points at Madras, notorious, habitual, and altogether concordant with the assertion.

[1]Papers, ut supra, p. 1177. The tone of the Rajah's letter is indisputable; his assertions with regard to matters of fact are as much, or rather as little valuable, as those of the Nabob.

[1]Papers, ut supra, p. 1197–1218. In giving an account, the next day, of the capture of the place, the English General writes to the Presidency: "The situation of the Rajah is truly pitiable, and likewise Monajee's (the Generalissimo); I do therefore hope, as the place has fallen by the English arms, that the Honourable Board will exert their influence with his Highness, that those prisoners may be treated agreeable to the rank they once held in this country." Ibid. p. 1218.

[1]Consultation of the Governor and Council, 23d Sept. 1773; Papers, ut supra, p. 1226.

[2]Vide supra, p. 81.

[1]Papers ut supra, p. 1226, 1273, 1276, 1281, 1290, 1333, 1361.

[2]Ibid. p. 1236.

[3]Ibid. p. 1336.

[1]Hist. and Management of the E. I. C. ch. viii,

[1]General Letter to Fort St. George, 12 April, 1775; Papers, ut supra, p. 145.

[2]Ibid, p. 146–149.

[3]Ibid. p. 150, 151.

[1]General Letter to Fort St. George, 12th April, 1775, Papers ut supra, p. 153–159.

[1]Lord Pigot's Narrative, &c.; Defence of Lord Pigot, p. 33.

[1]In examining afterwards the conduct of the parties, a question was raised about the time of this resolution to arrest Lord Pigot. It appeared to have been taken, before the violence of Lord Pigot, in suspending the whole of the majority, and ordering the arrest of Sir Robert Fletcher. But the affidavits of the parties, who were prosecuted in England for the imprisonment of Lord Pigot, and which affidavits were not contradicted, affirmed, that the figure 8 indistinctly written and mistaken for 3, had been the source of the error; and that 8 o'clock, and not 3 p.m. was the time at which the resolution of the majority was taken.

[1]Admiral Pigot declared, in the House of Commons, that his brother had been offered ten lacs of pagodas, and afterwards fifteen, a bribe, amounting to about

600,000*l.* of English money, only to defer, and that for a short and specified time, the reinstatement of the Rajah. See Parliamentary History, for the 16th of April, 1779, and Dodsley's Annual Register, xxii.

[1]See their affidavit, Howell's State Trials, xxi. 1236.

[1]Second Report of the Committee of Secrecy, 1781; and Parliamentary History, 1777, 1779, 1780; State of Facts relative to Tanjore, printed for Cadell, 1777; Tanjore Papers, printed for Cadell, 1777; Lord Pigot's Narrative, with Notes of Mr. Dalrymple, &c.; Defence of Lord Pigot, drawn up by Mr. Lind; Case of the President and Council, fairly stated, &c. Almon, 1777; Proceedings against George Stratton and others (in Howell's State Trials, vol. xxi.); Hist. and Management of the East India Company; Considerations on the Conquest of Tanjore, and the Restoration of the Rajah. The two last, both by the agents of the Nabob, were published by Cadell, in 1777. Genuine Memoirs of Asiaticus, in a series of letters to a friend, during five years residence in different parts of India, three of which were spent in the service of the Nabob of Arcot. By Philip Dormer Stanhope, Esq. p. 123–142.

[1]Parliamentary History, vol. xx.; Howell's State Trials, vol. xxi.

[1]Fifth Report of the Committee of the House of Commous, 1810; Second Report, Committee of Secrecy, 1781. App. No. 153.

[1]Second Report, Committee of Secrecy, 1781; Appendix, No. 153.

[1]Second Report, Committee of Secrecy, 1781; p. 16.

[2]See Letter of 10th of January, 1781, quoted above.

[3]Third report, Committee of Secrecy, 1781, p. 13, 14. Twelfth Resolution of Mr. Dundas, moved in the House of Commons, 25th April, 1782.

[1]Second Report, ut supra, p. 21, 22.

[1]These transactions are minutely detailed in the Second and Third Reports of the Committee of Secrecy, 1781; in the Appendixes to which the official documents are to be found.

[1]First and Second Reports of the Committee of Secrecy; also the Annual Register for 1779 and 1782.

[1]First Report, ut supra, p. 36.

[1]Lord Macleod was the commanding officer of the European regiment which had lately arrived. See the extract of his Letter to the Secretary of State, quoted in the First Report of the Secret Committee p. 44 and 51.

[1]Captain Cosby, in his official letter, dated Gingee, 5th September, 1780, says, "There is no doubt but that Hyder has, by some means, greatly attached the

inhabitants to him, insomuch that my hircarrahs (*spies*) tell me, the news of my marching from Thiagar was communicated from village to village all the way to Trinomallee, from whence expresses were sent to Hyder; and in my march yesterday from Tricaloor, the country being extremely woody, the line was several times fired upon by match-lock fellows collected together, I suppose, from different villages, by Hyder's Amuldars. Some of them, till my approach, were issuing orders six miles from this." First Report, ut supra, Appendix, No.3.

[1]184 European infantry, 294 artillery, 3,434 sepoys, thirty-two field pieces, four heavy cannon, and five mortars.

[1]See "A Narrative of the Captivity and Sufferings of the Officers, Soldiers, and Sepoys, who fell into the Hands of Hyder Ali, after the Battle of Conjeveram, September 10, 1780; by an officer of Colonel Baillie's Detachment." It forms the second volume of the work entitled, "Memoirs of the late War in Asia," published by Murray, in 1788. N. B. Before reading the proof of this sheet, I have had the advantage of perusing the account of the same action in the second volume (not yet published) of "Historical Sketches, &c. by Colonel Wilks." The account in the text is taken from the journal of one eye-witness. Colonel Wilks gives an account from that of another, much less favourable to the detachment and its commander. According to the authority of Colonel Wilks a series of military blunders, and not much of mental collectedness, marked the conduct of the leader; and no little confusion and panic appeared among the men. Which account are we to believe? Why this; that when proof is balanced, it is always more probable that men have acted like ordinary men, than that they have acted like heroes.

[1]For the original documents relative to this irruption, see First Report, ut supra, with its Appendix. In "Memoirs of the late War in Asia," i. 134–168, besides the concomitant transactions, is a narrative of the transactions of Baillie's detachment, from the information of an officer who belonged to it. The Annual Register for 1782 contains a tolerable account, chiefly drawn from the Parliamentary Reports.

[1]Second Report of the Committee of Secrecy.

[1]First Report, ut supra, and Appendix, No. 17; Sixth Report ditto, p. 99, and Appendix, No. 294 to 305.

[1]See the Fourth Report of the Committee of Secrecy, p. 6, where it appears to have been distinctly announced, by the Governor and Council, on the 19th January, 1779, that their resources were unequal, even to their peace establishment, much more to make any preparations for war.

[1]In his representation, the General stated it as a known fact, that they had not only Hyder, but the whole Carnatic, for enemies; and, therefore, not assistance, but obstruction, to expect in every part of the march: one of the Nabob's renters having endeavoured to betray Vellore to the enemy, be had ordered him, he said, into irons; hoping, "that he might be instrumental to the discovery of those dark designs, which

he had long suspected to exist in the court of a uative power, living under the very walls of our garrison at Fort St. George."

[1]For the materials of this war with Hyder, up to the present date, the most important sources are the First, Second, Third, and Sixth Reports of the Committee of Secrecy, in 1781. Of the military transactions, narratives of considerable value are to be found in the Annual Register; Robson's Life of Hyder Ali; and the publication entitled, Memoirs of the late war in Asia. For part of this campaign, see also Barrow's Life of Lord Macartney. To the pages of Colonel Wilks, I can now only refer, not having had the opportunity of availing myself of his lights, till what I had written could not be conveniently altered. Where my facts stand upon the authority of public records, I conceive, in the few instances in which we differ, that I approximate to the truth more nearly than he. To my other authorities I should have preferred him; though it is a grievous defect, that he so rarely tells us the source from which he derives his information; and though I repose no great confidence in the vague censures, and still more vague eulogies, in which he has indulged.

[1]Some Account of the Public Life of the Earl of Macartney, by John Barrow, F. R. S. i. 67–109; Annual Register for 1782.

[1]Letter of Gov.-Gen, and Council, Feb. 26, 1781.

[1]In a letter to a private friend, at the time, his Lordship says; "I never retort any sharp expression which may occur in his letters. In fact, I court him like a mistress, and humour him like a child; but with all this I have a most sincere regard for him, and honour him highly. But I am truly grieved at heart to see a man of his military reputation, at his time of life, made miserable by those who ought to make him happy, and from a great public character worked into the little instrument of private malignity and disappointed avarice. All, however, has been, and shall be, good humour, and good breeding, on my part." Extract of a letter to Mr. Macpherson, dated Fort St. George.

[1]Barrow's Life of Lord Macartney, i. 109–117; Wilks's Historical Sketches, ch. xxiii; Memoirs of the late War in Asia, i.231–234.

[1]That Port Praya, belonging to the Portuguese, was a neutral harbour, but little affected the delicacy of the French, though the English observed the punctilio of reserving their fire till attacked.

[1]The author of Histoire de la Cerniere Guerre (p. 297) says about 3000; but, that was, including a regiment of Caffres.

[1]Memoirs of the late War in Asia, i. 403, which, being an undistinguishing panegyric upon Hastings, takes part against Macartney.

[1]It is said that two of the French line of battle ships struck during the action, but that Suffrein fired into them, till they hoisted colours again; and in consequence were saved.

[1]Barrow's Life of Lord Macartney, i. 122.

[1]The violence of the tendency there was to calumniate Lord Macartney is witnessed by the absurd allegations which even found their way into publications in England; that he kept the grain on board the ships to make his profit out of its engrossment. See Memoirs of the late War in Asia, i. 413.

[1]See Annual Register for 1783; and "A Vindication of the Conduct of the English Forces employed in the late War, under the command of Brigadier-General Matthews, against the Nabob Tippoo Sultaun," by sundry Officers of the Bombay establishment. Parliamentary Papers, ordered to be printed, 11th March, 1791.

[1]Fullarton's View of the English Interests in India, p. 139.

[1]For a very interesting detail of the defence of Onore, which was maintained with consummate ability and heroism, by Captain Torriano, till the conclusion of the treaty, see Forbes's Oriental Memoirs, iv. 111 to 175.

[1]For the narrative of the preceding events, have been explored, and confronted, Papers presented to the House of Commons, pursuant to their orders of the 9th of February, 1803, regarding the affairs of the Carnatic, vol. ii.; Barrow's Macartney, i. 109–232; Memoirs of the late War in Asia, i. 231–236, 252–286, and 403–512; A View of the English Interests in India, by William Fullarton, M.P.p. 68–195; Annual Register for 1782 and 1783; the Collection of Treaties and Engagements with the native Princes of India; and the Sixth Report of the Committee of Secrecy of 1782. The recent narrative of Colonel Wilks, drawn up under the advantages of peculiar knowledge, affords me the satisfaction of perceiving, that there is no material fact which my former authorities had not enabled me to state and to comprehend.

[1]Supplement to the First Report of the Committee of Secresy, 1782, p. 8, 9; and the Sixth ditto, p. 118.

[1]Memoirs of the late War in Asia, i. 429.

[1]Papers presented to the House of Commons, ut supra; Barrow's Life of the Earl of Macartney, i. 180 and 233.

[1]Barrow's Life of Macartney, i. 232–238; Papers presented to the House of Commons, ut supra.

[1]See Goddard's Letter to the Select Committee of Bombay, dated 24th August, 1780, Sixth Report of the Committee of Secrecy, ut supra, p. 111 and 112. See also p. 89 and 90, with the Appendix, No. 256, for details of the extreme poverty and necessities of the Presidency, "necessities," they say, "now pressing to a degree never before experienced."

[1]Sixth Report, ut supra, p. 101, 102, 103. In a letter to General Goddard, under date 20th April, 1780, the Supreme Council wrote, "Our resources are no longer equal to the payment of your army." In another, dated 15th May, they warned the Bombay

Presidency against any reliance on continued supply from Bengal, "as neither their resources, nor the currency of the provinces, would endure a continuance of the vast drains," &c. In a minute of the Governor General on the 28th of August, he said, "Our expenses have been increasing; our means declining. And it is now a painful duty imposed upon me, to propose, that we should again have recourse to the means of supplying our growing wants, by taking up money at interest. The sum I do not propose, because I think it should not be limited."

[1]Sixth Report of the Committee of Secrecy, 1782, p. 100–113, with the official documents, in its voluminous appendix.

[1]"Difficulties beyond conception," they are called by Mr. Hastings. See his "Answer to the Fourteenth Charge."

[1]Mr. Hastings' Answer, before the House of Commons, on the Fourteenth Charge.

[1]Hastings' Answer, ut supra; A retrospective View, and Consideration of India Affairs; particularly of the Transactions of the Mahratta War, from its commencement to the month of October, 1782, p. 72. The author of this short narrative has evidently enjoyed the advantage of access to the records of the Bombay government. Some particulars have been gleaned in the "Memoirs of the late War in Asia." See also the copy of the Treaty with Scindia, in the Collection of Treaties, with the Princes of Asia, printed by the E. I. C. in 1812, p. 97.

[1]They created fee-fed offices, and had the patronage of them; this class of impure motives was not therefore destroyed.

[2]Mr. George Rous, Counsel to the East India Company, in the report which he made to the Directors upon the documents relative to this business submitted to him in 1780, says: "It is remarkable, that the judges on the one hand, and the Council on the other, were perfectly unanimous, in every measure taken throughout this unhappy contention. This fact will lead a candid mind to look for the source of this contention, not in the temper of individuals, but in the peculiarity of their situation. In no country of which I have read, did two powers, like these, ever subsist distinct and independent of each other." See Report of the Committee of the House of Commons in 1781, on the petitions relative to the administration of justice in India, of Touchet and others, of Hastings, and the other members of the Supreme Council, and of the East India Company, General Appendix, No. 39.

[1]See the description of the horrid gaol of Calcutta, in the First Report of the Select Committee in 1782; see also vol. iii. p. 149.

[1]See the evidence of Mr. Ewan Law, Report of the Committee on Touchet's Petition, &c. p. 19.

[1]The following is an amusing instance. The Provincial Council of Dacca, the grand administrative and judicative organ of government, for a great province, is thus treated: "Who are the Provincial Chief and Council of Dacca?…. They are no *Corporation* in the eye of the law…. The Chief and Provincial Council of Dacca is an

ideal body…. A man might as well say that he was commanded by the King of the Fairies, as by the Provincial Council of Dacca; because the law knows no such body." Argument and Judgment of Mr. Justice Le Maistre, on the return to Seroopchund's Habeas Corpus. Report, ut supra, General Appendix, No. 9. See for another specimen, equally beautiful, a few pages onwards, the maxim *Delegatus non potest delegare.*

[1]See vol. iii. p. 470, for the rank which was assigned to this, in the Catalogue of Provisions for giving to the people of India the benefits of law. From the first arrival of the Judges of the Supreme Court, the Court of Sudder Duannee Adaulut never acted; and for all that number of years, which intervened till a new regulation, nothing was provided to supply its place. A correspondence on the subject between the Council and the Supreme Court took place in the year 1775. The Court said, that the Councils had a right to receive appeals in all cases in which the Provincial Councils had a *legal* jurisdiction. This the Council treated as a denial of any right at all: as the Court, by not telling what they meant by "legal," and reserving to themselves a right of deciding, without rule, on each case which occurred, had the power of deciding just as they pleased.

[1]This decision greatly increased the alarm among the farmers and other landholders. In the province of Bahar they joined in a petition to the Governor and Council, praying for protection against the process of the Supreme Court, or if that could not be granted, for leave to relmquish their farms, that they might retire into another country. Report, ut supra, p. 8, Patna Appendix, No. 14.

[1]In Chancery for example; when cases are referred by the Chancellor to the Master; when commissions are issued to examine witnesses, &c. in the common law courts, when cases are sent to arbitration, &c.

[1]In the judicial investigation, all the chicanery which two of its fruitful sources, the formalities about notice, and the rules of evidence, could supply, was played off, with decisive effect, upon the defendants. Mr. Rous, in his Report quoted above, says, "When they attempted to mitigate the damages, by showing the circumstances, they were embarrassed by the *defects of their notice;* afterwards by the rules of evidence. Particularly, they were not able to prove the personal delegation of an authority to act for her, by a woman of rank, who could not appear without disgrace; the public acts of her nearest relations in the house being rejected as no legal evidence of her consent. With this defect fell the whole of the exculpation. Lesser difficulties arose from *some* papers not being translated; *others* being fair copies, when the foul draughts were the originals." Patna App. No. 39. The Patna Appendix is a rich mine of information respecting the beauties of English law.

[1]i. e. the nephew.

[2]The Governor-General, though, in his opinion, the examination of witnesses was a part of the procedure which the Council should not have delegated, not only affirmed the power of delegation, but his conviction of the justice of the decision to which, in this case, the Council had come. See his letter to Mr. Law, Patna App. No. 7.

[1]Report, ut supra, p. 24.

[1]See a very important Letter from the Governor-General and Council to the Court of Directors, dated Fort William, 25th January, 1780, Report, ut supra, General Appendix, No. 13.

[1]The substance of this is not denied by the Chief Justice. He only dwells upon the resistance which was offered. See his Letter to Lord Weymouth, Cossijurah Appendix, No. 26.

[1]Report of Mr. Rous, ut supra.

[1]Report, ut supra, Letter from Sir Elijah Impey to Lord Weymouth, 2d March, 1780.

[1]Some opinion may be formed of the sort of faith with which the defence of the Judge was drawn up, by the misrepresentation which he made of facts. He thus describes the circumstances of the Patna case. "A widow of an Omrah of the empire, to whom her husband had, by deeds executed in his life time, given personal effects to the value of some lacs of rupees, and a considerable landed property, was, under pretence that the deeds had been forged, though proof was made to the contrary, plundered and stript of the whole estate, turned out without bed or covering into the public streets, compelled to take refuge in a monument inhabited by fakeers, and to depend upon their charity for subsistence, &c…. This action was likewise brought against *Black Agents,* whom the Council at Patna had, contrary to their original institution, empowered to bear and determine a petition," &c. Ibid. Letter from Sir E. Impey to Lord Weymouth, 26th March, 1779. *"Black Agents"*—this is the *appropriate* name he bestows on the Magistrates and Judges of the highest respectability in the country. *"Hear and determine;"*—this is what he affirms, though he knew that they only collected evidence and reported.

[1]Governor-General's Minute in consultation, 29th September, 1780; See First Report of the Select Committee, 1782, Appendix, No. 3.

[1]For these important proceedings, the Report of the Committee of the House of Commons, to which the petitions respecting the administration of justice in Bengal were referred; and the First Report of the Select Committee of 1781, with the ample documents contained in their voluminous appendixes, have been laboriously consulted. See also The Speech of Sir Elijah Impey delivered at the bar of the House of Commons on the 6th day of February, 1788, with the documents printed in the Appendix; though this defence refers almost solely to the conduct of the Chief Justice in the trial and execution of Nuncomar. See also Colebrooke's Supplement, p. 14, 23, 128; and the Fifth Report from the Select Committee on India affairs, in 1810, p. 8 and 9.

[1]Fifth Report of the Select Committee in 1810; Second Report of the Select Committee in 1781.

[1]The official documents are found in the Appendix, Sixth Report of the Select Committee, 1782: and in the papers printed for the House of Commons, on the

question of the impeachment. See too the Fifteenth article of Charge against Hastings, and the answer.

[1]In their Bengal Letter, 26th May, 1768.

[1]Secret Consultations, Fort William, 4th Oct. 1773; Extract of the Governor-General's Report; Second Report of the Select Committee, 1782, p. 12.

[1]Minute in Council of the Governor-General on the twelfth of June, 1775.

[1]Mr. Barwell even went so far, as to record it in his minute as his opinion and desire, that the Rajah should be exempt even from tribute, and rendered in all respects an independent Sovereign. His words are these; "The independence of Gauzeepore (the Rajah's country) on Oude, is a great political object, and ought to be insisted on; and whatever may be resolved respecting the revenue paid by the Rajah of that country, the English government ought not to stand in the same relation to it as the late Vizir, because the country of Benares and Gauzeepore is a natural barrier to these provinces, and the Rajah should have the strongest tie of interest to support our government, in case of any future rupture with the Subah of Oude.—To make this his interest, *he must not be tributary* to the English government; for, from the instant he becomes its tributary, from that moment we may expect him to side against us, and by taking advantage of the troubles and commotions that may arise, attempt to disburthen himself of his pecuniary obligations." Bengal Consultation, 13th Feb. 1775. As a specimen of the changes to which the sentiments of these rulers were liable, compare the words of the Minute of the same Mr. Barwell, not three years and five months afterwards, viz. in his Minute in Council, 9th of July, 1778; "I have *long* regarded the military establishment of Benares, under the Rajah's native officers, as a defect: I therefore most heartily agree to the present proposal for three disciplined battalions to be kept up and paid by the Rajah, and sincerely hope the Company will direct, that the whole force of Benares and Gauzeepore, under the Zemindar, be placed upon the same footing as the regular military force of the Presidency." It is to be observed, that the three battalions were a mere pretence. The Rajah was only required to give money: and the battalions were never raised.

[1]The third paragraph of his Minute in Council, on the 13th of Feb. 1775, was in these words; "The present Rajah of Benares to be confirmed in the Zemindary, which may be perpetuated in the family under a fixed annual tribute, and a fixed fine at each future investiture; the Rajah's authority in his own country to be left full and uncontrouled." And this he further explained in a Minute, dated the 4th of March, in the following words; "In agreeing to the proposed independence of the Rajah of Benares, my meaning was, to adhere strictly to the third paragraph of my Minute of the 13th of February, that the Zemindary may be perpetuated in his family on fixed and unalterable conditions. It is highly for his own advantage, to be considered as a vassal of the Sovereign of these kingdoms, holding a great hereditary fief by a fixed tenure, and acknowledging the Sovereign of Bengal and Bahar to be his lord paramount. Speaking my sentiments without reserve, I must declare, that in settling this article, I took forward to the assertion or acceptance of the sovereighty of these

provinces, *pleno jure,* on the part of his most Gracious Majesty, the King of Great Britain."

[1]What he calls the attempt to wrest from him his authority, was his own refusal to obey the appointment of the Company, when Sir John Clavering was nominated to the place of Governor-General, upon the resignation which Mr. Hastings disowned.

[2]The Governor-General's Narrative of the Transactions at Benares, App. No. 1; Second Report of the Select Committee, 1781.

[1]The expressions in his Minute in Council (9th July, 1778), are these…."wishing to avoid the question of right"…. "I wish to leave the decision of future right to our superiors."

[1]For the circumstances of this present, see Hastings's Answer to Burke's Eighth Charge; the Eleventh Report of the Select Committee, 1781; and the Minutes of the Evidence taken at the Trial of Warren Hastings. These circumstances are remarkable, and characteristic; At first, perfect concealment of the transaction: such measures, however, taken, as may if afterwards necessary appear to imply a design of future disclosure: when concealment becomes difficult and hazardous, then disclosure made The Governor-General, on the 29th of June, offered to apply 23,000*l.,* which, as he described it, *appeared* to be, though *not* asserted to be, money of his own, to the support of the detachment under Colonel Carnac, destined to act in the country of Scindia: Whether the accommodation was meant to be a loan or a gift did not appear. Of the receipt of this money as a present no intimation was made to the Court of Directors before the 29th of November following; when he only alludes to it, but expressly withholds explanation. Stating the reason of mentioning the matter at all to be a desire of "obviating the false conclusions or purposed misrepresentations" which might be made of his offer to defray the expense of Carnac's detachment, as if that offer were "either an artifice of ostentation, or the effect of corrupt influence," he tells them, "that the money, by whatever means it came into his possession, was not his own; that he had himself no right to it, nor would or could have received it, but for the occasion which prompted him to avail himself of the accidental means which were at that instant afforded him, of accepting and converting it to the property and use of the Company." Even here, he represents his converting it to the use of the Company, as a voluntary favour he conferred upon the Company, when the money was in reality the money of the Company, and when every thing received in presents was theirs. He had given no further explanation up to the end of 1783; and the first knowledge obtained in England of the source whence the money was derived, was drawn from Major Scott by the interrogatories of the Select Committee. See Eleventh Report, p. 7.

[1]The payment of this mulet is stated as doubtful, in Burke's Charges; but as it is passed without mention in the Answer, the silence must, in this, as in other cases, be taken for confession.

[1]Governor-General's Narrative, K., supra.

[1]The form of the words was affirmative and negative; the first clause defining that which he was to pay; the latter clause excluding by express declaration whatever was not defined and specified in the former. Ambiguity could not more effectually be excluded. The first clause included his tribute, and nothing else; the latter negatived whatever was not in the first clause, that is, whatever was not his tribute. The words to which reference is always made, are the words of the resolution of the Council. It is true, that the words of the sunnud, which was afterwards actually granted, and which ought to have been exactly correspondent to the words of the resolution, were too indefinite to fix any thing whatsoever in favour of the Rajah. But this is one of the injuries which the Rajah sustained; and cannot be employed to justify the oppression which was grounded upon it: it is on the contrary a heinous fraud, for which the authors were justly accountable. And the words of the resolution ought to be the explanation and the standard of what is left undefined in the sunnud. It is remarkable, that there was a great deal of irregularity, and some suspicious circumstances, in the mode of making out the deeds, and performing the investment. The Rajah objected to the first forms. They were altered. Other forms were adopted. And in the charges against Mr. Hastings, voted by the House of Commons, it is stated, that neither the first set of deeds, nor the second set of deeds, were entered in the records, or transmitted to the Court of Directors. In fact, there is so much of the appearance of improper design in these proceedings, that Mr. Burke scruples not to say, they "give, by that complicated, artificial, and fraudulent management, as well as by his (Mr. Hastings) omitting to record that material document, strong reason to presume that he did even then meditate to make some evil use of the deeds which he thus withheld from the Company, and which he did afterwards in reality make, when he found means and opportunity to effect his evil purpose." The design was, however, probably, no worse than to leave himself a latitude of power with regard to the Rajah. But the indefiniteness of the sunnud very ill agreed with the solicitude expressed in Council by the Governor-General, in 1775, to exempt the Rajah from dependance, and all chance of encroachment on his power. It is also necessary to state, that Mr. Hastings avers he had no concern in making out the sunnuds, or omitting to record them; that these practical operations belonged to the Secretary of the Board, under the superintendance of the majority, of which at this time he was not a part; and that if there was any misconduct, that majority are to answer for it. See his Defence on the Third Charge.

[1]Mr. Francis at the time remarked; "I did, from the first, express a doubt, whether we had strictly a right to increase our demands upon the Rajah beyond the terms which we originally agreed to give him; which he consented to; and which, as I have constantly understood it, were made the fundamental tenure by which he held his Zemindary. If such demands can be increased upon him at the discretion of the superior power, he has no rights; he has no property; or at least he has no security for either. Instead of five lacs, let us demand fifty: whether he refuses, or is unable, to pay the money, the forfeiture of his Zemindary may be the immediate consequence of it, unless he can find means to redeem himself by a new treaty." Minute in Council, 28th September, 1778; Second Report, ut supra, p. 30.

[1]The affidavits, appended to Mr. Hastings' Narrative, instead of proving that any design of rebellion was on foot, prove the contrary; by showing the total want of a

foundation for the pretended suspicions. Much testimony was given in defence to this point on the trial. It amounted however to nothing but a statement of *rumours,* or of *equivocal appearances,* or of the *opinions* of witnesses who believed that which they wished. (See printed Minutes of Evidence on the Benares Charge, p. 1601 to 1616 and 1664–1788.) Lieutenant-Colonel Crabb, on the subject of the reports respecting the disaffection of the Rajah—(after the treatment which he had received, the known existence of a cause for disaffection was very likely to be confounded with the supposed existence of disaffection itself)— was asked by the Select Committee (Second Report, Appendix, No. 11), "Whether there were any circumstances in the Company's situation at that time to consider those reports probable? He said, Not that he knew of; reports were circulated one half hour, and contradicted the next; and no one can trace the origin." Among the alleged proofs, was given, a recent augmentation of his troops; of cavalry, to the amount of 5000; (see the Evidence of Major Fairfax, Report, ut supra, Appendix, No. 15); yet all the horse in his service, when he was obliged to take the field, amounted only to about 2000; see Hastings' Narrative, ut supra, Dd. The same sort of suspicions, and the same sort of reports, existed against the Nabob of Oude; and with more probability, and with more danger, because he had greater power. The Governor-General himself says, "I had received several intimations, imputing evil designs to the Nabob, and warning me to guard myself against them, and especially be careful that I did not expose myself to the effects of concealed treachery, by visiting him without a strong guard. Many circumstances favoured this suspicion. No sooner had the rebellion of this Zemindary (Benares) manifested itself, than its contagion instantly flew to Fyzabad—and the extensive territory lying on the north of the river Dewa, and known by the names of Goorucpoor and Bareech. In the city of Fyzabad, the mother and grandmother of the Nabob openly espoused the party of Cheyte Sing, encouraging and inviting people to enlist for his service, and their servants took up arms against the English. Two battalions of regular sepoys in the Vizir's service, under the command of Lieutenant-Colonel Hannay, who had been entrusted with the charge of that district, were attacked and surrounded in various places, many of them cut to pieces, and Colonel Hannay himself, encompassed by multitudes, narrowly escaped the same fate. The Nabob Vizir was charged with being privy to the intrigues which had produced and fomented those disturbances; and the little account that he seemed to make of them served to countenance the suspicion." (Narrative, ut supra, Cc.)

[1]What was the condition of the Zemindars of the province of Benares, whose obedience as subjects was due to Cheyte Sing? The fact is, that nothing was so indefinite as the title of Zemindar. Mr. Hastings himself says, "The expulsion of Cheyte Sing was indisputably a *revolution.* I have always called it so." A revolution, consisting in the mere change of a land-renter, removeable at pleasure! It is curious to contrast the words of Mr. Hastings's own agent, Major Scott, who had occasion to exalt the situation of the Rajah: "Mr. Fowke, as Resident at Benares, appears to him, and certainly is, as an ambassador at a foreign though dependant court; From that Rajah, the Company receive 300,000*l.* sterling a year: Benares is the seat of politics; vackeels, or ambassadors, from every power in India reside constantly there." Evidence of Major Scott, in the Fifth Report (p. 7) of the Select Committee, 1781. Yet no small portion of the evidence adduced for the defence on Mr. Hastings's trial went to prove that the Rajah was a mere Zemindar. Vide Minutes of Evidence, ut supra.

[1]Vide Minutes of Evidence on the Trial, p. 1601.

[1]Governor-General's Narrative, ut supra, O. No. 1.

[2]See the evidence of Lieutenant Colonel Crabb, Second Report, ut supra, Appendix, No. 11. Observe the words of Mr. Hastings himself: "The treachery of Rajah Cheyte Sing has compelled me to retreat to this place, where I wait to reduce this Zemindary; *a work I trust of no great difficulty or time*…. Troops are assembling daily, *to which he can afford no opposition.*" Governor-General's Letter to Colonel Muir, dated Chunargur, 29th August, 1781, ut supra, No. 4. Evidence was adduced on the trial, however, to prove this point with the rest. Vide Minutes, ut supra, on the Banares charge.

[1]Mr. Hastings represented his animosity as inflamed by the danger, to which the detachment of Colonel Carnac in Scindia's country was exposed. The money expected from the Rajah was, according to the statement of Mr. Hastings, destined to that service. But, in the first place, Mr. Hastings was inexcusable, if he left the subsistence of an army, in a dangerous situation, to depend upon a supply which he knew to be precarious. Besides, it is, by the Select Committee, in their Second Report, shown, from a comparison of the dates, that the distress of the army was not an effect of delay in the payments of the Rajah. And it is still further shown by that Committee in their Eleventh Report, that the present of two lacs of rupees (23,000l. sterling), which the Governor-General took from the Rajah, he actually proposed to the Council on the 26th of June, 1780, to employ, (not representing it as money not his own) in supporting the detachment under Carnac. The following are a few of the words of the Committee. "If the cause of Colonel Carnac's failure had been true, as to the sum which was the object of the public demand, the failure could not be attributed to the Rajah, when he had on the instant privately furnished at least 23,000l. to Mr. Hastings; that is, furnished the identical money which he tells us (but carefully concealing the name of the giver) he had from the beginning destined, as he afterwards publicly offered, for this very expedition of Colonel Carnac's. The complication of fraud and cruelty in this transaction admits of few parallels. Mr. Hastings, at the Council Board of Bengal, displays himself as a zealous servant of the Company, bountifully giving from his own fortune; and in his letter to the Directors (as he says himself), as going out of the ordinary roads for their advantage; and all this on the credit of supplies, derived from the gift of a man, whom he treats with the utmost severity, and whom he accuses, in this particular, of disaffection to the Company's cause and interests." Ibid. p. 7.

[1]Report on the petition of Touchot, &c. p. 56. And the Governor-General himself, in his Minute in Council, 12th of June, 1775, declared that the Zemindary of the Rajah consisted of "as rich and well cultivated a territory as any district, perhaps, of the same extent in India."

[2]Appended to his Narrative.

[1]The Rajah asserted, and Mr. Hastings has no where contradicted, that the provocation was given by the violence and insolence of the English and their agents.

But his assertion, unless supported by circumstances, should not in such a case go far towards proof.

[2]Narrative, ut supra.

[1]See his letter to Mr. Wheler, Appendix to his Narrative, No. 127.

[1]The allegation, though it was possible that it might not be true, was at any rate highly probable. What he took away, Mr. Hastings describes in the following pompous terms; “As much treasure as his elephants and camels could carry, which is reported to me to have consisted of one lac of mohrs, and fifteen or sixteen of silver, besides jewels to an unknown amount.” There could be no reason for his leaving behind any part of what belonged to him. “If he took as much as his elephants and camels could carry;” and if it amounted only to what the Governor-General is pleased to represent, the Rajah must have been badly provided with beasts of burthen. As the value of his jewels was “unknown,” that is to say, no estimate was put upon them by rumour, it was probably known to be small; since rumour seldom fails to give a name to the amount of any portion of wealth, which, from its magnitude, it is led to admire. Besides, it has never been found, when the exaggerations of the fancy were suppressed, by the real discovery of the facts; that the value of the jewels of these eastern princes was very great. And, moreover, the Rajah of Benares was but a petty Prince; according to Mr. Hastings, a mere middle man, for collecting the Company’s rents; no prince at all; and, therefore, could have had no great superfluity of wealth to bestow upon jewels. Over and above all which, his family had enjoyed their state only for some years of his father’s life, and five or six of his own. But any great accumulation of jewels in any family was seldom the purchase of a few years, but the collection of several generations. And still further, it is to be considered, that neither the Rajah nor his father had ever enjoyed the whole of their revenues; but had always paid a large tribute, either to the Nabob of Oude, or to the English; and were subject moreover to the drain, both of wars and of exactions. It ought likewise to be taken into the account, that they had contented themselves with moderate imposts upon the people, who were rich; that is, had never been oppressed by rents severely screwed up. It is further evident, that if the Rajah had carried much wealth away with him, it must have somewhere afterwards appeared.

[1]It is remarkable, that of the inferences which are drawn from this letter, by Mr. Burke, in his Third Article of Charge, no notice whatsoever is taken by Mr. Hastings, in his Answer to that Charge, or indeed of any thing relative to the surrender of Bidgegur, and the fate of the prize money.

[1]See his Letter, Tenth Report, Select Committee, Appendix, No. 3.

[1]In a letter to the commading officer, without date, but supposed by the Select Committee to have been written early in November (vide Tenth Report, App. No. 3) the Governor-General’s words were still more precise, with regard to the booty. “If she (the Begum) complies, as I expect she will, it will be your part to secure the fort, and the property it contains, for the benefit of yourself and detachment.”

[2]Second Report, ut supra, Appendix, No. 15. “Being asked, whether this was the sole reason? he said, it was. Being asked, whether he did not hear it alleged, that a promise was claimed by the officers from Mr. Hastings, that the prize-money, in the Robilla war, when taken, should be the property of the captors? he said, He never heard of a promise previous to the capture; but he has heard that Mr. Hastings, after the prize-money was divided, promised, that if they would deliver it up, government would distribute it, in the manner they should think most proper.”

[1]On equal grounds might the denial have been set up, that the Company held the dignity of a prince of India. They were not only the subjects of Shah Aulum, but the subjects of the Nabob of Bengal; and, according to the doctrine of Mr. Hastings, “bound by the engagements of fealty, and absolute obedience to every order of the government which they served.” Hear what the Governor-General and Council themselves declare respecting their subordinate relation to that Nabob, in their secret letter (Second Report, ut supra, p. 22), 3d August, 1775. “In the treaties entered into with the late Vizir, in the years 1765, 1770, the Company’s representatives acted, as plenipotentiaries from the Nabob Nujum ul Dowlah, and his successor Syef ul Dowlah.” Hastings’s plan of defence was this: To avail himself of the indefiniteness and uncertainty which surrounded every right, and every condition in India; and out of that to manufacture to himself a right of unbounded despotism. There is one remark, however, to which he is, in justice, entitled; that this indefiniteness, and the latitude of authority, the exercise of which was, in the practice of the country, never bounded by any thing but power, constituted a snare into which it was very difficult not to fall. It is also to be remembered that it is one thing to act under the casual and imperfect information of the moment of action, agitated by the passions which the circumstances themselves produce; and a very different thing to sit in judgment upon those acts, at a future period, when all the evidence is fully before us, illustrated by the events which followed, and when we are entirely free from the disturbance of the passions which the scenes themselves excite. It is the business of history, to exhibit actions as they really are; but the candid and just will make all the allowance for the actors, of which the case will admit. With regard to Mr. Hastings, it ought to be allowed, that the difficulties under which he acted were very great; and might be expected to betray any but a very extraordinary man into expedients for relief which would not always bear examination. Mr. Hastings deserves no hypocritical tenderness with regard to the instances in which he violated the rules of justice or of policy; but he deserves credit, in considerable, and perhaps a large degree, for having, in his situation, violated them so rarely.

[1]Vide supra, p. 330–40.

[2]The official documents relative to this passage of the history of India are found, in a most voluminous state, in those parts of the Minutes of evidence on Mr. Hastings’s Trial, which relate to the Benares Charge; in the Second Report of the Select Committee of the House of Commons, (1781) and its Appendix; in the Third of the Articles of Charge, and Answer to it, with the Papers called for by the House of Commons to elucidate that part of the accusation.

[1]The letter of instructions of the Governor-General to Col. Muir says, “We are under no engagements to protect the present dominions of the King, or those of Nudjiff Khan, and the Rajah of Jaynagur; and if peace is settled betwixt Madajee Scindia and us, I do not desire that he should be restrained in carrying into execution any plans which he may have formed against them; at the same time, I think it necessary to caution you against inserting any thing in the treaty, which may expressly mark either our knowledge of his views or concurrence in them. It will be sufficient for us (and Scindia ought to be satisfied with the latitude implied in it) if he is only restricted in the treaty from making encroachments on our own territory and those of our allies.” Second Report, ut supra, App. No. I. By the way, we may here remark, how enormous a difference exists, between the obligations of fealty which Mr. Hastings imposed upon himself (as representative of the Company) towards his undoubted Sovereign the Mogul; and the obligations which, as supposed sovereigu of Cheyte Sing, he exacted (on the same ground) from that unfortunate chief. Vide supra, p. 356.

[1]In the twentieth article of charge, we have Mr. Burke’s view of the case. He says, that Mr. Hastings did wish to engage with the Mahrattas in a plan for the conquest and partition of Mysore; that in order to carry this point, he exposed the negotiation to many difficulties and delays; that the Mahrattas, who were bound by an engagement with Hyder to make no peace with the English in which he was not included, pleaded this sacred obligation; but Hastings undertook to instruct even the Mahrattas in the arts of crooked faith by showing how they might adhere to the forms of their engagement, while they violated the substance; and what is most heinous of all, that Hastings, having effected the assent of the Mahrattas to the article which is inserted in the treaty, and led by his desire of conquest, opposed obstructions to the conclusion of a peace with the son and successor of Hyder Ali; that it was for this reason he endeavoured to bind the hands of the Presidency of Fort St. George, by withholding his authority from the negotiation; and that it was not till after a long experience of the total absence of any intention on the part of the Mahrattas, to engage with him in his schemes upon Mysore, and till he was assured of the fact by his agent at the court of Scindia, that his late and reluctant assent to the negotiation was obtained; and that, after the peace was concluded, and ratified by the Supreme Council, from which, he was absent, and of which, by reason of his absence, he formed not a part, he endeavoured to break it, or at least exposed it wantonly to the greatest danger of being broken, by insisting that its formal conclusion and ratification should be of non effect, and that it should be opened again for the purpose of inserting the useless, if not mischievous, formality of an article, admitting as a party the Nabob of Arcot. These imputations receive all the confirmation conveyed by an answer, which, passing them over in silence, appears to admit them.

[1]Even the pay of the troops was, every where, four and five months in arrear.

[1]The Minute in which the Governor-General introduced the subject of his journey to the upper provinces, begins in these words; “The province of Oude having fallen into a state of great disorder and confusion, its resources being in an extraordinary degree diminished, and the Nabob Asoph ul Dowla,” &c. Tenth Report of the Select Committee in 1781, App. No. 2.

[2]Letter of Directors to the Governor-General and Council, dated 15th December, 1775.

[1]Stated by the resident, in his letter, dated 13th December, 1779, to amount to twenty-five lacs, 250,000*l.*

[2]150,000*l.*

[1]Tenth Report, ut supra, Appendix, No. 7.

[1]The words which follow sufficiently indicate the species of companions which be meant: "I forbear to expatiate further on his character; it is sufficient that I am understood by the Members of the Board, who must know the truth of my allusions." Lord Thurlow, the friend of Hastings, and his fierce defender on his trial, speaks out plainly, and calls them, without reserve, the instruments of an unnatural passion. See "Debates in the House of Lords, on the Evidence delivered at the Trial of Warren Hastings," &c.; a quarto volume got up by Mr. Hastings, and distributed to his friends, but never published.

[2]Tenth Report, ut supra, Appendix, No. 7.

[1]Extract of Bengal Consultations, 15th December, 1779; Tenth Report, ut supra, Appendix, No. 7.

[2]His words are these, "As no period was stipulated for the continuance of the temporary brigade, or of the troops which are to supply their place in his service, nor any mode prescribed for withdrawing them; the time and mode of withdrawing them must be guided by such rules, as necessity, and the common interests of both parties, shall dictate. These, either he must prescribe, or ourselves. If we cannot agree upon them, in such a division, the strongest must decide." Ibid.

[1]It would be very curious, if the Governor-General at the commencement of the year 1780, was totally ignorant of the rain of the Nabob's finances; and in eighteen months afterwards, viz. at the time of his journey to the upper provinces, was so convinced of that rain, as to make it the principal ground of the extraordinary procedure which he adopted, when he, allowing the inability to be real, removed the brigade and other objects of complaint.

[2]Extract of Bengal Consultations, 15th December, 1779; Tenth Report, ut supra, Appendix, No. 7.

[1]See page 372, where it appears that Hastings, little more than a year before, treated as *incendiaries,* and threatened with punishment, those advisers, by whose suggestion he deemed it proper to assume that the Nabob implored the relief which was now granted, and so much as stated those sufferings of the country which the Governor-General now held studiously up to view. To threaten to punish the representation of grievances, as Burke justly on this passage remarks, is to endeavour to obstruct one of the most sacred duties of a dependant prince, and of his advisers; a duty in the highest degree useful both to the people who suffer, and to the governing power. It affords a

curious moral spectacle to compare the minutes and letters of the Governor-General, when maintaining, at the beginning of the year 1780, the propriety of compelling the Nabob to sustain the whole of the burthen imposed upon him; and his minutes, and letters, when maintaining the propriety of relieving him from these burthens in 1781: The arguments and facts adduced on the one occasion, as well as the conclusion, are in flat contradiction to those exhibited on the other. See the Documents in the Second and Tenth Reports, ut supra; printed also for the House of Commons on the 16th of Burke's Charges: and in the Minutes of Evidence on the Trial.

[1]To enable the Nabob, "to discharge his debt to the Company in the shortest time possible," that is, to get money from him; "and to prevent his alliance from being a clog instead of an aid;" that is, costing money, instead of yielding it, is declared by the Governor-General to have been "the chief object in his negotiations with the Nabob." Letter to Mr. Middleton, 23d September, 1781.

[1]Mr. Middleton's Letter to Gov.-Gen. and Council, dated Fyzabad, 3d Feb. 1778. Report, ut supra.

[2]The members were, Mr. Hastings, Mr. Barwell, Mr. Francis, Mr. Wheler.

[1]Report, ut supra. The documents to which reference is here made, were all reprinted, both in the papers called for by the House of Commons, and in the Minutes of Evidence, taken at the Trial in West-minister Hall.

[1]See Minutes of Evidence at the Trial, p. 622 to 651 and 838 to 848.

[1]Contumely to the Nabob's officers was no new thing with the Begums; nor ever treated as rebellion till it suited the Governor-General. In January, 1776, when the Begum was complaining to the English government, and when it was affording her protection, the Resident in Oude writes to the Governor-General and Council: "In making this complaint, the Begum forgets the improper conduct of her own servants, who have hitherto preserved a total independence of the Nabob's authority; beat the officers of his government; and refused obedience to his Perwannabs." Minutes, ut supra, p. 2048.

[1]Minutes, ut supra, p. 259, 261.

[2]Ibid. p. 381–390.

[1]Minutes, ut supra, p. 391. See to the same purpose the evidence of Colonel Achmuty, p. 783.

[1]Minutes, ut supra, p. 778, 782. Of the insurrections one principal part at least was occasioned by indignation at the confinement of a great number of persons in the Fort of Goruckpore, followed by a design to effect their rescue. See Minutes, ut supra, p. 1963, where a letter of Colonel Hannay's is acknowledged, to the officers on the spot, stating that the release of those prisoners would quiet the country. See the Cross Examination of Captain Williams, throughout, Ibid. p. 1935–1966.

[2]I bid. p. 390, 391.

[3]Ibid. p. 1909–2008.

[1]Minutes, ut supra, p. 660.

[1]Minutes, ut supra, p. 777.

[1]See Minutes of Evidence for the Prosecution, p. 361–951. Do. for the Defence, p. 1823–2008.

[2]According to Mr. Hastings, the Nabob had no objection to plunder the Begums. But he had given jaghires to certain persons, whom Mr. Hastings calls his “Orderlies, and others of that stamp;"…."the companions of his looser hours.” These he wished not to resume; and therefore endeavoured to depart from his engagement of resumption altogether. But the cause appears not sufficient to account for the effect. If he had resumed the jaghires of his orderlies, which were of trifling amount, what would have hindered him from giving them something of equal or greater amount?

[1]Letter to Mr. Hastings, dated 9th of Dec. 1781. Notwithstanding these, and the numerous other proofs, that Hastings was well aware of the reluctance of the Nabob, to proceed to the acts by which his parents were plundered, Hastings, when it suited his purpose to put on the show of a wonderful tenderness for the Nabob, wrote to his private agent, Major Palmer, viz. on the 6th of May, 1783, “that it had been a matter of equal surprise and concern to him to learn from the letters of the resident, that the Nabob Vizir was with difficulty, and almost unconquerable reluctance, induced to give his consent to the attachment of the treasure deposited by his father under the charge of the Begum his mother, and to the resumption of her jaghire, and the other jaghires of the individuals of his family:” As if he had never heard of these facts before! Such specimens of Mr. Hastings, as this, meet us often in the records of his government.

[1]As some confusion took place, though much less than what was expected, and the servants and agents of the princesses withheld not some demonstrations of opposition, when the jaghires were taken away; this was called resistance: and Mr. Hastings was willing it should appear, that this was heinous guilt, and that only in punishment of this guilt the resolution of seizing their money was adopted. (See Letter of Governor-General and Council to the Court of Directors, 11th of February, 1782; Tenth Report, ut supra, Appendix No. 5.) He himself, however, has furnished sufficient proof, that the resolution was adopted before the resumption of the jaghires was begun. “It may be necessary,” he says, in his letter dated at Sunagegunah on the Ganges, 23d of January, 1782, “in this place to inform you, that in addition to the resolution of resuming the Begums’ jaghires the Nabob had declared his resolution of reclaiming all the treasures of his family which were in their possession, and to which by the Mahomedan laws he was entitled. This resolution I have strenuously encouraged and supported…. I have required and received the Nabob’s promise, that whatever acquisitions shall be obtained from the issue of these proceedings, it shall be primarily applied to the discharge of the balance actually due from him to the Company.”

(Tenth Report ut supra, Appendix No. 6; and Minutes of Evidence, ut supra, p. 2078.) Before the acquiescence of the Nabob could be procured to the execution of the plan for resuming the jaghires, viz. on the 6th of December, 1781, the Resident writes to Mr. Hastings as follows; "Your pleasure respecting the Begums, I have learnt from Sir Elijah; and the measure heretofore proposed will soon follow the resumption of the jaghires. From both, or indeed from the former alone, I have no doubt of the complete liquidation of the Company's balance." These expressions apply so necessarily to the seizure of the treasures, that they can be applied to nothing else. In another letter to the Governor-General on the following day, the Resident alludes to the same measure in the following terms: "His Excellency talks of going to Fyzabad, for the purpose heretofore mentioned, in three or four days; I wish he may be serious in his intention; and you may rest assured I shall spare no pains to keep him to it." The representation which was made, both in this letter to the Directors, and in the defence which Mr. Hastings first presented to the House of Commons, that the opposition of the Begums to the seizure of their jaghires was the cause on account of which the treasure was forcibly taken away from them, Mr. Hastings in a second defence retracted, affirming that the assertion was a blunder. See this defence, Minutes of Evidence at the Trial, p. 366. It was attempted to account for the blunder, by stating that the first defence was not written, and hardly examined by Mr. Hastings. According to this account, his blood was very cool upon the subject of his accusation, notwithstanding the loud complaints he so frequently preferred of the mental torture which it inflicted upon him.

[1]Letter to the Resident, dated Fyzabad, 5th of December, 1782. See Tenth Report, ut supra, and Minutes of Evidence, ut supra, p. 848, 725; Appendix to 2d Art. of Charge, p. 78, 97, 43, 172.

[2]The removal just before of the Company's agent Mr. Bristow, and the appointment of a private agent of his own, ought constantly to be treated as a ground of suspicion; because it is exactly what a man with rapacious intentions would have performed.

[1]Letter of the Governor-General, Eleventh Report, ut supra, Appendix, C. No. 1. Why he should have wished for his reward out of this, rather than any other portion of the Company's money, at first strikes the mind as obscure. But a very appropriate reason may be supposed. Drawn from any of the known sources of the Company's revenue, the money must have appeared in their accounts, and could not be given to the Governor-General without the consent of the Company at large. The assent of the Directors obtained, the gift of the Nabob might have never appeared in any account, no consent of the Company at large have been sought, and the donation appropriated by the Governor-General without the knowledge of the public.

[2]The complaints against Middleton are exposed to the suspicion of insincerity, 1. by their unreasonableness, 2. by the conformity of the artifice to the character of Mr. Hastings, 3. by its great utility for the interest of his reputation, as well as of his pride and consequence, 4. by the continued and very extraordinary subservience of Middleton, afterwards, to the views of Hastings, notwithstanding the serious injury which he now sustained at his hands.

[1]Letter to Middleton, dated Benares, 1st of January, 1782. Extracts from Papers (in No. 1. vol. 1.) presented to the house of Commons, 13th of March, 1786, p. 52. The Governor-General, showing a keen sensibility to the imputations on his character to which the transactions in Oude exposed him, ("I must desire," said be, "that your letters, upon all official and public subjects, may be official: I cannot receive any as private, and my reputation and character have been too far committed to admit of an intercourse which I cannot use as authority") seemed to think that the success of the measure, the money in hand, would sanctify the means. The rule, he well knew, too generally holds.

[2]Letter from the Governor-General to the Council, dated 23d of January, 1782; Tenth Report, Appendix, No. 6.

[1]Extracts from Papers, ut supra, p. 52, 53; Tenth Report, ut supra, Appendix, No. 6.

[1]"The Nabob's net revenue," (says Mr. Middleton, Defence to the Governor-General and Council; Extracts from Papers in No. 1, vol. ii. presented to the House of Commons, 13th March, 1786, p. 2,) "to my knowledge, never exceeded a crore and a half, but generally fell very short of that sum." The Gov.-Gen. disavowed the demands which were made by his private agent, Palmer, and other remissions took place. Ibid.

[2]Ibid. p. 3.

[1]Governor-General's Minute on Mr. Middleton's Defence, 21st October, 1783. Ibid. p. 11.

[1]Company's General Letter to Bengal, 28th August, 1782; Tenth Report, ut supra, App. No. 8.

[1]See the Minutes of Evidence upon the Benares Charge.

[1]This was too evident to be denied by any body; but it was expressly stated to Fyzoolla Khan by the Vizir, in the letter in which he communicated the demand, that the demand was made by the direction of Mr. Hastings, and "not for his [the Vizir's], but the Company's service." (See the Twenty-second Charge, moved by Mr. Burke.) Mr. Hastings himself says, (see his answer to that charge) "Fyzoolla Khan was under no engagement to furnish us with a single man, *nor did I ever demand a man from him."* True, in sound, as usual with Mr. Hastings; false in substance.

[1]Hastings's Defence on the Charge respecting Fyzoolla Khan.

[2]The Vizir knew the terms of the treaty better; and his letter was before Hastings, in which he admitted that the demand was a breach of that treaty. Should Fyzoolla Khan mention any thing of the tenor of the treaty, the *first* breach of it has been committed by him. I will reproach him with having kept *too many troops,* and will oblige him to send the 5000 horse."

[1]Secret Letter from Bengal, dated 5th April, 1783; Extracts from Papers, (in No. 2, vol. i.) presented to the House of Commons, ut supra, p. 44. In the Secret Letter from Bengal, dated 10th March, 1783, the Governor-General and Council also say, "This" (the fifteen lacs) "is a valuable compensation for expunging an article of a treaty, which was of such a tenor, and so loosely worded, that the Vizir could never have derived any real advantage from it. The money will of course be received by the Company, in part liquidation of the Vizir's debt."

[1]For the passage relating to Fyzoolla see Parliamentary Papers, ut supra; the twenty-Second Article of Charge presented by Mr. Burke; the Answer of Mr. Hastings; and the Tenth Report of the Select Committee.

[1]When it suited the Governor-General he could assign the disturbance in Oude to very different causes. In a Minute [Bengal Secret Consultations, 10th Dec. 1783; Extracts from Papers (in No. 2, vol.iv.) presented to the House of Commons, upon the 13th day of March, 1786, p. 7], he says, "The Zenundars in the provinces of Oude, and in the other dominions of the Nabob, Asoph ul Dowlah, have ever been either in a state of actual rebellion, or bordering upon it; even in the time of the Nabob Sujah ul Dowlah, they could only be restrained by a military force superior to that which they could oppose to it." The instigations, surely, of the Begums was not then wanted to account for the little ferment which took place in Oude, upon the occasion of the explosion in Benares.

[1]See the Fourth article of Charge, and Mr. Hastings's Answer, with the papers printed by the House of Commons in 1786.

[1]Governor-General to Hyder Beg Khan, dated 20th Oct. 1782. Minutes, ut supra, p. 797.

[1]It is memorable, that there is actually in his paper of Instructions the following passage: "From the nature of our connexion with the government of Oude—from the Nabob's incapacity—and the necessity which will for ever exist, (while we have the claim of a subsidy upon the resources of his country,) of exercising an influence, and frequently substituting it entirely in the place of an avowed and constitutional authority in the administration of his government," &c.

[1]Extract of an Arzee, written (27th August, 1782,) from Rajah Gobind Ram to the Vizir, by the Governor-General's directions. Minutes of Evidence, ut supra, p.795.

[1]Minutes of Evidence, ut supra, p. 798, 799, 796.

[1]Letter from the Governor-General to the Council Board, dated Lucknow, 2d of April, 1784.

[1]Letters from the Governor-General to the Council Board, dated Benares, 20th September, 1784.

[2]For the preceding train of measures, the reader is referred to the Papers, relating to the province of Oude, presented to the House of Commons in the year 1786; to the

Third, Fourth, Fifth, Sixteenth, and Twenty-second Articles of Charge, presented by Burke, with the Answers of Mr. Hastings, and the Appendix of Documents printed along with them; also to the Minutes of Evidence on the Trial, in which the Documents were printed again.

[1]For these statements see the accounts exhibited in the Fourth, Fifth, and Sixth Reports of the Committee of Secrecy in 1781; and the accounts presented to parliament for the several years. See also Bruce's Plans for British India, p. 323.

[2]An account presented to the House of Commons, March 30th, 1786. See also the following statement of the Bengal Revenues, taken from the printed Minutes of Evidence on Mr. Hastings' Trial, p. 1275.

| Years. | Current net Collections. | Balances collected. | Total. | Bengal charges Collection. |
|---|---|---|---|---|
| 1776–7 | 187,15,865 | 13,94,769 | 201,10,634 | 49,05,739 |
| 1777–8 | 170,49,710 | 20,78,451 | 191,28,161 | 53,80,818 |
| 1778–9 | 173,95,871 | 19,19,747 | 193,15,618 | 56,45,947 |
| 1779–80 | 180,21,226 | 15,66,322 | 195,87,548 | 56,80,637 |
| Rupees. | 711,82,672 | 69,59,289 | 781,41,961 | 216,13,141 |
| 1781–2 | 189,55,004 | 6,23,989 | 195,78,993 | 66,55,869 |
| 1782–3 | 188,24,855 | 6,50,462 | 194,75,317 | 59,63,661 |
| 1783–4 | 181,93,492 | 4,49,916 | 186,43,408 | 71,29,094 |
| 1784–5 | 176,68,646 | 8,91,702 | 185,60,348 | 73,73,738 |
| Rupees. | 73,641,997 | 26,16,069 | 762,58,066 | 271,22,362 |
| | Less in last four years…. | | 18,83,895 | |
| | Increase in last four years…. | | | 55,09,221 |
| 1777–1780 | Total…. | | 580,31,327 | |
| 1781–1784 | … | | 576,97,718 | |
| | Less in last three years | | 3,33,909 | |
| 1774–5 | 195,69,610 | 17,40,399 | 213,10,009 | |
| 1775–6 | 195,25,825 | 12,18,176 | 207,44,001 | |
| 1776–7 | 187,15,865 | 13,94,769 | 201,10,634 | |
| | 578,11,300 | 43,53,344 | 621,64,644 | |
| Total in 1781–1784… | | | 576,97,718 | |
| Less in last three years… | | | 44,66,927 | |

Another View of the Collections under the Bengal Government.

| Years. | Current Collections. | Collected account Balances. | Gross Collection. | Charges Collection | Annual Receipts into the Treasury. |
|---|---|---|---|---|---|
| 1772–3 | 2,37,29,763 | 18,18,226 | 2,56,17,989 | 41,56,970 | 2,14,61,019 |
| 1773–4 | 2,35,77,528 | 18,05,528 | 2,53,83,057 | 43,02,596 | 2,10,80,460 |
| 1774–5 | 2,37,20,882 | 17,40,399 | 2,54,61,282 | 41,51,272 | 2,13,10,009 |
| 1775–6 | 2,40,33,296 | 12,18,176 | 2,55,51,472 | 45,07,471 | 2,10,44,001 |
| 1776–7 | 2,36,21,604 | 13,94,769 | 2,56,16,373 | 49,05,739 | 2,01,10,434 |
| 1777–8 | 2,24,30,527 | 20,79,450 | 2,45,08,978 | 53,80,818 | 1,91,28,160 |
| 1778–9 | 2,30,41,818 | 19,19,747 | 2,49,61,565 | 56,45,946 | 1,93,15,618 |
| 1779–80 | 2,37,01,863 | 15,66,321 | 2,47,68,185 | 56,80,937 | 1,90,83,547 |
| 1780–81 | 2,26,82,691 | 14,24,542 | 2,41,07,233 | 60,98,510 | 1,80,08,723 |
| 1781–2 | 2,56,10,873 | 6,23,989 | 2,62,34,863 | 66,55,869 | 1,95,78,993 |
| 1782–3 | 2,47,88,515 | 6,50,461 | 2,54,38,977 | 59,63,660 | 1,94,75,316 |
| 1783–4 | 2,53,22,585 | 4,49,915 | 2,57,72,201 | 71,29,093 | 1,86,43,107 |

Mr. Stuart’s Minute on the Revenues of Bengal, Bahar, and Orissa; Minutes of printed Evidence of Hastings’ Trial, Appendix, Art. vi. No. 157, p. 904.

[1]Extract from Revenue Letter, printed by order of the House of Commons, 1787.

[1]Barrow’s Life of Macartney, i. 241.

[1]The reader should have before him the very words. In the letter from the Governor-General and Council to the president and Select Committee of Fort St. George, dated 5th April, 1782, they “regret,” they say, “that the government of Madras should have suffered any consideration, even of delicacy towards the Nabob, or attention for those feelings which it might be natural for him to retain, to restrain them from availing themselves as effectually of the assignment as the desperate necessity which exacted such a concession inevitably demanded.” They add a great compliment, and say, “Happy would it be for the national interests and reputation, if the same disinterested and forbearing spirit should invariably dictate the conduct of their affairs.” They rise to the use of unlimited terms, instructing the Governor to assume every power necessary to render the assignment effective—"in a word, the whole sovereignty” (such is their expression) “if it shall be necessary to the exercise of such a charge, not admitting the interposition of any authority whatever, which may possibly impede it. If you continue the Nabob’s agents; or suffer them to remain, under whatever denomination, in the actual or virtual control of the revenue, they are your servants, and you alone will be deemed responsible for all their acts. And your intercourse with the Nabob may and ought to be restricted to simple acts and expressions of kindness.”

[1]In his Minute on the 2d of November, 1783, printed among the papers presented to the House of Commons on the 13th of March, 1786. For the opinion which Mr. Hastings entertained of the mischievous character of the Nabob, and of the intrigues of which he was at once the cause and the dupe, entertained as long as since the

period when he was second in council at Madras; see the records of that Presidency in Rous's Appendix, p. 682*, 688*, 704, 717, 718, 729.

[1]Papers presented to the House of Commons, pursuant to their orders of the 9th of February, 1803, regarding the affairs of the Carnatic, vol. ii.; Barrow's Life of Lord Macartney, i. 238–80.

[1]Such are the words of the preamble of the act 21 Geo. III. c. 65.

[1]See Parliamentary History, xxii. 111.

[2]The purport of these three propositions he expressed more explicitly on the 25th of May. "He had an idea which he had once thrown out, of giving the Governor-General greater powers than were at present vested in him; authorizing him in some cases to act independently of his Council, only stating to them, after he had so acted, the reasons upon which he justified his conduct, and sending home those reasons, together with such as the Council should at the time have delivered, in case they differed in opinion from the Governor-General…. Another matter he designed to introduce was this: At present the Company were obliged to send copies of all their dispatches from India, but not of any of the orders and instructions which they sent out: He meant, therefore, to insert in the bill a clause, obliging them to show to the Lords of the Treasury, or the Secretaries of State, all their instructions to their servants that related to their political and military conduct; and to add farther, that if his Majesty thought proper to signify, through his Secretaries of State, to the Directors, any order relative to the particular conduct of the Company's servants, in regard to the prosecution and management of war in India, or to the political direction of affairs, or to any treaties with the powers in India, that the Directors should be obliged to obey such order, and to send it out to India immediately…. He thought it would be a desirable thing to establish a Court of Judicature in this kingdom, to hear and determine, in a summary way, all charges of peculation and oppression in India." Ib. p. 326.

[1]21 Geo. III. cap. 65.

[1]On the 2d of May, 1783, "The Lord Advocate complained of the very thin attendance that he had hitherto found, whenever the bill of pains and penalties against Sir Thomas Rumbold became the subject of discussion. He wished to know whether it was seriously intended to pursue the business to the end or not? If it was the intention of the House to drop it, he wished to be made acquainted with that circumstance, and then he would not move for another hearing on the subject; for it was a mockery to go into the evidence on the bill, when there could not be kept together a sufficient number of members to make a house.—Mr. *Fox* declared, that, to drop the bill would be productive of the most fatal consequences; for it would convince the world, that the most atrocious misconduct in India would meet with impunity in parliament. And, therefore, he requested gentlemen would for the credit, honour, and interest of the country, attend to the evidence for and against the bill. If the bill should be lost for want of attendance, it would not clear the character of Sir T. Rumbold. On the other hand, it would hold out this idea to the people of India, that it was in vain for them to

expect redress of their grievances in England.—Mr. *W. Pitt* thought, that some mode might be devised to enforce attendance, as in the case of ballots for election committees." Parhamentary History, xxiii. 805.

[1]See the acts of 23 Geo. III. cap. 36 and 89; and Cobbett's Parl. Hist. xxiii. 571.

[1]See the acts of 23 Geo. III. cap. 36 and 39; and Cobbett's Parl. Hist. xxiii. 759.

[1]To prevent misconception, it is necessary to preclude the inference that I concur in the opinion, which I give in the text, as one among the causes of a particular effect. In the private character of Mr. Fox, there was enough, surely, of the finest qualities, to cast his infirmities into the shade. And though, absolutely speaking, I have no great admiration to bestow upon him, either as a speculative, or practical, statesman; yet when I compare him with the other men, who had figured in public life in his country, I can find none whom I think his superior, none, perhaps, his equal.

[1]Debate on Mr. Fox's motion for leave to bring in his East India bills; Cobbett's Parl. Hist. xxiii. 1210.

[1]Debate on the state of the nation; Cobbett's Parl. Hist. xxiv. 271.

[2]Debate on Mr. Fox's motion, ut supra, Cobbett's Parl. Hist. xxiii. 1229.

[1]"With respect to the abuse of patronage," said Mr. Windham, in his famous speech (May 26, 1809) on Mr. Curwen's Reform Bill, one of those by which the interests of countries will in reality most suffer, I perfectly agree, that it is likewise one, of which the government, properly so called, that is to say, persons in the highest offices, are as likely to be guilty, and from their opportunities more likely to be guilty than any others. Nothing can exceed the greediness, the selfishness, the insatiable voracity, the profligate disregard of all claims from merit or services, that we often see in persons in high official stations." Parliamentary Debates, xiv. 758; for publication in which the speech was written and prepared by the author.

[1]For some carious information on this subject, see a debate which took place in the House of Commons; on the 16th of February, 1785, on the positive fact, that a ministerial list of members to be balloted for, on the very first choice for this new tribunal, was handed to members, by the door-keeper, at the door of the House. Cobbett's Parl. Hist. xxv. 1054–1060. After some experience, viz. on the 19th March, 1787, Mr. Burke said, "that the new judicature was infinitely the worst sort of jury that could be instituted, because it had one of the greatest objections belonging to it that could belong to any panel. The members of it were nominated by the minister, and it was known soon after the commencement of every session who they were." Cobbett's Parl. Hist. xxvi. 748. Mr. Pitt said, "if the Right Hon. Gent. meant generally to insinuate, that, in every act of the House, the influence of the minister was prevalent, he should not attempt to enter into the question, nor did he think such an insinuation decent or respectful to parliament." This, if not an admission, was not far from it. The only other circumstance with which he attempted to contradict the

assertion was this, that each gentleman gave in a list. True; but what list? The minister's list, or another?

[1]Mr. Burke said, "The new bill (Mr. Pitt's) vested in the Crown an influence paramount to any that had been created by the first bill (Mr. Fox's). It put the whole East India Company into the hands of the Crown: And the influence arising from the patronage would be the more dangerous, as those who were to have the distribution of the whole, in reality, though perhaps not in name, would be removeable at the will and pleasure of the Crown." Cobbett's Parl. Hist. xxiv. 354. Mr. Fox said, "By whom is this Board of Superintendance to be appointed? Is it not by his Majesty? Is it not to be under his control? In how dreadful a point of view, then, must the very supposition of an agreement between this Board and the Court of Directors strike every one who attends to it Must not the existence of such a union extend the influence of the prerogative, by adding to it the patronage of the Company? Is it not giving power to the Sovereign for the ends of influence, and for the extension of that system of corruption which had been so justly reprobated?" Ibid. 395. Mr. Fox again said, "The last parliament, to their immortal honour, voted the influence of the Crown inconsistent with public liberty. The Right Hon. Gent. in consequence of that vote, finds it probably unequal to the great objects of his administration. He is therefore willing to take the present opportunity of making his court—where he knows such a doctrine as the above will never be acceptable—and the plain language of the whole matter now is—that the patronage of India must be appended to the executive power of this country, which otherwise will not be able to carry on schemes hostile to the constitution in opposition to the House of Commons." Ibid. 337.—To these authorities may be added that of the Court of Directors. In the "Reply to the arguments against the Company's claim," &c. dated East India House, 19th January, 1805, it is affirmed, "The control and direction of Indian affairs is not with the Company: unless, indeed, it be argued, that *the small share of patronage left to them* constitutes power and influence: All the great wheels of the machine are moved by government at home, who direct and control the Company in all their principal operations in India." See State Papers in Asiat. Ann. Reg. for 1805, p. 201.

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## James Mill, ***The History of British India, vol. 5*** [1817]

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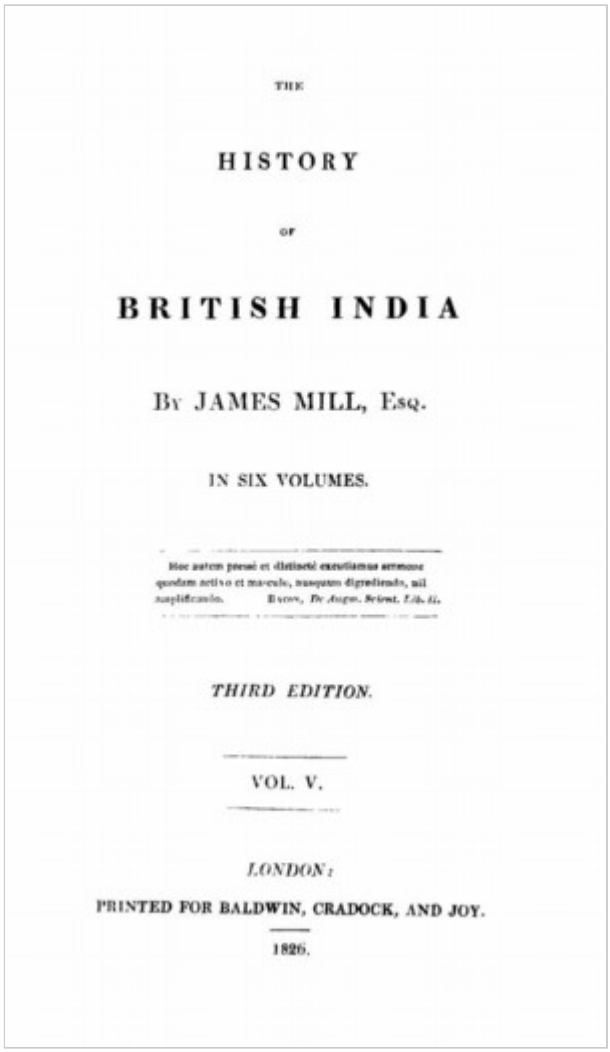

THE

HISTORY

OF

BRITISH INDIA

BY JAMES MILL, ESQ.

IN SIX VOLUMES.

Hoc autem pressè et distinctè exercitamus sermone quodam activo et masculo, nusquam digrediendo, nil amplificando. BACON, *De Augm. Scient. Lib. ii.*

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James Mill's *History* is a work of Benthamite "philosophical history" from which the reader is supposed to draw lessons about human nature, reason and religion, and the deleterious impact of commercial monopolies like the East India Company.

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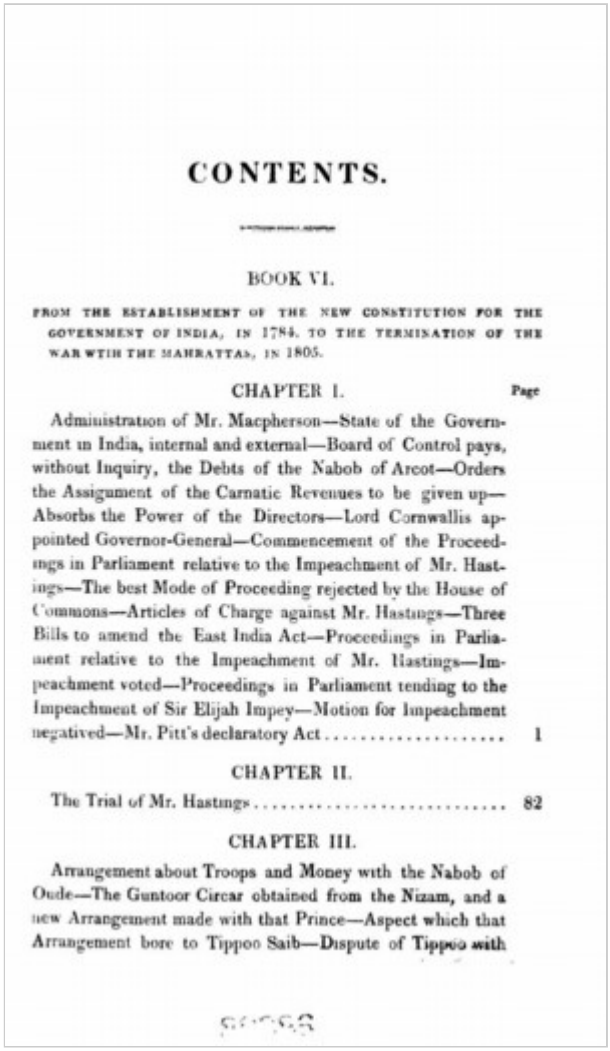

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# HISTORY OF BRITISH INDIA.

## BOOK VI.

from the establishment of the new constitution for the government of india, in 1784, to the termination of the war with the mahrattas, in 1805.

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# CHAP. I.

*Administration of Mr. Macpherson—State of the Government in India, internal, and external—Board of Control pays, without inquiry, the Debts of the Nabob of Arcot—Orders the assignment of the Carnatic Revenues to be given up—Absorbs the Power of the Directors—Lord Cornwallis appointed Governor-General—Commencement of the Proceedings in Parliament relative to the Impeachment of Mr. Hastings—The best Mode of proceeding rejected by the House of Commons—Articles of Charge against Mr. Hastings—Three Bills to amend the East India Act—Proceedings in Parliament relative to the Impeachment of Mr. Hastings—Impeachment voted—Proceedings in Parliament tending to the Impeachment of Sir Elijah Impey—Motion for Impeachment negatived—Mr. Pitt's declaratory act.*



Upon the departure of Mr. Hastings from Bengal, Mr. Macpherson succeeded, as senior in council, to the power and dignity of Chief Governor of the British establishments in India. Certain peculiarities marked the history of this gentleman in the service of the Company. He sailed to Madras in 1766, purser of an India ship; and having obtained the means of an introduction to the Nabob of Arcot, insinuated himself quickly into his inmost confidence. As the Nabob, since the first moment of his deliverance from the terror of the French, had been in a state of perpetual struggle with the servants of the Company for a larger share of power, Mr. Macpherson appears to have flattered him with the hopes of advantage from an application to the British minister; and to have prevailed upon the Nabob to make use of himself as the organ of the attempt. The project was, to persuade the minister, that the Nabob was suffering under a load of oppression by the Company's servants. Mr. Macpherson arrived in England, in execution of this commission, towards the end of the year 1768. Upon his return to Madras he was, during the administration of Governor Dupré, admitted into the civil service of the Company, and employed by that Governor in the most confidential transactions; particularly, in writing his dispatches, to which the superior skill of Mr. Macpherson in the art of composition afforded a recommendation. In the year 1776, Lord Pigot was Governor of Madras, Mr. Macpherson had ascended to the rank of a factor in the Company's service; when a paper, purporting to be a memorial to the Nabob of Arcot, was presented to the Council by their President. It had no signature; but it recapitulated various services, which the writer had rendered to the Nabob in England; and the concurrence of circumstances rendered it but little possible that he should be any other person than Mr. Macpherson. Mr. Macpherson was called before the Board; and asked whether, or not, he acknowledged the production. Mr. Macpherson replied, "That he could not give a precise answer; that it was not written in his hand, nor signed by him; and that if referred to transactions before he was in the Company's service." Lord Pigot regarded this answer as not only evasive, but a satisfactory proof that Mr. Macpherson was the author; and as the transactions appeared to him to be those of a man unfit for the service of the Company, he therefore moved that he

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should be dismissed. The following is a passage of the memorial; “The object of this commission was to procure relief, from the oppressions under which the Nabob was labouring: To procure this wished-for relief, the means to be employed were, if possible, to raise in the breast of the Prime Minister a favourable respect for the Nabob; then to lay before him the distress of the Prince; likewise to show the advantage which would arise to the state, from granting him the proper protection.” In describing his first interview with the Minister, the Duke of Grafton, the memorialist said, “I expatiated upon the superior merits of the Nabob; showed that he was the person to whom Britain owed the rise of her power in India; that his attachment and unsullied honour to the English were unparalleled. I then dwelt upon his personal merits, as a statesman and a gentleman; and showed, that though he had assurances of protection, under the sovereign



hand, he was treated with indignity, and even tyranny.” “Having represented,” continues the author, “the Nabob’s distress, and the oppressions under which he laboured, in the most cautious manner to his Grace, I availed myself of the disputes which subsisted, or were rather commencing, between his Grace, as First Lord of the Treasury, and the India Directors, to enforce the propriety of supporting the Nabob.” Another of the topics which he says he always laboured was, “that the firm support of his Highness was the best restraint which government had upon the usurpations of the servants of a certain Company.” The memorialist also desires the Nabob to recollect, whether he was not the inventor of the plea, by which the Nabob claimed to be a party to the treaty of Paris; that is, to rank himself with the princes of Europe, as a member of their general system; and to make the King of France an arbiter between him and the English. Beside the general project of relieving the Nabob from oppression, that is, from the necessity of paying his debts, and of yielding any thing from the revenues of the country toward its defence, the memorialist claims the merit of having exerted himself in favour of two other favourite designs of the Nabob; that of usurping the seat of the Subah of Deccan, and that of disinheriting his elder, in favour of his second, son. Beside the arguments which the memorialist employed upon the minister, and the publications by which he boasts of having influenced the public mind, he recurred to other instruments of persuasion. He offered presents to the minister, but they were rejected; and then to the minister’s secretary, but they were rejected again. His next offer, but under the necessary portion of disguise, was that of a present to the nation; a sum of seventy lacs, or even more, to be given to the minister, on loan for the public service, at an interest of two per cent.

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As the memorialist in these transactions appeared distinctly to have lent or sold himself to the Nabob, to act in hostility to the Company, it was decided in the Council, by a majority of nine to two, that Mr. Macpherson should be dismissed from the service. Four of the members, not satisfied with a silent acquiescence in the reasons of the President, add, that “a man of the intriguing disposition which that paper shows Mr. Macpherson to be, is, we think, very unfit to be employed as a servant of the Company; more especially as we believe Mr. Macpherson has been concerned in the intrigues, which the greater part of the Board must be sensible have lately been carried on at the Nabob’s Durbar, to the detriment of the Company’s service, and which may have impeded the execution of their late orders.”

As the Board regarded the evidence against Mr. Macpherson as conclusive, they held it unnecessary to call upon him for a defence. To the Directors, the offence when it came before them, must have appeared of a very trivial nature. About the restoration of Mr. Macpherson they seem not to have hesitated. Their only anxiety was to restore him, without submission to the condition (the votes of three-fourths of the Directors and three-fourths of the Proprietors) prescribed by the act. The opinion obtained from the Company's council was, that though his dismission, pronounced without receiving his defence, was informal, he could not, without submission to the clause of the act, be restored. The counsel added, "And it is worth considering, if Mr. Macpherson should be restored, whether he is a proper person to be continued in the Company's service:



He has, in my opinion, too much connexion with the Nabob of Arcot; and when the Company's interest and Nabob's are opposite, (as they will often happen,) they will greatly disturb a man of honour and integrity." As this opinion appears not to have accorded with the wishes of the leading portion of the Directors, they made an experiment whether a more favourable opinion could not be obtained from another quarter. They consulted the Solicitor-General, Wedderburne, who had sufficient power over technical language to satisfy them completely. He pronounced the dismission of Mr. Macpherson not a dismission; and by consequence, the clause of the act, which regarded dismission, had in this case no application. Mr. Macpherson was immediately restored. In announcing, however, this decree to the Governor and Council of Madras, the letter of the Court of Directors has the following words; "But, as his behaviour was disrespectful to your Board, and, in other particulars, very reprehensible, we direct that you give him a severe reprimand, and acquaint him that a like conduct will meet with a severer punishment." From the humiliation, however, of such a reprimand, and such a menace, the Court of Directors, who prescribed them, afforded him effectual protection. Though restored to his rank and emoluments in the service, he was allowed to remain in England, till January, 1781, when he was chosen to fill the high office, vacant by the resignation of Mr. Barwell, in the Supreme Council of Bengal. This appointment excited the attention of the Select Committee of the House of Commons, who took it under examination, and deemed it of sufficient importance to make it the subject of their third report. The conduct of Mr. Macpherson, who undertook the office of a secret enemy of the Company, and became the willing and mercenary instrument of designs levelled against his country; the conduct of the Court of Directors in shielding such a man from the punishment awarded for his offence, nay distinguishing him, as if he had been a model of excellence, by a most unusual reward; lifting him up from a low rank in the service, and placing him all at once in nearly the highest and most important office which they had to bestow, the Select Committee condemned in language of the greatest severity. The design of the Nabob to exempt himself from all dependance upon the Company, the Committee represented as early formed, systematically pursued, and pregnant with danger. He endeavoured to negotiate a treaty of neutrality with the French, which would have secured that nation at Pondicherry. He carried on, to the perpetual disturbance of the Company's government, a perpetual system of intrigue, in pursuance of his plan. Of Mr. Macpherson's construction of the article in the treaty of Paris respecting the guarantee of his independence by France, he was eager to take advantage, and to

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interpose that nation between himself and the English. “By means of such flattering delusions,” say the Committee, “the ambition of the Nabob Mahomed Ali had been, before this invention, as well as ever since, stimulated to desperate designs and enterprises; which have disturbed the peace of India, shaken the lawful government of the Company at Madras, wasted his own revenues, and at length brought the power of Great Britain in that part of the world to the verge of ruin.”

A copy of this report was sent out by the Directors to Bengal, where Mr. Macpherson was then performing so important a part in the government of India. It was a call upon him for a defence of his own conduct and of theirs. The apology was written, under date the 30th of March, 1783. It consisted of the following particulars; First, an assertion, that the transactions in which he had been engaged for the Nabob of Arcot, were made fully known to the Company’s Governor of Madras, at the time when he entered into the Company’s service, and that he had never presented any memorial of those transactions to the Nabob, but what had that Governor’s approbation; Secondly, of a display of the meritorious proceedings of the Supreme Government in Bengal, from the time when he became a member of it.[1]



Upon the first part of this apology, it is obvious to remark, that it consisted entirely of his own affirmation of what passed between himself and a man that was dead. Besides, if it was true, it only proved that a certain governor sanctioned a certain conduct; not that such conduct was innocent. The secret concurrence of a governor, if in any thing wrong, was a collusion between two individuals, not the sanction of government. Upon the second part, an observation equally conclusive was, that the plea was foreign to the charge; for surely the acts of the Supreme Council, whether excellent or the reverse, during the time in which Mr. Macpherson had possessed a seat at the Board, were no proof that nearly twenty years before he had not committed an act, which ought to have excluded him from the service.

As Mr. Hastings remained in India, till the passing of Mr. Pitt’s bill left no longer any doubt of his recall, Mr. Macpherson had time to rise to seniority in the Council; and by virtue of his station, occupied, when left vacant, the Governor-General’s chair.

The state of the revenues; the affairs of Oude; and the proceedings of Scindia, the great Mahratta chief, occupied first the attention of the new administration.



The state, in which Mr. Macpherson received the government, he represents as far from happy and prosperous. In a statement, bearing date the 4th of March, 1785, “The public distress,” he says, “was never so pressing as in this moment. The season of the heavy collections is over; the demands of Madras and Bombay are most pressing; and our arrears to the army are upwards of fifty lacs.”[2] To the Court of Directors, when rendering an account of his government, upon the intimation of his recall, he represents himself, as having been called upon “to act as their Governor-General, at a season of peculiar difficulty, when the close of a ruinous war, and the relaxed habits of their service, had left all their armies in arrear, and their presidencies in disorder.”[2] The loose language, in which the Indian Governors indulge, makes it impossible to know very exactly what Mr. Macpherson

indicated, by the term “relaxed habits” of the service; undoubtedly, however, he meant bad government; since he described them as among the causes of some of the worst effects,—armies all in arrear—and presidencies all in disorder.

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The Governor-General and Council stood pledged to Mr. Hastings for the maintenance of his new system for the management of Oude. To reduce, however, the drain upon the Nabob’s treasury, produced by allowances and gratuities to the Company’s servants, a rule was introduced, that every thing of this nature should appear upon the face of his accounts, should be recorded by the Council, and transmitted for the inspection of the Court of Directors. A body of troops had been assigned by the Nabob to Mr. Hastings, as a body guard, during his residence in Oude; and to these troops had been appointed British officers at the Nabob’s expense. This too was a burthen upon the Nabob which the Governor-General deemed it improper any longer to impose. The expense, however, of Major Palmer, the private agent of Mr. Hastings, left at the seat of the Nabob when the ostensible resident was withdrawn, he was induced “from motives (he says) of delicacy, to the late Governor-General, and his arrangements in the upper provinces,” not immediately to remove; though the expence was enormous,[1] and the agent employed for no other function than to transmit to the Presidency the letters of the Vizir and present those addressed to him by the Governor-General. The Futty-gur detachment, from the changes which had taken place on the frontiers of Oude, it was also, for the present, deemed unsafe to withdraw. But the Governor-General declared his resolution of confining the military burthen imposed upon the Vizir to the smallest amount, consistent with the security of his dominions; and for this he conceived that one complete brigade, in constant readiness, and punctually paid, would suffice.[2]

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The proceedings of Scindia were already an object of great jealousy, if not of dread. In 1781, Mr. Hastings, apparently engrossed by one object, the accomplishment of peace with Scindia, and through him with the government at Poonah, overlooked or misunderstood the dangers which were involved in the aggrandisement of the Mahratta chief, and expressly instructed the English ambassador to throw no obstacles in the way of the designs which he entertained against the remaining territories of the Mogul. Toward the end of the year 1782, died Nujeef Khan whose talents had, even in its present decline, given a portion of stability to the imperial throne. The remaining chiefs by whom it was surrounded immediately broke into general discord. In the petty, but virulent warfare, in which they engaged, the unhappy Emperor was banded from one to another, according as each, attaining a precarious ascendancy, became master of his person; and he was equally enslaved, and oppressed by them all. About six months after the death of Nujeef Khan, Mr. Hastings, though he had directed Colonel Muir, not to insert any thing in the treaty with Scindia “which might expressly mark our knowledge of his views, or concurrence in them,” namely, his views on the territory of Shah Aulum; and though he had on that occasion declared, that “our connexion with the Mogul had long been suspended, and he wished never to see it renewed, as it had proved a fatal drain to the wealth of Bengal, and the treasury of the Company, “sent certain agents, among whom were Major Browne, and Major Davy, to the court of the Emperor at Delhi:

and, by means of them, entered into negotiations, if not engagements, of which the nature has never been satisfactorily explained. It appears, that an offer was made, on conditions which were accepted, to



provide for the expense of any troops which the king might require; and Major Browne, in his dispatch to Mr. Hastings laid before the, Board declared, that "The business of assisting the Shah can and must go on, if we wish to be secure in India, or regarded as a nation of faith and honour."[1] The proposition, however, which was made by the Governor-General, to grant assistance to the Mogul, was disrelished by the other members of the Board; and the scheme was defeated. At what mark it was aimed, we no where distinctly perceive.[2] "I avow," says Mr. Hastings, "that I would have afforded effectual assistance to the Mogul, that is, to the King Shah Aulum, if powers had been granted to me; but my Council differed in opinion with me, and nothing was done." This is all the information which, in his answer to the charge on this subject, Mr. Hastings condescends to yield. When urging upon the Directors his wishes for sending troops to the assistance of the Mogul, he had indeed held a language, contradictory both to his former and his subsequent declarations. If the King's authority, he said, "is suffered to receive its final extinction, it is impossible to foresee what power may arise out of its ruins, or what events may be linked in the same chain of revolution with it. But your interests *may* suffer by it: your reputation certainly *will*—as his right to our assistance has been constantly acknowledged—and, by a train of consequences to which our government has not intentionally given birth, but most especially by the movements, which its influence, by too near an approach, has excited, it has unfortunately become the efficient instrument of a great portion of the King's present distresses and dangers." Mr. Burke, however,

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affirms, with a strength which the circumstances will not warrant, that the pretended design of Mr. Hastings to free the Emperor from thraldom under the Delhi chiefs, was not his real design, because not consistent with some of his declaration, and some of his acts. While Mr. Hastings was at Lucknow, in 1784, the eldest son, and heir apparent of the Emperor, repaired to Oude, to solicit the protection of the Governor-General and Nabob. He was received with marks of distinction, which had no tendency to extinguish hope, and was described by Mr. Hastings as a person of considerable qualifications, well versed in affairs. His solicitations for aid to deliver his father from oppression, and re-establish in some degree the fortunes of his house, Mr. Hastings informed him, were opposed, by the present temper of the English nation, as well as by that of his colleagues in the government; and he advised an intermediate application to Scindia, as the most powerful Mahratta Prince, the ally of the English nation, and a man who, unless early prevented, was likely to take an opposite part. To Scindia, Mr. Hastings, as he informed the Court of Directors, had himself written, on the very first advice he received of the flight of the Mogul Prince, not only to apprize him of that event, but to solicit his advice. Scindia immediately sent to Lucknow his familiar and confidential ministers, with whom Mr. Hastings held several secret conferences, without the presence even of a secretary. He reported no more than the result of these conferences; namely," that the inclinations of the Mahratta chief were not very dissimilar from his own; and he added, that neither in this, nor in any other instance, would he

suffer himself to be drawn into measures which should tend to weaken the connexion between the English government and Scindia; “nor, in this, even to oppose his inclinations.” What his inclinations were, at the time of the negotiation with Colonel Muir, the reader will remember: What were the recent declarations of Mr. Hastings, respecting the obligations both of justice and of policy, to support the Emperor, has been immediately stated: What were the inclinations of Scindia at the present moment, M{. Hastings is far from disclosing: The actions of Scindia made them soon distinctly appear.1 The Emperor, from the impulse of a feeble mind, which deems any evil less than that under which it is immediately suffering, listened to the insidious overtures of Scindia, who offered him deliverance from the undutiful; servants that enthralled him. Partly by intrigue, and partly by force, Scindia got possession easily of the imperial person, and with the imperial

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person, of all the pretensions, and all the territories, which belonged to the imperial throne. Nor wes it long before he manifested the value of that friendship of his to the English, which Mr. Hastings claimed so much of merit for maintaining. Mr. Hastings had not yet left Calcutta, when a body of the Seiks, invaded Rohilcund; and it was on strong grounds believed, that they received encouragement from Scindia to the attempt. That ambitious chief proceeded in his plans with so much expedition, that before the end of March he was master of Agra; and the fort of Ally Ghur, which could not long the defended, remained, in that part of India, the only place of strength, beyond the confines of the Vizir, which was not in his power. He afforded protection to Cheyte Sing, and gave him a command in his army. He had already treated the vizir with so little delicacy, that nothing but the prospect of effectual resistance, as Major Palmer and Mr. Anderson united in representing, could b expected to restrain him within the bounds of justice.1 What was more, he compelled the Emperor to declare him Vicegerent to the Mogul empire, an authority which superseded that of the Vizir; and consolidated in the hands of the Mahrattas all the legal sovereignty of India. These advantages he failed not to direct immediately against the Company themselves; and incited the Mogul to make a demand of the tribute due to him from the English. On the charge, however, of having connived with the designs of Scindia, Mr. Hastings has the following words, “I declare, that I entered into no negotiations with Madajee Scindia for delivering the Mogul into the hands of the Mahrattas; but I must have been a madman indeed, if I had involved the Company in a war with the Mahrattas, because the Mogul, as his last resource, had thrown himself under the protection of Madajee Scindia.”1 The question is, whether he did not more surly prepare a war with the Mahrattas, by allowing Scindia to feed his presumption and his power, with all the resources and pretensions of the imperial throne.

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The power of Scindia over the Mogul family was not complete, so long as the eldest son of the Emperor remained out of his hands. Towards the end of March a negotiation was opened with him by Scindia, of which the object was his return to Delhi. The conditions offered were extremely favourable. “This convinced me,” said Major Palmer, “they were insidious; and I earnestly recommended that the Prince should not trust to promises; as, without security for their performance, he would expose his dignity, his succession, and even his life, to the greatest hazard.” Major

Palmer continues, “I consider the interests of the Company, and the Vizir, as deeply involved in the fate of the Prince. Whilst he continues under the protection of the Vizir and the Company, the usurpation of the Mahrattas must be incomplete; but, if he should fall under their power, it will be perpetuated, and the consequences of their being permanently established ion the authority of the empire, would be truly alarming to the peace of the Vizir’s and the Company’s dominions.” The Major added, “It will not only be impracticable to withdraw the Futty Ghur detachment, in the event of Scindia’s obtaining a firm footing in the Dooab, which is his aim, and which he has nearly accomplished;—but it will also be necessary for the Vizir to maintain a respectable body of cavalry to act with the Company’s infantry for the protection of his dominions. And his Excellency is so seriously alarmed at the growing power of the Mahrattas in his neighbourhood, that I am convinced he will readily adopt any practicable plan for securing himself against the consequences of it.”[1]



The Board of Control, at the head of which was placed Mr. Henry Dundas, had not been long in the exercise of its functions, when it manifested pretty clearly the ends which it was calculated to promote.

So strong a conviction was impressed upon Englishmen, in general, of the evil resulting from the magnitude of the debts due to British subject by the Nabob of Carnatic; of the fraudulent methods by which they had been contracted; and of the mischievous purposes which the Nabob pursued, by acknowledging debts, where nothing had been received, and nothing but a dangerous co-operation was expected in return; that, in every one of the schemes which the late reformers had proposed for the government of India, a provision had been included, for an adjustment of those enormous and suspicious contracts. In Mr. Dundas’s bill it was proposed, that the Governor-General and Council “should take into consideration the present state of the affairs of the Nabob of Arcot, and inquire not and ascertain, the origin, nature, and amount of his just debts,” and take the most speedy and effectual measures for discharging them. A provision to the same effect, and couched very nearly in the self-same words, was contained in Mr. Fox’s bill; and to prevent the recurrence of a like evil in future, it was declared “unlawful for any servant, civil or military, of the Company, to be engaged in the borrowing or lending of any money, or in any money transaction whatsoever, with any protected or other native prince.” The clause in Mr. Pitt’s act was the following words: “Whereas very large sums of money are claimed to be due to British subjects by the Nabob of Arcot,…be it enacted, That the Court of Directors shall, as soon as may be, take into consideration, the origin and justice of the said demands,—and that they shall give such orders to their Presidencies and servants abroad for completing the investigation thereof, as the nature of the case shall require; and for establishing, in concert with the Nabob, such fund, for the discharge of those debts which shall appear to be justly due, as shall appear consistent with the rights of the Company, the security of the creditors, and the honour and dignity of the said Nabob.”



The Directors, from the words of this enactment, concluded, as any body would conclude, that this inquiry, respecting these alleged debts, was a trust, expressly and

exclusively devolved upon them; and that an inquiry into “the origin and justice of the said demands” implied (what was absolutely necessary to the end which seemed to he proposed, the separation of the false from the true) that scrutiny should be made into each particular case. They proceeded to the fulfilment of he obligations, which this enactment seemed to lay upon them; drew up a set of instructions for their Presidencies and servants abroad; and transmitted them for approbation to the Board of Control.

They were not a little surprised to find the Board of Control take the whole business out of their hands. The Board of Control thought proper to divide the debts of the Nabob into three classes; 1. A class consolidated, as it was called, in the year 1767, constituting what it called the loan of 1767; 2. A class contracted for paying the arrears of certain cavalry discharged in 1777, which it called the cavalry loan; 3. Another class, which it called the consolidated debt of 1777. And it ordered, that all these three classes should be discharged, without any inquiry.



As it was only by degrees that funds for that discharge could arise; the following order was prescribed: That the debt consolidated in 1767 be made up[1] to the end of the year 1784 with the current interest at ten per cent.; the cavalry loan made up to the same period with the current interest at twelve per cent.; the debt consolidated in 1777 made up to the same period with the current interest at twelve per cent. to November 1781, and from thence with the current interest at six per cent.: That the annual twelve lacs should be applied; 1. To the growing interest on the cavalry loan at twelve per cent.; 2. To the growing interest on the debt of 1777 at six per cent.; 3. Of the remainder, one half to the payment of the growing interest, and liquidation of the principal of the loan of 1767, the other half to liquidation of the debt which the Nabob, beside his debt to individuals, owed to the Company: That when the loan of 1767 should thus be discharged, the twelve lacs should be applied; 1. To the growing interest of the loan of 1777; 2. Of the remainder, one half to pay the interest and liquidate the principal of the cavalry loan, the other half to the liquidation of the debt to the Company: That when the cavalry loan should thus be discharged, the twelve lacs should be applied, in the proportion of five lacs to the interest and principal of the loan of 1777, seven lacs to the debt due to the Company: And lastly, when the debt to the Company should thus be discharged, that the whole of the twelve lacs should go to the extinction of the debt of 1777.



The Directors remonstrated, but very humbly. “My Lords and Gentlemen, It is with extreme concern that we express a difference of opinion with your Right Honourable Board, in this early exercise of your controling power; but, in so novel an institution, it can scarce be thought extraordinary, if the exact boundaries of our respective functions and duties should not at once, on either side, be precisely and familiarly understood, and therefore confide in your justice and candour for believing that we have no wish to evade or frustrate the salutary purpose of your institution, as we on our part are thoroughly satisfied that you have no wish to encroach on the legal powers of the East India Company: we shall proceed to state our objections to such of the amendments as appear to us to be either insufficient, inexpedient, or

unwarranted." And under the head of, private debts of the Nabob of Arcot, "you are pleased," they say, "to substantiate at once the justice of all those demands which the act requires us to investigate." After "submitting," which is all that they presume to do, "to the consideration" of the Board, whether "the express direction of the act, to examine the nature and origin of the debts," had thus been "complied with;" and likewise "submitting," whether inquiry could have done any harm; they add, "But to your appropriation of the fund, our duty requires that we should state our strongest dissent. Our right to be paid the arrears of those expences by which, almost to our own rain, we have preserved the country, land all the property connected with it, from falling a prey to a foreign conqueror, surely stands paramount to all claims, for former debts, upon the revenues of a country so preserved, even if the legislature had not expressly limited the assistance to be given to private creditors to be such as should be consistent with our rights. The Nabob had, long before passing the act, by treaty with our Bengal government, agreed to pay us seven lacs of pagodas, as part of the twelve lacs, in liquidation of those arrears; of which seven lacs, the arrangement you have been pleased to lay down would take away from us more than the half and give it to private creditors, of whose demands there are only about a sixth part which do not stand in a predicament that you declare would not entitle them to any aid or protection from us in the recovery thereof, were it not upon grounds of expediency. Until our debt shall be discharged, we can by no means consent to give up any part of the seven lacks to the private creditors."[1]



The correspondence upon this subject between the Court of Directors and the Board of Control passed during the months of October and November in the year 1784. The Board of Control persisted in the plan which it had originally adopted. And on the 28th of February, 1785, it was moved by Mr. Fox, in the House of Commons, that the directions which had in consequence been transmitted to India, should be laid before the House. A vehement debate ensued, in which Mr. Burke delivered that celebrated speech, which he afterwards published, under the title of "Mr. Burke's Speech on the Motion made for Papers relative to the Directions for charging the Nabob of Arcot's Private Debts to Europeans on the Revenues of the Carnatic." Mr. Dundas defended the Board of Control: By showing that, whatever might be the natural and obvious meaning of the words of the legislature commanding inquiry, and committing that inquiry to the Court of Directors; it was yet very possible for the strong party to do what it pleased: By asserting that the Directors had sufficient materials in the Indian House, for deciding upon all three classes of debts; though the opinion of whe Directors themselves was precisely the reverse: By observing, that, if any improper claim under any of the three classes was preferred, it was open to the Nabob, to the Company and to the other creditors, to object . The only object, which, as far as can be gathered from the report of his speech, he held for the as about to be gained, by superseding that inquiry, which all men, but himself and his majority in parliament, would have concluded to be the command of the legislature, was that this measure would not leave "the Nabob an opportunity to plead in excuse for not keeping his payments to the Company, that he was harassed by the application of his private creditors."[1]

Mr. Burke took a very extensive view of the Indian policy of the ministers. The most curious and important part of his speech; and that is important indeed; is the part, where he undertakes to show what was the real motive, for superseding that inquiry which was called for by the legislature, and for deciding at once, and in the lump, upon a large amount of suspicious and more than suspicious demands. The motive, which he affirms, and in support of which he adduces as great a body of proof as it is almost ever possible to bring, to a fact of such a descriptions, (facts of that descriptions, though of the highest order of importance, are too apt to exhibit few of those marks which are commonly relied upon as matter of evidence), was no other than that baneful source of all our misgovernment, and almost all our misery, *Parliamentary Influence*. It was to hold the corrupt benefit of a large parliamentary interest, created by the creditors and creatures, fraudulent and not fraudulent, of the Nabob of Arcot, that, according to Mr. Burke, the ministry of 1784 decided, they should all, whether fraudulent or not fraudulent, receive their demands. "Paul Benfield is the grand parliamentary reformer. What region in the empire, what city, what borough, what county, what tribunal in this kingdom, is not full of his labours. In order to station a steady phalanx for all future reforms, this public-spirited usurer, amidst his charitable toils for the relief of India, did not forget the poor rotten constitution of his native country. For her, he did not disdain to stoop to the trade of a wholesale upholsterer for this house, to furnish it, not with the faded tapestry figures of antiquated merit, such as decorate, and may reproach, some other houses, but with real solid, living patterns of true modern virtue. Paul Benfield made (reckoning himself) no fewer than eight members in the *last* parliament. What copious streams of pure blood must he not have transfused into the veins of *the present!*"



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But the occasions of Mr. Benfield had called him to India. "It was therefore," continues Mr. Burke, "not possible for the minister to consult personally with this great man. What then was he to do? Through a sagacity that never failed him in these pursuits, he found out in Mr. Benfields representative his exact resemblance. A specific attraction, by which he gravitates towards all such characters, so brought our minister into a close connexion with Mr. Benfield's agent and attorney; that is, with the grand contractor (whom I name to honour) Mr. Richard Atkinson; a name that will be well remembered as long as the records of this house, as long as the records of the British treasury, as long as the monumental debt of England, shall endure! This gentleman, Sir, acts as attorney for Mr. Paul Benfield. Every one who hears me is well acquainted with the sacred friendship and the mutual attachment that subsist t between him and the present minister. As many members as chose to attend in the first session of this parliament can best tell their own feelings at the scenes which were then acted." After representing this Atkinson, as the man whose will directed in framing the articles of Mr. Pitt's East India Bill, Mr. Burke proceeds: "But it was necessary to a authenticate the coalition between the men of Intrigue in India, and the minister of Intrigue in England, by a studied display of the power of this their connecting link. Every trust, every honour, every distinction was to be heaped upon him. He was at once made a Director of the India Company; made an Alderman of

London; and to be made, if ministry could prevail (and I am sorry to say how near, how very near they wear to prevailing)representative of the capital of this kingdom. But to secure his services against all risk, he was brought in for a ministerial borough. On his part he was not wanting in zeal for the common cause. His advertisements show his motives, and the merits upon which he stood. For your minister, this worn-out veteran submitted to enter into the dusty field of the London contest; and you all remember that in the same virtuous cause, he submitted to keep a sort of public office, or counting-house, where the whole business of the last general election was managed. it was openly managed, by the direct agent and attorney of Benfield. It was managed upon Indian principles, an for an Indian interest. This was the golden cup of abomination; this the chalice of the fornications of rapine, usury, and oppression, which was held out by the people so many of the nobles of this land, had drained to the very dregs. Do you think that no reckoning was to follow this lewd debauch? that no payment was to be demanded for this riot of public drunkenness, and national prostitution? Here! you have it, here before you. The principal of the grand election manager must be indemnified. Accordingly the claims of Benfield and his crew must be put above all inquiry."



This is a picture! it concerns my countrymen to contemplate well the features of it. I care not to what degree it may please any one to say that it is what degree it may please any one to say that it is not a likeness of the groups that sat for it. To me it is alone of importance to know, that if it presents not and individual, it present, and with consummate fidelity, a *family*likeness; that it represents the tribe; that such scenes, and such exactly, were sure to be acted, by the union between Indian influence and parliamentary influence; that such was sure to be the game, which would be played into one another's hands, by Indian corruption, and parliamentary corruption, the moment a proper channel of communication was opened between them.



The points, to which Mr. Burke adverts in the next place, are of amore tangible nature. "Benfield," he says, "for several years appeared as the chief proprietor, as well as the chief agent, director, and controller of this system of debt. My best information goes to fix his share at 400,000*l.* By the scheme of the present ministry for adding interest to the principal, that smallest of the sums ever mentioned for Mr. Benfield will form a capital of 592,000*l.,* at six percent. interest. Benfield has thus received, by the ministerial grant before you, an annuity of 35,520*l.,* a year, charged on the public revenues."[1]

After several other remarks on the proceedings of Benefield, he thus sums up; "I have laid before you, Mr. Speaker, I think with sufficient clearness, the connexion of ministers with Mr. Atkinson at the general election; I have laid open to you the connexion of Atkinson with Benefield; I have shown Benefield's employment of his wealth in creating a parliamentary interest to procure a ministerial protection; I have set before your eyes his large concern in the debt, his practices to hide that concern from the public eye; and the liberal protection which he has received from the minister. If this chain of circumstances do not lead you

necessarily to conclude that the minister has paid to the avarice of Benfield the services done by Benefield's connexion to his ambition, I do not know any thing short of the confession of the party that can persuade you of his guilt. Clandestine and collusive practice can only be traced by combination and comparison of circumstances. To reject such combination and comparison is to reject the only means of detecting fraud; it is indeed to give it a patent, and free license, to cheat with impunity. I confine myself to the connexion of ministers mediately or immediately with only two persons concerned in this debt. How many others, who support their power and greatness within and without doors, are concerned originally, or by transfers of these debts, must be left to general opinion. I refer to the Reports of the Select Committee for the proceedings of some of the agents in these affairs, and their attempts, at least, to furnish ministers with the means of buying general courts, and even whole parliaments, in the gross." 1

In what proportion these ancient debts were false, and either collusive or forged, we have, as far as they were exempted from inquiry, no direct means of knowing. If a rule may be taken from those of a more modern date, when suspicion was more awake, and after all the checks of Mr. Dunds and his successors had been applied, it will be concluded that few were otherwise. The commissioners, who were appointed in the year 1805, to decide upon the claims of the private creditors of the Nabob of Arcot, had,
in the month of November, 1814, performed adjudication on claims to the amount of 20,390,570*l.* of which only 1,346,796*l.* were allowed as good, 19,043,774*l.* were rejected as bad; in other words, one part in twenty was all that could be regarded as true and lawful debt.1



Mr. Dundas assumed that he had done enough, when he allowed the Nabob, the Company, and other creditors to object. That this was a blind, is abundantly clear; though it is possible, that it stood as much between his own eyes and the light, as he was desirous of putting it between the light, as he was desirous of putting it between the light and eyes of other people. Where was the use of a power given to the Nabob to object? The Nabob was one of the fraudulent parties. Or to the creditors to object? of whom the greater number had an interest in conniving at others, in order that others might connive at them. Or to the company to object? The Company was not there to object: And the servants of the Company were the creditors themselves.

It was not thus decided, by the parties on whom the power of decision depended, when the commissioners for adjudication on the debts of the Nabob were appointed in 1805. It was not accounted wisdom, then, to approve of all in the lump, and only allow the power of objection. It was thought necessary to inquire; and to perform adjudication, after inquiry, upon each particular case. The consequence is, as above disclosed, that one part in twenty, in a mass of claims exceeding twenty millions sterling, is all that is honest and true.



In this imputed collusion between the ministry and the creditors of the Nabob, it was not insinuated that the ministers had taken money for the favour which they had shown. Upon this Mr. Burke makes a remark, which is of the very highest importance.

"I know that the ministers," says he, "will think it little less than acquittal, that hey are not charged with partisans. If I am to speak my private sentiments, I think, that in a thousand cases for one, it would be far less mischievous to the public (and full as little dishonourable to themselves), to be polluted with direct bribery, than thus to become a standing auxiliary to the oppression, usury, and peculation of multitudes, in order to obtain a corrupt support to their power. It is by bribing; not so often by being bribed; that wicked politicians bring ruin on mankind. Avarice is a rival to the pursuits of many; it finds a multitude of checks and many opposers in every walk of life. But the objects of ambition are for the few: And every person who aims at indirect profit; and therefore wants other protection than innocence and law; instead of its rival becomes its instrument:



There is a natural allegiance and fealty due to this domineering paramount evil from all the vassal vices; which acknowledge its superiority, and readily militate under its banners: and it is under that discipline alone, that avarice is able to spread to any considerable extent, or to render itself a general public mischief. It is therefore, no apology for ministers, that they have not been bought by the East India delinquents; that they have only formed an alliance with them, for screening each other from justice, according to the exigence of their several necessities. That they have done so is evident: And the junction of the power of office in England, with the abuse of authority in the East, has not only prevented even the appearance of redress to the grievances of India, but I wish it may not be found to have dulled, if not extinguished, the honour, the candour, the generosity, the good nature, which used formerly to characterize the people of England."

In October, 1784, the Directors appointed Mr. Holland, an old servant, on the Madras establishment, to succeed eventually to the government of Fort St. George, upon the resignation, death or removal of Lord Macartney. The Board of Control disapprove the choice; not as wrong in itself, but "open to plausible misrepresentation." The Directors not only persist in their appointment, but proceed so far as to say, that the Board are interfering in matters "to which their control professedly does not extend." The conduct of the Board of Control is characteristic. "If the reasons," say they, "which we have adduced, do not satisfy the Court of Directors, we have certainly no right to control their opinion." Mr. Holland, however, is informed, that the moment he arrives in India, he will be re-called. This terminates the dispute; and Sir Archibald Campbell,

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a friend of Mr. Dundas, is nominated in his stead.

According to the very force of the term, the operation of control is subsequent, not precedent. Before you can control, there must be something to be controlled. Something to be controlled must be something either done or proposed. The subsequent part of transaction by no means satisfied the new organ of government for the East Indies, the Board of Control. Without and interval of reserve, the Board took upon itself to *originate* almost every measure of importance.

Intimately connected with its proceedings relative to the debts of the Nabob of Carnatic, was the resolution, formed by the Board of Control with respect to the revenues. The assignment had been adopted by the government of Madras, and

approved by the Court of directors, upon the maturest experience; as the only means pf obtaining either the large balances which were due to the Company, or of preventing that dissipation of the revenue, and impoverishment of the country, by misrule, which rendered its resources unavailable to its defence, involved the Company in pecuniary distress, and exposed them continually to dangers of the greatest magnitude.

The same parties, however, whose interests were concerned in the affair of the debts, had an interest, no less decisive, in the restoration to the Nabob of the collection and disbursement of the revenues; from which so many showers of emolument fell upon those who had the vices requisite for standing under them. The same influence which was effectual for the payment of the debts was effectual also for the restoration of the revenues. The Board of control decreed that the revenues should be restored; for the purpose, the Board declared, of giving to all the powers of India, a strong proof of the national faith.



The order for the restitution of the assignment, and the notification of the appointment of a successor, were received by Lord Macartney at the same time. The appointment of a successor he had solicited. The overthrow of his favourite measure, from a full knowledge of the interests which were united, and at work, he was led to expect. "Well apprised," he said, "of the Nabob's extensive influence; and of the ability, industry, and vigilance of his agents; and observing a concurrence of many other circumstances, I was not without apprehensions, that, before the government of Madras could have timely notice of the train, the assignment might be blown up at home; the sudden shock of which, I knew, must almost instantly overthrow the company in the Carnatic. I, therefore, employed myself most assiduously, in making preparations, to mitigate the mischief; and by degrees collected and stored up all the money that it was possible to reserve with safety from other services and demands; so that when the explosion burst upon us, I had provided an unexpected mass, of little less than thirteen lacs of rupees, to resist its first violence."[1]

In conformity with his declared determination, not to be accessary to a measure which he regarded as teeming with mischief, or a witness to the triumph of those whose cupidity he had restrained,[1] Lord Macartney chose not to hold any longer the reins of government. But one attempt he thought proper to make; which was, to return to England by way of Bengal; and endeavour to convey to the Supreme Board so correct a notion of the evils to which the recent instructions from home were likely to give birth, as might induce them to delay the execution of those orders, or at least exert themselves to prevent as far as possible their pernicious effects. In less than a week, after receiving the dispatches from England, he embarked, and arrived about the middle of June at Calcutta. The Governor-General and Council were too conscious of their own precarious and dependent situation, to risk the appearance of disobedience to an order, regarding what they might suppose a favourite scheme of the Board of control. Lord Macartney, therefore, was disappointed in his expectation, of obtaining through them, a delay of the embarrassments which the surrender of the revenues would produce. He had indulged, however, another hope. If the resources of the Carnatic were snatched from

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the necessities of the Madras government, he believed that the want might be supplied,
by the surplus revenues of Bengal. “I had long before,” he says, in a letter to the Secret Committee of Directors, “been so much enlivened (and your honourable house was no doubt enlivened also) by the happy prospects held out in the late Governor-General’s letter to you of the 16th of December, 1783, published in several newspapers both foreign and domestic, that I flattered myself with hopes of finding from a loss of the assignment, or from other misfortunes; but in the range of my inquiries, no distinct traces were to be discovered of these prognosticated funds. I had it seems formed a visionary estimate; the reality disappeared like a phantom on the approach of experiment, and I looked here for it in vain. the government declared themselves strangers to Mr.Hastings’s letter, and indicated not a few symptoms of their own necessities.”[1]



They, accordingly, assured Lord Macartney, “that the exhausted state of the finances of the Bengal government would not admit of any extraordinary and continued aid to Fort St. George;”[2] expressing at the same time their desire to contribute what assistance was in their power to relieve the distress. which the loss of the revenues, they acknowledged, must produce.[3]

A dangerous illness prolonged the stay of Lord Macartney at Calcutta, and previous to his departure, he received a dispatch from the Court of directors, in which was announced to him his appointment to be Governor-General of Bengal. After his removal
from the government, after the subversion of his favourite plans at Madras; an appointment, almost immediate, and without solicitation, to the highest station in the government of India, is not the clearest proof of systematic plans, and correspondent execution. The motives, at the same time, appear to have been more than usually honourable and pure. Though Lord Macartney, from the praises which Mr. Fox and his party had bestowed upon him in Parliament, might have been suspected of views in conformity with theirs; though he had no connexion with the existing administration which could render it personally desirable to promote him; though the Board of control had even entered upon the examination of the differences between him an Mr. Hastings, with minds unfavourably disposed, the examination of the differences between him and Mr. Hastings, with minds unfavourable disposed, the examination impressed the mind of Mr. Dundas with so strong an idea of the merit of that Lord’s administration, that he induced Mr. Pitt to concur with him in recommending Lord Macartney to the Court of Directors, that is, in appointing him Governor-General of Bengal.

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The gratification offered to those powerful passions, the objects of which are wealth and power, had not so great an ascendancy over the mind of Lord Macartney, as to render him insensible to other considerations. His health required a season of repose, and the salutary influence of his native climate. The state of the government in India was such as to demand reforms; reforms, without which the administration could not indeed be successful; but which he as not sure of obtaining power to effect. The members of the Bengal administration had been leagued with Mr. Hastings in opposing and undervaluing his government at Madras; and peculiar objections applied

to any thought of co-operation with the person who was left by Mr. Hastings at its head. He resolved, therefore, to decline the appointment; at least for a season, till visit to England should enable him to determine, by conference with ministers and directors, the arrangements which he might have it in his power to effect.

He arrived in England on the 9th of January, 1786, and on the 13th had a conference with the chairman, and deputy chairman, of the Court of Directors. The regulations on which he insisted, as of peculiar necessity for the more successful government of India, were two. The entire dependance of the military upon the civil power the represented, as not only recommended by the most obvious dictates of reasons, but conformable to be practice of the English government in all its other dependencies, and even to that of the East India Company, previous to the instructions of 1774; instructions which were framed on the spur of the occasion, and created two independent powers in the same administration. Secondly, a too rigid adherence to the rule of seniority infilling the more important departments of the State, or even to that of confiding the choice to the Company's servants, was attended, the affirmed, with the greatest inconveniences; deprived the governments of the inestimable use of talents; lessened the motives to meritorious exertion among the servants and fostered a spirit, most injurious to the government, of independence and disobedience as towards its head. With proper regulation sin these particulars; a power of deciding against the opinion of the Council; and such changes among the higher servants, as sere required by the particular circumstances of the present case, he conceived that he might, but without them, he could not, accept of the government of India, with hopes of usefulness to
his country, or honour to himself.

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A minute of this conversation was transmitted by the Chairs to the Board of Control; and on the 20th of February, Lord Macartney met Mr. Dundas, and Mr. Pitt. Even since his arrival, Mr. Pitt, in answer to an attack by Mr. Fox, upon the inconsistency of appointing that nobleman to the chief station in the Indian government almost at the very moment when his principal measure had been reversed, had been called forth to pronounce a warm panegyric upon Lord Macartney; and to declare that, with the exception of that one arrangement, his conduct in his government had merited all the praise which language could bestow and pointed him out as a most eligible choice for the still more important trust of Governor-General of Bengal. to the new regulations or reforms, proposed by Lord Macartney, Mr. Pitt gave a sort of general approbation; but with considerable latitude, in regard to the mode and time of alteration. Lord Macartney remarked, that what he had observed in England had rather increased, that diminished, the estimate which he had formed of the support which would be necessary to counteract the opposition, which, both at home and abroad, he was sure to experience; and he pointed in direct terms to what he saw of the enmity of Me. Hastings, the influence which he retained among both those who were, and those who had been the servants of the Company, as well s the influence which arose from those persons who were high in the administration. His opinion was, that some distinguished mark of favour, which would impose in some degree upon minds that were adversely disposed, and proclaim to all, the power with which he might expect to be

supported, was necessary to encounter the difficulties with which he would have to contend. He alluded to a British peerage, to which, even on other grounds, he conceived that he was not without a claim.



No further communication was vouchsafed to Lord Macartney; and in three days after this conversation he learned, that Lord Cornwallis was appointed Governor-General of Bengal. The appointment of the administration, among others the Chancellor Thurlow, whose impetuosity gave weight to his opinions; it was also odious to all those among the East India Directors and Proprietors, who were the partisans either of Hastings or Macpherson. “When, therefore,” says a letter of Lord Melville, “against such an accumulation of discontent and opposition, Mr. Pitt was induced by me to concur in the return of Lord Macartney to India, as Governor-General, it was not unnatural that both of us should have felt in our hands, than make it the subject of a *since qua non* preliminary. And I think if Lord Macartney had known us as we did.” These were the private grounds; As public ones, the same letter states, that the precedent was disapproved of indicating to the world that a premium was necessary to induce persons of consideration in England to accept the office of Governor-General in India, at the very moment when the resolution was taken of not confining the high situations in India to the servants of the Company.[1]

We have now arrived at the period of another parliamentary proceeding, which excited attention by its pomp, and by the influence upon the public mind of those whose interest it affected, much more than by any material change which it either produced, or was calculated to produce, upon the state of affaires in India. IN a history of those affaires, a very contracted summary of the voluminous records which are left of it, is all for which a place can be usefully found.



The parties into which parliament was now divided; the ministerial, headed by Mr. Pitt; and that of the opposition, by Mr. Fox; had, both, at a preceding period, found it their interest to arraign the government in India. The interest of the party in opposition remained, in this respect, the same as before. That of the ministry was altogether changed. It appeared to those whose interest it still was to arraign the government in India, that the most convenient form the attack could assume was that of an accusation of Mr. Hastings. The ministry had many reasons to dislike the scrutiny into which such a measure would lead. But they were too far committed, by the violent censure which they had for merely pronounced, to render it expedient for them to oppose it. Their policy was, to gain credit by an appearance of consent, and to secure their own objects, as far as it might be done, under specious pretences, during the course of the proceedings.

The vehement struggles of the parliamentary parties had prevented them, during the year 1784, from following up by any correspondent measure the violent censures which had fallen upon the administration of India. The preceding threats of Mr. Burke received a more determinate character, when he gave notice, on the 20th of June, 1785, “That if no other gentleman would undertake the business, he would at a future

day, make a motion respecting the conduct of a gentleman just returned from India." On the first day of the following session, he was called upon by Major Scott, who had acted in the avowed capacity of the agent of Mr. Hastings, to produce his charges, and commit the subject to investigation. On the 18th of February, 1786, he have commencement to the undertaking, by a motion for a variety f papers; and a debate of great length ensued, more remarkable for the criminations, with which the leaders of the two parties appeared desirous of aspersing one another, than for any light which threw upon the subjects in dispute.



Mr. Burke began his speech, by requiring that the Journals of the House should be opened, and that the 44th and 45th of that series of resolutions, which Mr. Dundas had moved, and the House adopted on the 29th of May, 1782, should be read: "1. That,—for the purpose of conveying entire conviction to the minds of the native princes, that to commence hostilties, without just provocation, against them, and to pursue schemes of conquest and extent of dominion, are measures repugnant to the wish, the honour, and the policy of this nation—the parliament of Great Britain should give some signal mark of its displeasure against those, (in whatever degree entrusted with the charge of the East India Company's affairs,) who shall appear wilfully to gave adopted, or countenanced, a system tending to inspire a reasonable distrust of the moderation, justice and good faith of the British nation:—2. That Warren Hastings, Esq. Governor-General of Bengal, and William Hornby, Esq. President of the Council at Bombay, having in sundry instances acted in a manner repugnant to the honour and policy of this nation, and thereby brought great calamities on India, and enormous expenses on the East India Company, it is the duty of the Directors of the said Company, to pursue all legal and effectual means for the removal of the said Governor-General and President from their respective offices, and to recall them to Great Britain." After Mr. Burke had remarked that the present task would better have become the author of these resolutions than himself, he vented his sarcasms on a zeal against Indian delinquency, which was put on, or put off, according as convenience suggested; exhibited a short history of the notice which parliament had taken of Indian affairs; and, in the next place, adduced the considerations which, at the present moment, appeared to call upon the House to Institute penal proceedings. It then remained for him, to present a view of the different courses, which, in such a case, it was competent for that assembly to pursue. In the first place, the House might effect a prosecution by the Attorney-General. But to this mode he had three very strong objections. First, the person who held that office appeared to be unfriendly to the prosecution; whatever depended upon his exertions was, therefore, and object of despair. Secondly, Mr. Burke regarded a jury as little qualified to decide upon matters of the description of those which would form the subject of the present judicial inquiry. Thirdly, he looked upon the Court of King's Bench as a tribunal radically unfit to be trusted in questions of that large and elevated nature. The inveterate habit of looking, as in that court, at minute affairs, and that only in their most contracted relations, produced a narrowness on mind, which was almost invariably, at fault, when the extended relations of things or subjects of a

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comprehensive nature, were the objects to be investigated and judged.1 A bill of pains and penalties was a mode of penal inquiry which did not, in his opinion, afford sufficient security for justice and fair dealing towards the party accused. The last mode of proceeding, to which the House might have recourse, was that of impeachment; and that was the mode, the adoption of which he intended to recommend. He should, however, propose a slight departure from the usual order of the steps. Instead or urging the House to vote immediately a bill of impeachment, to which succeeded a Committee by whom the articles were framed, he should move for papers, in the first instance; and then draw up the articles, with all the advantage in favor of justice, which deliberation and knowledge, in place of precipitation and ignorance, were calculated to yield. He concluded by a motion for one of the sets of papers which it was his object to obtain.



Mr. Dundas thought that the allusions to himself demanded a reply. He observed, that, at one time during the speech, he began to regard himself, not Mr. Hastings, as the criminal whom the Right Honourable Gentlemen meant to impeach : that he was obliged, however, to those who had any charge to prefer against him, when they appeared without disguise: that he wished to meet his accusers face to face: that he had never professed any intention to prosecute the late Governor-General of India: that the extermination of the Rohillas, the aggression upon the Mahrattas, and the misapplication of the revenue, were the points on which his condemnation rested: that he did move the resolutions which had been read; and entertained now the same sentiments which he then expressed: that the resolutions he had moved, went only to the point of recall: that though in several particulars he deemed the conduct of Mr. Hastings highly culpable; yet, as often as he examined it, which he had done very minutely, the possibility of annexing to it a criminal intention eluded his grasp; that the Directors were often the cause of those proceedings to which the appearance of criminality was attached; that after India was glutted with their patronage, no fewer than thirty-six writers had been sent out, to load with expense the civil establishment, in one year; that year of purity, when the situation of the present accusers sufficiently indicated the *shop,* from which the commodity was supplied: that subsequently to the period at which he had moved the resolutions in question, Mr. Hastings had rendered important services; and merited the vote of thanks with which his employers had thought fit to reward him. Mr. Dundas concluded, by saying, that he had no objection to the motion, and that, but for the insinuations against himself, he should not have thought it necessary to speak.

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The defence, however, of Mr. Dundas, is not less inconsistent than his conduct. His profession of a belief, that he himself was to be the object of the prosecution, was an affectation of wit, which proved not, thought Mr. Hastings were polluted, that Mr. Dundas was pure; or that in the accusation of the former it was not highly proper, even requisite, to hold up to view what was suspicious in the conduct of the latter. Whether he ever had the intention to prosecute Mr. Hastings, was known only to himself. But that he had pronounced accusations against Mr. Hastings, which were either unjust, or demanded a prosecution, all the world could judge. When he said that the resolutions which he had moved, and which had immediately been read, implied

nothing more than recall, it proved only one of two things; either that he regarded public delinquency, in a very favourable light; or that this was one of those bold assertions, in the face of evidence, which men of certain character are always ready to make. If Warren Hastings had really, as was affirmed by Mr. Dundas, and voted at his suggestion by the House of Commons, "in sundry instances tarnished the honour, and violated the policy of his country, brought great calamities on India, and enormous expenses to the East India Company," had he merited nothing but recall? Lord Macartney was recalled; Sir John Macpherson was recalled; many others were recalled; against whom no delinquency was alleged. Recall was not considered as a punishment. And was nothing else due to such offences as those which Mr. Dundas laid to the charge of Mr. Hastings? But either the words of Mr. Dundas's resolutions were very ill adapted to express his meaning, or they did imply much more than recall. Of the two resolutions which Mr. Burke had required to be read, the *last* recommended the measure of recall to the Court of Directors, whose prerogative it was; the *first* recommended something else, *some signal mark of the displeasure of the parliament of Great Britain.* What might this be? Surely not recall; which was not within the province of parliament. Surely not a mere advice to the Directors to recall, which seems to fall wonder fully short of *a signal mark of its displeasure.* But Mr. Dundas still retained the very sentiments respecting the conduct of Mr. Hastings which he had entertained when he described it as requiring "some signal mark of the displeasure of the British parliament;" yet, as often as often as he examined that conduct, the possibility of annexing to it a criminal intention eluded his grasp; nay, he regarded Mr. Hastings, as the proper object of the Company's thanks; that is to say, in the opinion of Mr. Dundas, Mr. Hastings was at one and the same moment, the proper object of "some signal mark of the displeasure of the British parliament," and of a vote of thanks at the East India House. The Court of Directors were the cause of Directors were the cause of the bad actions of Mr. Hastings. Why then did Mr. Dundas pronounce those violent censures of Mr. Hastings? And why did he profess that he now entertained the same sentiments which he then declared? He thought him culpable, forsooth, but not criminal; though he had described him as having " violated the honour and policy of his country, brought great calamities upon India, and enormous expense on his employers;" so tenderly did Mr. Dundas think it proper to deal with public offences, which he himself described as of the deepest die! But he could not affix criminal *intention* to the misconduct of Mr. Hastings. It required much less ingenuity than that of Mr. Dundas, to make it appear that there is no such thing as criminal intention in the world. The man who works all day to earn a crown, and the man who robs him of it, as he goes home at night, act, each of them, with the very same intention; that of obtaining a certain portion of money. Mr. Dundas might have known, that criminal intention is by no means necessary to constitute the highest possible degree of public delinquency. Where is the criminal intention of the sentinel who falls asleep at his post? Where was the criminal intention of Admiral Bing, who suffered a capital punishment? The assassin of Henry the Fourth of France was doubtless actuated by the purest and most heroic intentions. yet who doubts that he was the proper object of penal exaction? Such are the inconsistencies of a speech, which yet appears to have passed as sterling, in the



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assembly to which it was addressed; and such is a sample of the speeches which have had so much influence in the government of this nation!



The year in which Mr. Fox had been minister was accused of overloading the patronage of India; and Mr. Dundas hazarded a curious proposition, to which his experience yielded weight, that the circumstance of who was minister always indicated the *shop,* as he called it, from which Indian patronage was retailed. This called up Mr. Fox, who began by declaring that he spoke on account solely of the charge which had been levelled against himself. Surmise might be answered, he thought, by assertion; and, therefore, he solemnly declared, that he had never been the cause of sending out except one single writer to India, and that during the administration of Lord Shelburne. The consistency, however, of the Honorable Gentleman suggested strongly a few remarks, notwithstanding his boasted readiness to face his opponents. The power of facing, God knew, was not to be numbered among his wants; even when driven, as on the present occasion, to the miserable necessity of applauding, in the latter part of his speech, what he condemned in the former. His opinion of Mr. Hastings remained the same as when he arraigned him: Yet he thought him a fit object of thanks. He condemned the Rohilla war; the treaty of Poorunder; and the expense of his administration. Gracious heaven! Was that all? Was the shameful plunder of the Mogul Emperor, the shameful plunder of the Rajah of Benares, the shameful plunder of the Princesses of Oude, worthy of no moral abhorrence, of no legal visitation? Was the tender language now held by the Honourable Gentleman, respecting the author of those disgraceful transactions, in conformity either with the facts, or his former declarations?



Mr. Pitt rose in great warmth; to express, he said, some part of the indignation, with which his breast was filled, and which he trusted, no man of generous and honourable feelings could avoid sharing with him. Who had accused his Honourable Friend of guilt, in now applauding the man whom he had formerly condemned? Who, but he, who, in the face of Europe, had united councils with the man whom for a series of years he had loaded with the most extravagant epithets of reproach, and threatened with the severest punishment! The height of the colouring, which that individual had bestowed upon the supposed inconsistency of his friend, might have led persons unacquainted with his character, to suppose that he possessed a heart really capable of feeling abhorrence at the meanness and baseness of those who shifted their sentiments with their interests. As to the charge of inconsistency against his Honourable Friend, was it not very possible for the conduct of any man to merit, at one time, condemnation, at another, applause? Yet it was true, that the practice of the accuser had instructed the world in the merit of looking to persons, not to principles! He then proceeded to extenuate the criminality of the Rohilla war. And concluded, by ascribing the highest praise to that portion of the administration of Hastings which had succeeded the date of the resolutions of Mr. Dundas.

On this speech, what first suggests itself is, that a great proportion of it is employed, not in proving that Mr. Dundas had not, but in proving that Mr. Fox had, been

corruptly inconsistent. In what respect, however, did it clear the character of Mr. Dundas, to implicate that of the man who accused him? How great soever the baseness of Mr. Fox, that of Mr. Dundas might equal, and even surpass it. True, indeed, the conduct of a man, at one time bad, might, at another time, be the reverse. But would that be a good law which should exempt crimes from punishment, provided the perpetrators happened afterwards to perform acts of a useful description? A man might thus
get securely rich by theft and robbery, on the condition of
making a beneficent use of the fruits of his crimes. "The former
portion of the administration of Mr. Hastings was criminal; the
latter, meritorious." It suited the minister's present purpose to say so. But they who study the history, will probably find, that of the praise which is due to the administration of Mr. Hastings, a greater portion belongs to the part which Mr. Pitt condemns, than to that which he applauds: To such a degree was either his judgment incorrect, or his language deceitful!



The production of the papers was not opposed, till a motion was made for those relating to the business of Oude during the latter years of Mr. Hastings's administration. To this Mr. Pitt objected. He said, it would introduce new matter; and make the ground of the accusation wider than necessary: He wished to confine the judicial inquiry to the period embraced in the reports of the Committees of 1781. Mr. Dundas stood up for the same doctrine. If the object, however, was, to do justice between Mr. Hastings and the nation, it will be difficult to imagine a reason, why one, rather than another part of his administration should escape inquiry. Even the friends, however, of Mr. Hastings, urged the necessity of obtaining the Oude papers; and, therefore, they were granted.

A motion was made for papers relative to the Mahratta peace. It was opposed, as leading to the discovery of secrets. On ground like this, it was replied, the minister could never want a screen to any possible delinquency. A motion for the papers relative to the negotiations which Mr. Hastings had carried on at Delhi in the last months of his administration, was also made, and urged with great importunity. It was opposed on the same grounds,
and both were rejected.



During the debates on these motions, objections had begun to be started, on the mode of procedure which Mr. Burke had embraced. To call for papers relative to misconduct, and from the information which these might afford, to shape the charges by the guilt, was not, it was contended, a course which parliament ought to allow. The charges ought to be exhibited first; and no evidentiary matter ought to be granted, but such alone as could be shown to bear upon the charge. These objections, however, produced not any decisive result, till the 3d of April, when Mr. Burke proposed to call to the bar some of the gentlemen who had been ordered, as witnesses, to attend. On this occasion, the crown lawyers opposed in phalanx. Their speeches were long, but their arguments only two. Not to produce the charges in the first instance, and proof, strictly confined to those charges, was unfair, they alleged, to the party accused. To produce the charges first, and no proof but what strictly applied to the charges, was the mode of proceeding in the Courts of Law. Mr. Burke, and they

who supported him, maintained, that this was an attempt to infringe the order of procedure already adopted by the House; which had granted evidence in pursuance of its own plan; had formed itself into a Committee for the express purpose of receiving evidence; and had summoned witnesses to be at that moment in attendance. They affirmed, that the mode of proceeding, by collecting evidence in the first instance, and thence educing the charges, was favorable to precision and accuracy; that the opposition, which it experienced, savored of a design to restrict evidence; and that the grand muster of the crown lawyers for such a purpose was loaded with suspicion. The House, however,



agreed with the lawyers; which is as much as to say, that such was the plan of the minister; and the accuser was obliged to invert the order of his steps. Some elucidation of the incident is strongly required.

To collect some knowledge of the facts of the supposed delinquency; to explore the sources of evidence; to seek to throw light upon the subject of accusation; to trace the media of proof from one link to another, often the only way in which it can be traced; and, when the subject is thus in some degree understood, to put the matter of delinquency into those propositions which are the best adapted to present it truly and effectually to the test of proof, is not, say the lawyers, the way to justice. Before you are allowed to collect one particle of knowledge respecting the facts of the delinquency; before you are allowed to explore a single source of evidence, or do any one thing which can throw light upon the subject, you must put the matter of delinquency, which you are allowed, as far as the lawyers can prevent you, to know nothing about, into propositions for the reception of proof. And having thus made up the subject, which you know nothing about, into a set of propositions, such as ignorance has enabled you to make them, you are to be restrained from adducing one particle of evidence to any thing but your first propositions, how much soever you may find, as light breaks in upon you, that there is of the matter of delinquency, which your propositions, made by compulsion under ignorance, do not embrace. And this is the method, found out and prescribed by the lawyers, for elucidating the field of delinquency, and ensuring the detection of crime!

To whom is the most complete and efficient production of evidence unfavorable? To the guilty individual. To whom is it favourable? To all who are

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innocent, and to the community at large. Evidence, said the lawyers, shall not be produced, till after your charges, because it may be unfavorable to Mr. Hastings.

If they meant that partial evidence might operate unequitably on the public mind; the answer is immediate: Why allow it to be partial? Mr. Hastings knew the field of evidence far better than his accusers, and might call for what he required.

The lawyers were very merciful. It was a cruel thing to an innocent man, to have evidence of guilt exhibited against him; and every man should be presumed innocent, till proved guilty. From these premises there is only one legitimate inference; and that is, that evidence of guilt should never be exhibited against any man.

The rule of the lawyers for the making of propositions is truly their own. It is, to make them out of nothing. All other men, on all occasions, tell us to get knowledge first; and then to make propositions. Out of total ignorance how can any thing the result of knowledge be made?—No, say the lawyers; make your propositions, while in absolute ignorance; and, by help of that absolute ignorance, show, that even the evidence which you call for is evidence to the point. It is sufficiently clear, that when the man who endeavours to throw light upon delinquency is thus compelled to grope his way in the dark, a thousand chances are provided for delinquency to escape.

When a rule is established by lawyers, and furiously upheld; a rule pregnant with absurdity, and contrary to the ends of justice, but eminently conducive to the profit and power of lawyers, to what sort of motives does common sense guide us in ascribing the evil? Delinquency produces law suits; law suits produce lawyers' fees and lawyers' power; whatever can multiply the law suits which arise out of delinquency, multiplies the occasions on which lawyers' power and profit are gained. That a rule to draw up the accusatory propositions before inquiry, that is, without knowledge, and to adduce evidence to nothing but those propositions which ignorance drew, is a contrivance, skilfully adapted, to multiply the law suits to which delinquency gives birth, is too obvious to be capable of being denied.



And what is the species of production, which their rule of acting in the dark enables the lawyers themselves, in the guise of the writing of accusation or bill of indictment, to supply? A thing so strange, so extravagant, so barbarous, that it more resembles the freak of a mischievous imagination, playing a malignant frolic, than the sober contrivance of reason, even in its least instructed condition.

Not proceeding by knowledge, but conjecture, as often as the intention is really to include, not to avoid including, the offence, they are obliged to ascribe to the supposed delinquent, not one crime, but all manner of crimes, which bear any sort of resemblance to that of which they suppose him to have been really guilty; in order, that, in a multitude of guesses, they may have some chance to be right in one.

And this course they pretend to take, out of tenderness to the party accused. To save him from the pain of having evidence adduced to the one crime of which he is guilty, they solemnly charge him with the guilt of a great variety of crimes. Where innocence really exists, the production of evidence is evidence to innocence, and is the greatest favour which innocence, under suspicion, can receive.

The absurdities, with which, under this irrational mode of procedure, a bill of indictment is frequently stuffed, far exceed the limits of ordinary belief. Not only are the grossest known falsehoods regularly and invariably asserted, and found by juries upon their oaths; but things contradictory of one another, and absolutely impossible in nature. Thus, when it is not known in which of two ways a man has been murdered, he is positively affirmed to have been murdered twice; first to have been murdered in one way; and after being murdered in that way, to be murdered again in another.

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The truth, in the mean time is, that a system of preliminary operations, having it for their object to trace out and secure evidence for the purpose of the ultimate examination and decision, so far from being adverse to the ends of justice, would form a constituent part of every rational course of judicial procedure. By means of these preparatory operations, the judge would be enabled to come to the examination of the case, with all the circumstances before him on which his decision ought to be grounded, or which the nature of the case allowed to be produced. Without these preparatory operations, the judge is always liable to come to the examination with only a small part of the circumstances before him, and very seldom indeed can have the advantage of the whole. The very nature of crime, which as much as possible seeks concealment, implies, that the evidence of it must be traced. Some things are only indications of other indications. The last may alone be decisive evidence of guilt; but evidence, which would have remained undiscovered, had the inquirer not been allowed to trace it, by previously exploring the first. One man may be supposed to know something of the crime. When examined, he is found to know nothing of it himself, but points out another man, from whom decisive evidence is obtained. If a preliminary procedure for the purpose of tracing evidence is allowed, the persons and things whose evidence is immediate to the fact in question, are produced to the judge; and the truth is ascertained. If the preliminary procedure is forbidden, the persons and things, whose evidence would go immediately to the facts in question, are often not produced to the judge; and in this and a thousand other ways, the means of ascertaining the truth, that is of satisfying justice, are disappointed of their end.



It thus appears, that a confederacy of crown lawyers and ministers, with a House of Commons at their beck, succeeded in depriving the prosecution of Mr. Hastings of an important and essential instrument of justice, of which not that cause only, but every cause ought to have the advantage; and that they succeeded on two untenable grounds; first, because the search for evidence was unfavourable to Mr. Hastings, which was as much as to say, that Mr. Hastings was guilty, not innocent; next, because it was contrary to the practice of the courts of law; as if the vices of the courts of law ought not only to be inviolate on their own ground, but never put to shame and disgrace by the contrast of virtues in any other place![1]

Mr. Burke being thus compelled to produce the particulars of his accusation, before he was allowed by aid of evidence to acquaint himself with the matter of it, exhibited nine of his articles of charge on the fourth of April, and twelve more in the course of the following week. I conceive that in this place nothing more is required than to give indication of the principal topics. These were, the Rohilla war; the transactions respecting Benares and its Rajah; the measure by which Corah and Allahabad, and the tribute due for the province of Bengal, were taken from the Mogul; the transactions in Oude respecting the Begums, the English residents, and other affairs; those regarding the Mahratta war, and the peace by which it was concluded; the measures of internal administration, including the arrangements for the collection of the revenues and the administration of justice, the death of Nuncomar, and treatment of Mahomed Reza Khan; disobedience of the commands,

and contempt for the authority, of the Directors; extravagant expense, for the purpose of creating dependants and enriching favourites; and the receipt of presents or bribes. An additional article was afterwards presented, on the 6th of May, which related to the treatment bestowed upon Fyzoolla Khan. I shall not account it necessary to follow the debates, to which the motions upon these several charges gave birth, in the House of Commons; both because they diffused little information on the subject, and because the facts have already been stated with such lights as, it is hoped, may suffice to form a proper judgment upon each.

Not only, on several preliminary questions, did the ministers zealously concur with the advocates of Mr. Hastings; but even when the great question of the Rohilla war, and the ruin of a whole people, came under discussion, Mr. Hastings had the decisive advantage of their support. Mr. Dundas himself, who had so recently enumerated the Rohilla war among the criminal transactions which called forth his condemnation, rose up in its defence;1 and the House voted, by a majority of 119 to 67, that no impeachable matter was contained in the charge.



It was not without reason, that the friends of Mr. Hastings now triumphed in the prospect of victory. Every point had been carried in his favour: The minister had steadily and uniformly lent him the weight of his irresistible power: And the most formidable article in the bill of accusation, had been rejected as void of criminating force.

The motion on the charge respecting the extermination of the Rohillas was made on the first of June. That on the charge respecting the Rajah of Benares was made on the 13th of the same month. On that day, however, the sentiments of Mr. Pitt appeared to have undergone a revolution. The exceptions, indeed, which he took to the conduct of Mr. Hastings, were not very weighty. In his demands upon the Rajah, and the exercise of the arbitrary discretion entrusted to him, Mr. Hastings had exceeded the exigency. Upon this ground, after having joined in a sentence of impunity on the treatment of the Rohillas, the minister declared, that "upon the whole, the conduct of Mr. Hastings, in the transactions now before the House, had been so cruel, unjust, and oppressive, that it was impossible he, as a man of honour or honesty, or having any regard to faith or conscience, could any longer resist; and therefore he had fully satisfied his conscience, that Warren Hastings, in the case in question, had been guilty of such enormities and misdemeanours, as constituted a crime sufficient to call upon the justice of the House to impeach him."

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Some article of secret history is necessary to account for this sudden phenomenon.1 With the conduct of the minister, that too of the House of Commons underwent immediate revolution; the same majority, almost exactly, which had voted that there was not matter of impeachment in the ruin brought upon the Rohillas, voted that there was matter of impeachment in the ruin brought upon the Rajah Cheyte Sing. The friends of Mr. Hastings vented expressions of the highest indignation; and charged the minister with treachery; as if he had been previously pledged for their support.2

No further progress was made in the prosecution of Mr. Hastings during that session of the parliament. But the act of Mr. Pitt for the better government of India was already found in need of tinkering. Mr. Francis, early in the session, had moved for leave to bring in a bill for amending the existing law agreeably to the ideas which he had often expressed.

Upon this, however, the previous question was moved, and carried without a division.



In the course of the year 1786, no fewer than three bills for amending the late act, with regard to the government of India, were introduced by the ministers, and passed. The first29. had for its principal object to free the Governor-General from a dependance upon the majority of his council, by enabling him to act in opposition to their conclusions, after their opinions together with the reasons upon which they were founded had been heard and recorded. This idea had been first brought forward by Lord North, in the propositions which he offered as the foundation of a bill, immediately before the dissolution of his ministry. It appears to have been first suggested by Mr. Dundas; and the regulation was insisted upon by Lord Macartney, as indispensable to the existence of a good government in India. It was violently, indeed, opposed by Mr. Francis, Mr. Burke, and the party who were led by them, in their ideas on Indian subjects. The institution, however, bears upon it considerable marks of wisdom. The Council were converted into a party of assessors to the Governor-General, aiding him by their advice, and checking him by their presence. Individual responsibility and unity of purpose were thus united with multiplicity of ideas, and with the influence, not only of eyes, to which every secret was exposed, but of recorded reasons, in defiance of which, as often as the assessors were honest and wise, every pernicious measure would have to be taken, and by which it would be seen that it might afterwards be tried.

The same bill introduced another innovation, which was, to enable the offices of Governor-General and Commander-in-Chief, to be united in the same person. It was undoubtedly of great importance to render the military strictly dependant upon the civil power, and to preclude the unavoidable evils of two conflicting authorities. But very great inconveniences attended the measure of uniting in the same person the superintendance of the civil and military departments. In the first place, it raised to the greatest possible degree of concentrated strength the temptations to what the parliament and ministry pretended they had the greatest aversion; the multiplication of wars, and pursuit of conquest. In the next place, the sort of talents, habits, and character, best adapted for the office of civil governor, were not the sort of talents, habits, and character, best adapted for the military functions: nor were those which were best adapted for the military functions, best adapted for the calm and laborious details of the civil administration. And, to omit all other evils, the whole time and talents of the ablest man were not more than sufficient for the duties of either office. For the same man, therefore, it was impossible, not to neglect the one set of duties, in the same degree in which he paid attention to the other.

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This bill was arraigned by those who generally opposed the minister, and on the 22d of March, when, in the language of parliament, it was committed, in other words,

considered by the House, when the House calls itself a committee, Mr. Burke poured fourth against it one of his most eloquent harangues. It established a despotical power, he said, in India. This, it was pretended, was for giving energy and dispatch to the government. But the pretext was false. He desired to know, where that arbitrary government existed, of which dignity, energy, and dispatch, were the characteristics. To what had democracy, in all ages and countries, owed most of its triumphs, but to the openness, the publicity, and strength of its operation."[1]



Mr. Dundas called upon his opponents to inform him, whether it was not possible for despotism to exist in the hands of many, as well as in the hands of one; and he observed, that if the power of the Governor-General would be increased, so would also his responsibility. The answer was just and victorious. It is a mere vulgar error, that despotism ceases to be despotism, by merely being shared. It is an error, too, of pernicious operation on the British constitution. Where men see that the powers of government are shared, they conclude that they are also limited, and already under sufficient restraint. Mr. Dundas affirmed, and affirmed truly, that the government of India was no more a despotism, when the despotism was lodged in the single hand of the Governor-General, than when shared between the Governor and the Council. What he affirmed of increasing the force, by increasing the concentration, of responsibility, is likewise so true, that a responsibility, shared, is seldom any responsibility at all. So little was there, in Burke's oratory, of wisdom, if he knew no better, of simplicity and honesty, if he did.

The second of the East India acts of this year[2] was an artifice. It repealed that part Mr. Pitt's original act which made necessary the approbation of the King for the choice of a Governor-General. It reserved to the King the power of recall, in which the former was completely included.



The third of the acts of the same year[1] had but one object of any importance; and that was, to repeal the part of Mr. Pitt's original bill, which almost alone appears to have had any tendency to improve the government to which it referred: I mean the disclosure of the amount of the property which each individual, engaged in the government of India, realized in that country. This was too searching a test: And answered the purposes neither of ministers in England, nor of the Company's servants in India.[2]

Nor was this all. There was also, during the course of this year, a fourth bill, granting relief to the East India Company; that sort of relief, for which they had so often occasion to apply, relief in the way of money. A petition from the Company was presented; and the subject was discussed in the House of Commons, on the 9th, and 26th of June. The act[1] enabled them to raise money by the sale of a part, to wit, 1,207,559*l.* 15*s.* of the 4,200,000*l.,* which they had lent to the public; and also, by adding 800,000*l.* in the way of subscription to their capital stock.

On the first day of the following session, which was the 23d of January, 1787, Mr. Burke announced, that he should proceed with the prosecution of Mr. Hastings, on the first day of the succeeding month. The business, during this session, was carried through its first and most interesting stage. The House of Commons reviewed the several articles of charge; impeached Mr. Hastings at the bar of the House of Peers; and delivered him to that judicatory for trial. Of the proceedings at this stage it is necessary for me to advert to only the more remarkable points.

On the 7th of February, the charge relating to the resumption of the jaghires or lands of the Princesses of Oude, the seizure of their treasure, and the connected offences, was exhibited by Mr. Sheridan in a speech which powerfully operated upon the sympathy of the hearers, and was celebrated as one of the highest efforts of English eloquence. On this subject Mr. Pitt took a distinction between the landed estates, and the treasures. For depriving the Begums of their estates, he could conceive that reasons might exist; although peculiar delicacy and forbearance were due on the part of the English, who were actually the guarantees to the Princesses for the secure possession of those estates. But the confiscation of their treasures, he thought an enormity, altogether indefensible and atrocious; and the guilt of that act was increased by stifling the order of the Court of Directors, which commanded the proceedings against the Princesses to be revised. The plunder of the chief of Furruckabad, a dependant, also, of the Nabob, whom the English were bound to protect, formed a part of the transactions to which the Governor-General became a party by the treaty of Chunar. It was made a separate article of charge. And, in the matter of that as well as the preceding article, it was voted by large majorities, that high crimes and misdemeanours were involved. Mr. Pitt observed, that the conduct of the Governor-General, in receiving a present of enormous value from the Nabob, at the time when he let him loose to prey upon so many victims, was not justified by the pretence of receiving it for the public service, in which no exigence existed to demand recurrence to such a resource: “it could be accounted for by nothing but corruption.”



In the course of these proceedings, Mr. Burke thought it necessary to call the attention of the House to the difficulties under which the prosecution laboured in regard to evidence. The late Governor-General, as often as he thought proper, had withheld, mutilated or garbled the correspondence which he was bound to transmit to the East India House. Nor was this all. Those whose duty it was to bring evidence of the charges were often ignorant of the titles of the papers for which it was necessary to call; and papers, however closely connected with the subject, were withheld, if not technically included under the title which was given. He himself, for example, had moved for the Furruckabad papers, and what he received under that title, he concluded, were the whole; but a motion had been afterwards made, by another member, for the Persian correspondence, which brought forth documents of the greatest importance.

To another circumstance it befitted the House to advert. The attorney of the East India Company, in vindication of whose wrongs the prosecution was carried on, was (it was pretty remarkable) the attorney, likewise, of Mr. Hastings; and while the House were groping in the dark, and liable to miss what was of most importance, Mr. Hastings and

his attorney, to whom the documents in the India House were known, might, on each occasion, by a fortunate document, defeat the imperfect evidence before the House, and laugh at the prosecution.

On the charge, that expence had been incurred by Mr. Hastings for making dependants and creating a corrupt influence, brought forward on the 15th of March, Mr. Pitt selected three particulars, as those alone which appeared to him, in respect to magnitude, and evidence of criminality, to demand the penal proceedings of parliament. These were, the contract for bullocks in 1779; the opium contract in 1780;1 and the extraordinary emoluments bestowed on Sir Eyre Coote. In the first there were not only, he said, reprehensible circumstances, but strong marks of corruption: while the latter transaction involved in it almost every species of criminality; a violation of the faith of the Company, a wanton abuse of power against a helpless ally, a misapplication of the public property, and disobedience to his superiors, by a disgraceful and wicked evasion.



On the 2d of April, when the report of the Committee on he articles of charge was brought up, it was proposed by Mr. Pitt, that, instead of voting whether the House should proceed to impeachment, a preliminary step should be interposed, and that a committee should be formed to draw up articles of impeachment. His reason was, that on several of the particulars, contained in the articles of charge, he could not vote for the penal proceeding proposed, while he thought that on account of others it was clearly required. A committee might draw up articles of impeachment, which would remove his objections, without frustrating the object which all parties professed to have in view. After some little opposition, this suggestion was adopted. Among the names presented for the Committee was that of Mr. Francis. Objection to him was taken, on the score of a supposed enmity to the party accused; and he was rejected by a majority of 96 to 44.

On the 25th of the month, the articles of impeachment were brought up from the Committee by Mr. Burke. They were taken into consideration on the 9th of May. The formerly celebrated, then Alderman, Wilkes, was a warm friend of Mr. Hastings; and strenuously maintained that the prosecution was unjust. He said, what was the most remarkable thing in the debate, that it was the craving and avaricious policy of this country, which had, for the purpose of getting money to satisfy this inordinate appetite, betrayed Mr. Hastings into those of his measures for which a defence was the most difficult to be found. The remark had its foundation in truth; and it goes pretty far in extenuation of some of Mr. Hastings's most exceptionable acts. The famous Alderman added, that a zeal for justice, which never recognizes any object that takes any thing from ourselves, is a manifest pretence. If Mr. Hastings had committed so much injustice, how disgraceful was it to be told, that not a single voice had yet been heard to cry for restitution and compensation to those who had suffered by his acts? The stain to which the reformed patriot thus pointed the finger of scorn, is an instance of that perversion of the moral sentiments to which nations by their selfishness are so commonly driven, and which it is therefore so useful to hold up to perpetual view. Among individuals, a man so corrupt could scarcely be formed as to

cry out with vehemence against the cruelty of a plunder, perpetrated for his benefit, without a thought of restoring what by injustice he had obtained. There was in this debate another circumstance worthy of notice; that Mr. Pitt pronounced the strongest condemnation of those who endeavoured to set in balance the services of Mr. Hastings against the crimes, as if the merit of the one extinguished the demerit of the other. This was an attempt, he said, to compromise the justice of the country. Yet at a date no further distant than the preceding session, Mr. Pitt had joined with Mr. Dundas, when that practical statesman urged the merit of the latter part of Mr. Hastings's administrations, as reason to justify himself for not following up by prosecution the condemnations which he had formerly pronounced.

The articles of impeachment, which were now brought up from the Committee, received the approbation of the House; a vote for impeaching Mr. Hastings was passed; the impeachment was carried by Mr. Burke to the bar of the Lords; Mr. Hastings was brought to that bar; admitted to bail; and allowed one month, and till the second day of
the following session of parliament, to prepare for his defence.



On the 24th of April, 1787, Sir Gilbert Elliot, whose intention had been delayed by other business which was before the House, gave notice of a day on which he intended to bring forward the subject of the impeachment of Sir Elijah Impey, but on account of the approaching termination of that session was induced to postpone it till the next.

On the 12th of December, after an introductory speech, Sir Gilbert exhibited his articles of charge. They related to five supposed offences, regarding, 1. The catastrophe of the Rajah Nuncomar; 2. The Patna cause; 3. The Cossijurah cause; 4. The office of Sudder Duannee Adaulut; 5. The affidavits at Lucknow. They were referred to a Committee of the whole house, and on the 4th of February, 1788, Sir Elijah Impey was heard in his defence. What he advanced was confined to the subject of the first charge, his concern in the death of Nuncomar. Further discussions took place, on the same subject, on the 7th and 8th. On the 11th and 26th of February, and on the 16th of April, witnesses were examined at the bar, and more or less of discussion accompanied. On the 28th of April, on the 7th and 9th of May, Sir Gilbert Elliot summed up and enforced the evidence on the first of the charges, and on the last of these days moved, "That the Committee, having considered the first article, and examined evidence thereupon, is of opinion, that there is ground of impeachment of high crimes and misdemeanours against Sir Elijah Impey, upon the matter of the said article." After a debate of considerable length, the motion was negatived, by a majority of seventy-three to fifty-five. An attempt was made to proceed with the remaining articles on the 27th of May; but the business was closed, by a motion to postpone it for three months. In this affair, the lawyers, as was to be expected, supported the judge. The minister, Mr. Pitt, distinguished himself by the warmth with which he took up the defence of Sir Elijah from the beginning of the investigation, and by the asperity with which he now began to treat Mr. Francis.[1]

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The operation of Mr. Pitt's new law produced occasion for another legislative interference. In passing that law, two objects were very naturally pursued. To avoid the imputation of what was represented as the heinous guilt of Mr. Fox's bill, it was necessary, that the principal part of the power should *appear* to remain in the hands of the Directors. For ministerial advantage, it was necessary, that it should in *reality* be all taken away.

Minds drenched with terror are easily deceived. Mr. Fox's bill threatened the Directors with evils which to them, at any rate, were not imaginary. And with much art, and singular success, other men were generally made to believe, that it was fraught with mischief to the nation.

Mr. Pitt's bill professed to differ from that of his rival, chiefly in this very point, that while the one destroyed the power of the Directors, the other left it almost entire. The double purpose of the minister was obtained, by leaving them the forms, while the substance was taken away. In the temper into which the mind of the nation had been artfully brought, the deception was easily passed. And vague and ambiguous language was the instrument. The terms, in which the functions of the Board of Control were described, implied, in their most obvious import, no great deduction from the former power of the Directors. They were susceptible of an interpretation which took away the whole.



In all arrangements between parties of which the one is to any considerable degree stronger than the other, all ambiguities in the terms are sooner or later forced into that interpretation which is most favourable to the strongest party, and least favourable to the weakest. The short-sighted Directors understood not this law of human nature; possibly saw not, in the terms of the statute, any meaning beyond what they desired to see; that which the authors of the terms appeared, at the time, to have as ardently at heart as themselves.

The Directors had not enjoyed their imaginary dignities long, when the Board of Control began operations which surprised them; and a struggle which they were little able to maintain, immediately ensued. The reader is already acquainted with the disputes which arose on the payment of the debts of the Nabob of Arcot; and on the appointment of a successor to Lord Macartney, as Governor of Fort St. George.

Lieutenant-Colonel Ross had been guilty of what the Directors considered an outrageous contempt of their authority. In July, 1785, they dictated a severe reprimand. The Board of Control altered the dispatch, by striking out the censure. The dignity of the Directors was now touched in a most sensible part. "The present occasion," they said, "appeared to them so momentous, and a submission on their part so destructive of all order and subordination in India, that they must take the liberty of informing the Right Honourable Board that no dispatch can be sent to India which does not contain the final decision of the Directors on Lieutenant-Colonel Ross." The Board of Control, it is probable, deemed the occasion rather too delicate for the scandal of a struggle. It could well afford a compromise: and crowned its compliance, in this instance, with the following comprehensive

declaration: “We trust, however, that by this acquiescence, it will not be understood that we mean to recognize any power in you to transmit to India either censure or approbation of the conduct of any servant, civil, or military, exclusive of the control of this Board:” that is to say, they were not to retain the slightest authority, in any other capacity than that of the blind and passive instruments of the superior power.

These cases are a few, out of a number, detached for the purpose of giving greater precision to the idea of the struggle which for a time the Court of Directors were incited to maintain with the Board of Control. At last an occasion arrived which carried affairs to a crisis. In 1787, the democratical party in Holland rose to the determination of throwing off the yoke of the aristocratical party. As usual, the English government interfered, and by the strong force of natural tendency, in favour of the aristocratical side. The French government, with equal zeal, espoused the cause of the opposite party; and a war was threatened between England and France. The Directors took the alarm; petitioned for an augmentation of military force; and four royal regiments, destined for that service, were immediately raised. Happily the peace with France was not interrupted. The Directors were of opinion that, now, the regiments were not required. The Board of Control, however, adhered to its original design. The expense of conveying the troops, and the expense of maintaining them in India, would be very great: The finances of the Company were in their usual state of extreme
pressure and embarrassment: This addition to their burthens the Directors regarded as altogether gratuitous; and tending to nothing but the gradual transfer of all military authority in India from the Company to the minister: Their ground appeared to be strong: By an act which passed in 1781, they were exempted from the payment of any troops which were not sent to India upon their requisition: They resolved to make a stand, refusing to charge the Company with the expense of the ministerial regiments. The Board of Control maintained that, by the act of 1784, it received the power, upon the refusal of the Company to concur in any measure which it deemed expedient for the government of India, to order the expense of the measure to be defrayed out of the territorial revenues. The Directors, looking to the more obvious, and, at the time of its passing, the avowed meaning of the act, which professed to confirm, not to annihilate the “chartered rights of the Company,” denied the construction which was now imposed upon the words. They took the opinion of several eminent lawyers, who, looking at the same points with themselves, rather than the unlimited extent to which the terms of the act were capable of stretching, declared that the pretensions of the ministers were not authorized by law.



The question of the full, or limited, transfer of the government of India, was to be determined. The minister, therefore, resolved to carry it before a tribunal on whose decision he could depend. On the 25th of February, 1788, he moved the House of Commons for leave to bring in a bill. When the meaning of an act is doubtful, or imperfect, the usual remedy is a bill to explain and amend. Beside the confession of error which that remedy appears to
imply, a confession not grateful to ministerial sensibility, something is understood to be altered by that proceeding in the matter of the law. Now, the extraordinary powers, to which the

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claim was at this time advanced, might, it was probable, be more easily allowed, if they were believed to be old powers, already granted, than new powers, on which deliberation, for the first time, was yet to be made. For this, or for some other reason, the ministers did not bring in a bill to explain and amend their former act, but a bill to declare its meaning. The business of a legislature is to *make* laws. To *declare the meaning of the laws,* is the business of a judicatory. What, in this case, the ministers therefore called upon the parliament to perform, was not an act of legislation, but an act of judicature. They called upon it successfully, of course, to supersede the courts of justice, and to usurp the decision of a question of law; to confound, in short, the two powers, of judicature and legislation.

In the speech, in which Mr. Pitt moved for leave to bring in the bill by means of which this act of judicature was to be performed, it was, he declared, incomprehensible to him, that respectable men of the law should have questioned that interpretation of the statute of 1784 for which he contended. “In his mind nothing could be more clear, than that there was no one step that could have been taken previous to passing the act of 1784 by the Court of Directors, touching the military and political concerns of India, and also the collection, management, and application of the revenues of the territorial possessions, that the Commissioners of the Board of Control had not now a right to take by virtue of the powers and authority vested in them by the act of 1784.”

If every power which had belonged to the Directors, might be exerted by the Board of Control, against
the consent of the Directors; but the Directors could not exercise the smallest political power, against the consent of the Board of Control, it is evident that all political power was taken away from the Directors. The present declaration of Mr. Pitt, with regard to the interpretation of his act, was, therefore, directly contradictory to his declarations in 1784, when he professed to leave the power of the Directors regulated, rather than impaired.



Mr. Dundas, the President of the Board of Control, spoke a language still more precise. “It was the meaning, he affirmed, of the act of 1784, that the Board of Control, if it chose, might apply the whole revenue of India to the purposes of its defence, without leaving to the Company a single rupee.”

The use to which the minister was, in this manner, about to convert the parliament, the opponents of the bill described as full of alarm. To convert the makers of law into the interpreters of law, was, itself, a circumstance in the highest degree suspicious; involved in it the destruction of all certainty of law, and by necessary consequence of all legal government. To convert into a judicature the British parliament, in which influence made the will of the minister the governing spring, was merely to erect an all-powerful tribunal, by which every iniquitous purpose of the minister might receive its fulfilment. The serpentine path, which the minister had thus opened, was admirably calculated for the introduction of every fraudulent measure, and the accomplishment of every detestable design. He finds an object with a fair complexion; lulls suspicion asleep by liberal professions; frames a law in terms so

indefinite as to be capable of stretching to the point in view; watches his opportunity; and, when that arrives, calls upon an obedient parliament, to give his interpretation to their words. By this management, may be gained, with little noise or observation, such acquisitions of power, as, if openly and directly pursued, would at least produce a clamour and alarm.



When, however, the opponents of the bill contended that the act did not warrant the interpretation which the legislature was now called upon to affix; they assumed a weaker ground. They showed, indeed, that the act of 1784 was so contrived as to afford strong appearances of the restricted meaning from which the minister wished to be relieved; such appearances as produced general deception at the time;[1] but it was impossible to show, that the terms of the act were not so indefinite, as to be capable of an interpretation which involved every power of the Indian government.

It was indeed true, that when a law admits of two interpretations, it is the maxim of Courts of Law, to adopt that interpretation which is most in favour of the party against whom the law is supposed to operate. In parliament, the certain maxim is, to adopt that interpretation which is most favourable to the minister.

The memory of the minister was well refreshed with descriptions of the dreadful effects which he said would flow from the powers transferred to the minister by the bill of Mr. Fox. As the same or still greater powers were transferred to the minister by his own, so they were held in a way more alarming and dangerous. Under the proposed act of Mr. Fox, they would have been avowedly held. Under the act of Mr. Pitt, they were held in secret, and by fraud. Beside the difference, between powers exercised avowedly, and powers exercised under a cover and by fraud, there was one other difference between the bill of Mr. Fox and that of Mr. Pitt. The bill of Mr. Fox transferred the power of the Company to commissioners appointed by parliament. The bill of Mr. Pitt transferred them to commissioners appointed by the King. For Mr. Pitt to say that commissioners chosen by the parliament were not better than commissioners chosen by the King, was to say that parliament was so completely an instrument of bad government, that it was worse calculated to produce good results than the mere arbitrary will of a King. All those who asserted that the bill of Mr. Pitt was preferable to that of Mr. Fox, are convicted of holding, however they may disavow, that remarkable opinion.

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The declaratory bill itself professed to leave the commercial powers of the Company entire. Here, too, profession was at variance with fact. The commercial funds of the Company were blended with the political. The power of appropriating the one, was the power of appropriating the whole. The military and political stores were purchased in England with the produce of the commercial sales. The Presidencies abroad had the power of drawing upon the domestic treasury to a vast amount. The bill, therefore, went to the confiscation of the whole of the Company's property. It was a bill for taking the trading capital of a Company of merchants, and placing it at the disposal of the ministers of the crown.

Beside these objections to the general powers assumed by the bill, the particular measure in contemplation was severely arraigned. To send out to India troops, called the King's when troops raised by the Company in India could be so much more cheaply maintained, was an act on which the mischievousness of all unnecessary expense stamped the marks of the greatest criminality. That criminality obtained a character of still deeper atrocity, when the end was considered, for which it was incurred. It was the increase of crown patronage, by the increase of that army which belonged to the crown. And what was the use of that patronage? To increase that dependance upon the crown which unites the members of the House of Commons, in a tacit confederacy for their own benefit, against all political improvement.



Another objection to the troops was drawn from what was called the doctrine of the constitution: that no troops should belong to the King, for which parliament did not annually vote the money.

Some of the Directors professed, that though the powers, darkly conveyed by the act of 1784, were not altogether concealed from them at the time; they had given their consent to the bill from the confidence they had in the good intentions of the ministry; whom they never believed to be capable of aiming at such extravagant powers as those which they now assumed.

This body of arguments was encountered by the minister, first, with the position that no interpretation of a law was to be admitted, which defeated its end. But what was the end of this law of his, was a question, from the solution of which he pretty completely abstained. If it was the good government of India; he did not attempt the difficult task of proving that to *this* end the powers for which he contended were in any degree conducive. If it was the increase of ministerial influence; of their conduciveness to this end, no proof was required.

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To the charge that he had introduced his act, under professions of not adding to the influence of the Crown, nor materially diminishing the powers of the Company; professions which his present proceedings completely belied; he made answer by asserting, broadly and confidently, that it was the grand intention of the act of 1784 to transfer the government of India from the Court of Directors to the Board of Control; and that he had never held a language which admitted a different construction.

Mr. Dundas denied, what was asserted on the part of the Company, that for some time after the passing of the act, the Board of Control had admitted its want of title to the powers which now it assumed. The Company offered to produce proof of their assertion at the bar of the House. The ministers introduced a motion, and obtained a vote that they should not be allowed. No further proof of the Company's assertion, according to the rules of practical logic, could be rationally required.

To show that the Board of Control had exercised the powers which it was thus proved that they had disclaimed, Mr. Dundas was precipitated into the production of facts, which were better evidence of other points than that to which he applied them. He made the following statement: That, in 1785, the resources of the Company were so completely exhausted, as to be hardly equal to payment of the arrears which were due to the army: That the troops were so exasperated by the length of those arrears, as to be ripe for mutiny: And that the Board of Control sent orders to apply the Company's money to the satisfaction of the troops, postponing payments of every other description. In this appropriation,
however, was it not true, that the Directors, though reluctantly, did at last acquiesce?



Mr. Dundas further contended, that without the powers in question, namely, the whole powers of government, the Board of Control would be a nugatory institution.

If the whole powers of government, however, were necessary for the Board of Control, what use was there for another governing body, without power? This was to have two governing bodies; the one real, the other only in show. Of this species of duplication the effect is, to lessen the chances for good government, increase the chances for bad; to weaken all the motives for application, honesty, and zeal in the body vested with power; and to furnish it with an ample screen, behind which its love of ease, power, lucre, vengeance, may be gratified more safely at the expense of its trust.

To crown the ministerial argument, Mr. Dundas advanced, that the powers which were lodged with the Board of Control, how great soever they might be, were lodged without danger, because the Board was responsible to parliament. To all those who regard the parliament as substantially governed by ministerial influence, responsibility to parliament means responsibility to the minister. The responsibility of the Board of Control to parliament, meant, according to this view of the matter, the responsibility of the ministry to itself. And all those, among whom the authors of the present bill and their followers were to be ranked as the most forward and loud, who denounced parliament as so corrupt, that it would have been sure to employ, according to the most wicked purposes of the minister, the powers transferred to it by the bill of Mr. Fox, must have regarded as solemn mockery, the talk, whether from their own lips, or those of other people, about the
responsibility of ministers to parliament.

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Meeting the objections to the sending of King's troops, Mr. Pitt confessed his opinion, that the army in India ought all to be on one establishment; and should all belong to the King; nor did he scruple to declare, that it was in preparation for this reform that the troops were now about to be conveyed.

With regard to the doctrine, called constitutional, about the necessity of an annual vote of parliament for the maintenance of all troops kept on foot by the King, he remarked, that the bill of rights, and the mutiny act, the only positive laws upon the subject, were so vague and indefinite (which is very true) as to be almost nugatory; that one of the advantages attending the introduction of the present question would be,

to excite attention and apply reform to that important but defective part of the constitutional law; and that he was ready to receive from any quarter the suggestion of checks upon any abuse to which the army, or the patronage of India, might appear to be exposed.

If any persons imagined, that this language, about the reform of the constitutional law, would lead to any measures for that desirable end; they were egregiously deceived. Besides, was it any reason, because the law which pretended to guard the people from the abuse of a military power was inadequate to its ends, that therefore a military force should now be created, more independant of parliament than any which, under that law, had as yet been allowed to exist? That any danger, however, peculiar to itself, arose from this army, it was, unless for the purpose of the moment, weak to pretend.

Notwithstanding the immense influence of the minister, so much suspicion was excited by the contrast
between his former professions, and the unlimited power at which he now appeared to be grasping, that the bill was carried through the first stages of its progress, by very small majorities.



With a view to mitigate this alarm, Mr. Pitt proposed that certain clauses should be added; the first, to limit the number of troops, beyond which the orders of the Board of Control should not be obligatory on the East India Company; the second, to prevent the Board from increasing the salary attached to any office under the Company, except with the concurrence of Directors and Parliament; the third, to prevent the Board, except with the same concurrence, from ordering any gratuity for services performed; the fourth, to oblige the Directors annually to lay before parliament the account of the Company's receipts and disbursements.

The annexation of these clauses opened a new source of argument against the bill. A declaratory bill, with enacting clauses, involved, it was said, an absurdity which resembled a contradiction in terms. It declared that an act had a certain meaning; but a meaning limited by enactments yet remaining to be made. It declared that a law without limiting clauses, and a law with them, was one and the same thing. By the bill before them, if passed, the House would declare that certain powers had been vested in the Board of Control, and yet not vested, without certain conditions, which had not had existence. Besides, if such conditions were now seen to be necessary to prevent the powers claimed under the act from producing the worst of consequences, what was to be thought of the legislature for granting such dangerous powers? It was asked, whether this was not so disgraceful to the wisdom of parliament, if it saw not the danger; so disgraceful to its virtue, if it saw it without providing the remedy, as to afford a proof, that no such
powers in 1784 were meant by the legislature to be conveyed?



A protest in the upper house, signed Portland, Carlisle, Devonshire, Portchester, Derby, Sandwich, Cholmondely, Powis, Cardiff, Craven, Bedford, Loughborough, Fitzwilliam, Scarborough, Buckinghamshire,—fifteen lords—exhibits, on the subject of the patronage, the following words: "The patronage of the Company—and this seems to be the most serious terror to the people of

England—the Commissioners of Control enjoy in the worst mode, without that responsibility which is the natural security against malversation and abuse. They cannot immediately appoint; but they have that weight of recommendation and influence, which must ever inseparably attend on substantial power, and which, in the present case, has not any where been attempted to be denied.—Nor is this disposal of patronage without responsibility the only evil that characterizes the system. All the high powers and prerogatives with which the commissioners are vested, they may exercise invisibly—and thus, for a period at least, invade, perhaps, in a great measure finally baffle, all political responsibility; for they have a power of administering to their clerks and other officers an oath of secresy framed for the occasion by themselves; and they possess in the India House the suspicious instrument of a Secret Committee, bound to them by an oath."

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# CHAP. II.

*The Trial of Mr. Hastings.*

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The trial of Mr. Hastings commenced in Westminster Hall on the 13th day of February, 1788. So great was the interest which this extraordinary event had excited, that persons of the highest elevation crowded to the scene.[1] After two days were spent in the preliminary and accustomed ceremonies, on the 15th Mr. Burke began. His oration was continued on the 16th, 18th and 19th, and lasted four days. It was the object of this address to convey to the members of the court a general idea of the character and circumstances of the people of Hindustan; of their situation under the government of Englishmen; of the miseries which he represented them as enduring through the agency of Mr. Hastings; and of the motives, namely, pecuniary corruption, to which he ascribed the offences with which that Governor was charged. The most remarkable passage in the speech was that which related to the enormities imputed to Devi, or Deby Sing; a native placed by Mr. Hastings in a situation of confidence and power. It cannot be omitted; both because the delivery of it is matter of history, whatever may be the proper judgment with respect to the accusations which it brought; and, also because it gave birth to several subsequent proceedings on the trial. This man was admitted; according to the accuser, improperly, and for corrupt ends; to farm the revenues of a large district of country. After a time, complaints arrived at Calcutta, of cruelties which he practised, in extorting money from the people; upon whom, contrary to his instructions, he had raised the rents. Mr. Patterson, one of the gentlemen in the civil service of the Company, was deputed, in the capacity of a Commissioner, to inquire into the foundation of the complaints. It was from his report, that the statements of Mr. Burke, reported in the following words, were derived.

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"The poor Ryots, or husbandmen, were treated in a manner that would never gain belief, if it was not attested by the records of the Company; and Mr. Burke thought it necessary to apologize to their Lordships for the horrid relation, with which he would be obliged to harrow up their feelings; the worthy Commissioner Patterson, who had authenticated the particulars of this relation, had wished that, for the credit of human nature, he might have drawn a veil over them; but as he had been sent to inquire into them, he must, in discharge of his duty state those particulars, however shocking they were to his feelings. The cattle and corn of the husbandmen were sold for less than a quarter of their value, and their huts reduced to ashes! the unfortunate owners were obliged to borrow from usurers, that they might discharge their bonds, which had unjustly and illegally been extorted from them while they were in confinement; and such was the determination of the infernal fiend, Devi Sing, to have these bonds discharged, that the wretched husbandmen were obliged to borrow money, not at twenty, or thirty, or forty, or fifty, but at SIX HUNDRED per cent. to satisfy him! Those who could not raise the money, were most cruelly tortured; cords

were drawn tight round their fingers, till the flesh of the four on each hand was actually incorporated, and became one solid mass: the fingers were then separated again by wedges of iron and wood driven in between them.—Others were tied two and two by the feet, and thrown across a wooden bar, upon which they hung, with their feet uppermost; they were then beat on the soles of the feet, till their toe-nails dropped off.

They were afterwards beat about the head till the blood gushed out at the mouth, nose, and ears; they were also flogged upon the naked body with bamboo canes, and prickly bushes, and, above all, with some poisonous weeds, which were of a most caustic nature, and burnt at every touch. The cruelty of the monster who had ordered all this, had contrived how to tear the mind as well as the body; he frequently had a father and son tied naked to one another by the feet and arms, and then flogged till the skin was torn from the flesh; and he had the devilish satisfaction to know that every blow must hurt; for if one escaped the son, his sensibility was wounded by the knowledge he had that the blow had fallen upon his father: the same torture was felt by the father, when he knew that every blow that missed him had fallen upon his son.



The treatment of the females could not be described:—dragged forth from the inmost recesses of their houses, which the religion of the country had made so many sanctuaries, they were exposed naked to public view: the virgins were carried to the Court of Justice, where they might naturally have looked for protection: but now they looked for it in vain; for in the face of the Ministers of Justice, in the face of the spectators, in the face of the sun, those tender and modest virgins were brutally violated. The only difference between their treatment and that of their mothers was, that the former were dishonoured in the face of day, the latter in the gloomy recesses of their dungeon. Other females had the nipples of their breasts put in a cleft bamboo, and torn off. What modesty in all nations most carefully conceals this monster revealed to view, and consumed by slow fires; may, some of the tools of this monster Devi Sing had, horrid to tell! carried their unnatural brutality so far as to drink in the source of generation and life.

Here Mr. Burke dropped his head upon his hands a few minutes; but having recovered himself, said, that the fathers and husbands of the hapless females were the most harmless and industrious set of men. Content with scarcely sufficient for the support of nature, they gave almost the whole produce of their labour to the East India Company: those hands which had been broken by persons under the Company's authority, produced to all England the comforts of their morning and evening tea: for it was with the rent produced by their industry, that the investments were made for the trade to China, where the tea which we use was bought."[1]



The next proceeding in the course of the trial was a matter of great importance. As soon as Mr. Burke had finished his opening speech, Mr. Fox stood up, and explained to the Court

the order of proceeding which it was the intention of the managers for the prosecution to adopt.

They proposed that one of the articles of impeachment only should be taken under consideration at one time; that the speakers and the evidence, both for the prosecution, and for the defence, should, in the usual manner, be heard on that individual article; that the sentence of the court should then be pronounced; and that the several charges should thus be treated, and thus disposed of, one after another, to the end.

The counsel for Mr. Hastings, three barristers, Mr. Law, Mr. Plomer, and Mr. Dallas, were asked by the Lords, if they agreed to the proposed course of procedure. Upon their declaration, that they desired the matter of accusation upon all the articles to be exhibited first, after which they would deliver all the matter of defence upon them all, when, lastly, the Court might decide upon them all, the parties were ordered to produce what they could urge in support of their respective demands.

Mr. Fox maintained, that the weight of evidence was best appreciated when fresh in the memory; that distinctness and clearness, notwithstanding the complexity of the subject, and facility of conception, notwithstanding its vastness, might, according to the method recommended by the managers, be to a considerable degree attained: whereas, according to the mode of procedure for which the lawyers contended, evidence would be decided on after it was forgotten, and such an accumulation of matter would be offered all at once to the mind, as no mind, without taking it piecemeal, was competent to manage.

In opposition to the order of proceeding, recommended by the managers, the allegations urged by the lawyers were; that such an order was contrary to ancient usage; that the cases offered by the managers as precedents did not apply, and in fact there was no precedent; that the mode proposed was contrary to the modes of procedure at common law; and that it was disadvantageous to the defendant. Mr. Law and Mr. Dallas specified one disadvantage, That in giving their answer upon one charge, they might be compelled to disclose to their adversary the defence which they meant to employ upon others. “My Lords,” said Mr. Law, “we are to come forward, on the first article, to state our case, and to produce all the evidence, and all the defence, we are to make on nineteen others. Is it just? It is reasonable? Is it what would be admitted in any other court of justice?



On the first article we are immediately put under the necessity to sustain our defence; the cross examination of the prosecutor immediately attaches on those witnesses; they extract from them perhaps some evidence which may make it less necessary to call on their part such evidence as they want. Is that right?”[1] It was further urged by Mr. Dallas, that as the charges had a close connexion, the evidence which applied to one, would sometimes be necessary for another, whence repetition and delay.

The Lords withdrew to their own chamber to deliberate, and adjourned the Court to the 22d. The Lord Chancellor Thurlow opened the question, in the chamber of the Lords, by strongly recommending, in a speech of considerable length, the order of proceeding contended for by the lawyers; and his proposition was adopted without a

division. The business of the Court on the 22d was opened by the Lord Chancellor, proclaiming, “Gentlemen, I have in charge to inform you, that you are to produce all your evidence, in support of the prosecution, before Mr. Hastings is called upon for his defence.”

The historian, who is not bound by the opinion, either of the Judges, or of the prosecutors, is called upon to try if he can discover the decision which is pronounced by reason upon the facts of the case.

It will not, surely, admit of dispute, that a question will be decided most correctly, when all the evidence which bears upon it is most fully present to the memory, and every part of it receives its due portion of regard. As little will it admit of dispute, that two things contribute to that just appreciation of evidence, namely, recent delivery, and freedom from the mixture both of other evidence not bearing upon the point and of other questions distracting the attention. The truth of every affirmation is best seen, when the mind, as exempt as possible from every other thought, applies the proof immediately to the point which is in dispute; confronts the affirmative with the negative evidence; adjusts the balance, and decides. There cannot be a question, that for the purpose of ascertaining the truth, of estimating the evidence correctly, and arriving at a decision conformable to the facts, as they took place, the course recommended by the managers was the proper course. As little can it be doubted, that for the purposes of lawyer-craft; for all the advantages to be gained by the suppression of evidence, by the loss of it from the memory, by throwing the Judges into a state of confusion and perplexity, when the mind becomes passive, and allows itself to be led by the adviser who seems most confident in his own opinion; the course, successfully contended for by the lawyers, was infinitely the best. The course, recommended by the managers, was most favorable to an innocent defendant, to the man for whose advantage it is that the truth should be correctly ascertained. The course successfully contended for by the lawyers was most favourable to a guilty defendant, to the man for whose advantage it is that the truth should not be correctly ascertained.



If *truth* is the end, we have, then, arrived at a decision. To this reasoning and its conclusion, there is not, in the harangues of the lawyers, a title opposed. On this, the only question at issue, they were silent: and diverted the attention to other objects. They did not inquire, whether the path pointed out was that which led to the discovery of truth; but whether the Lords, or the lawyers, had been accustomed to tread in that path before. We shall now, however, decide, that whenever the path which leads to truth is discovered, it is no longer the question who has *not* walked in it before, but who shall best walk in it for the future. When the path which leads to truth is discovered, it is a wretched solicitude, which endeavours to find out that our predecessors have *not* walked in it, in order that we may follow their unhappy example, instead of proceeding in the direction which reason points out as the only one that is good. As for the practice of the lawyers’ courts, if that was ascertained to lead in a direction not the most favourable to the discovery of truth, there was no obligation on the Lords, to follow it.

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After this, the lawyers had two allegations, and no more. There was Mr. Law's complaint, that they would be obliged, on one charge, to disclose the grounds of their defence on all. This is a complaint, at being obliged to contribute to the discovery of truth. It is a demand, that a door should be left open to lawyer-craft, for the purpose of defeating the discovery of truth. No disadvantage, but that which the disclosure of truth inferred, could thus arise to the defendant. The necessity of producing evidence would be equal to both parties. If the defendant were obliged, in answering one charge, to disclose the grounds of his defence on others, the accusers would be equally obliged to disclose the grounds of their accusation. The party who by this course would gain, is the party to whom the truth would be favourable; the party who would lose, the party to whom the truth would be noxious. According to the course of the lawyers, the advantage and disadvantage change their sides.

A protest, on the subject, well worthy of a place in the history of this trial, was entered on the Journals of the Lords:

"DISSENTIENT. 1st. Because we hold it to be primarily essential to the due administration of justice, that *they who are to judge have a full, clear, and distinct knowledge* of every part of the question on which they are ultimately to decide: and in a cause of such magnitude, extent, and *variety,* as the present, where issue is joined on acts done at times and places so distant, and with relation to persons so different, as well as on crimes so discriminated from each other by their nature and tendency, we conceive that *such knowledge* cannot but with extreme difficulty be obtained without a separate consideration of the several articles exhibited.

2d. Because we cannot with equal facility, accuracy, and confidence, *apply and compare the evidence adduced,* and more especially the arguments urged by the prosecutors on one side and the defendant on the other, if the whole charge be made one cause, as
if the several articles be heard in the nature of separate causes.



3d. Because, admitting it to be a clear and acknowledged principle of justice, that the defendant against a criminal accusation should be at liberty to make his defence in such form and manner as he shall deem most to his advantage; we are of opinion, that such principle is only true so far forth as the use and operation thereof shall not be extended to *defeat the ends of justice, or to create difficulties and delays equivalent to a direct defeat thereof;* and, because we are of opinion, that the proposition made by the managers of the House of Commons, if it had been agreed to, would not have deprived the defendant in this prosecution, of the fair and allowable benefit of such principle taken in its true sense; inasmuch as it tended only to oblige him to apply his defence specially and distinctly to each of the distinct and separate articles of the Impeachment, *in the only mode in which the respective merits of the charge and of the defence can be accurately compared and determined, or even retained in the memory,* and not to limit or restrain him in the form and manner of constructing, explaining, or establishing his defence.

4th. Because, in the case of the Earl of Middle-sex, and that of the Earl of Strafford, and other cases of much less magnitude, extent and variety, than the present, this

House has directed the proceedings to be according to the mode now proposed by the managers on the part of the Commons.

5th. Because, even if no precedent had existed, yet, from the new and distinguishing circumstances of the present case, it would have been the duty of this House to adopt the only mode of proceeding,
which, founded on simplicity, *can ensure perspicuity, and obviate confusion.*

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6th. Because we conceive, that the accepting the proposal made by the Managers would have been no less *consonant to good policy than to substantial justice,* since by possessing *the acknowledged right of preferring their articles as so many successive Impeachments,* the Commons have an undoubted *power of compelling this House in future virtually to adopt that mode which they now recommend;* and if they should ever be driven to stand on this extreme right, jealousies must unavoidably ensure between the two Houses, whose harmony is the vital principle of national prosperity; public justice must be delayed, if not defeated; the innocent might be harassed, and the guilty might escape.

7th. Because many of the reasons upon which a different mode of conducting their prosecution has been imposed upon the Commons, as alleged in the debate upon this subject, appear to us of a still more dangerous and alarming tendency than the measure itself, forasmuch as *we cannot hear but with the utmost astonishment and apprehension,* that this Supreme Court of Judicature is to be concluded *by the instituted rules of the practice of inferior Courts;* and that *the Law of Parliament,* which we have ever considered as recognized and reverenced by all who respected and understood the laws and the constitution of this country, *has neither form, authority, nor even existence;* a doctrine which we conceive *to strike directly at the root of all parliamentary proceeding by impeachment,* and to be equally destructive of the established rights of the Commons, and of the criminal jurisdiction of the Peers, and consequently to tend to the degradation of both Houses of Parliament, to diminish the vigour of
public justice, and to subvert the fundamental principles of the constitution. [Signed]

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PORTLAND, WENTWORTH FITZWILLIAM,
DEVONSHIRE, STAMFORD,
BEDFORD, LOUGHBOROUGH,
CARDIFF, CRAVEN.
DERBY,
For the 1st, 2d, and 7th reasons, MANCHESTER.

For the 3d and 4d reasons only, { TOWNSHEND, HARCOURT, LEICESTER.

After withdrawing for a few minutes to deliberate, the managers for the Commons submitted to the decision of the Lords, and proceeded to the investigation upon the first of the charges; that relating to the conduct of the defendant toward the Rajah of Benares, Cheyte Sing. Mr. Fox addressed the Court as accuser, and Mr. Grey

followed him the succeeding day. This was the eighth day of the trial; and time was consumed in hearing evidence, with disputes raised about its admission or exclusion, from that till the 13th, when Mr. Anstruther summed up, and commented upon the matter adduced. Of the evidence, or the observations by which it was attended, both for the accusation and the defence, as it is hoped that the preceding narrative has already communicated a just conception of the facts, a repetition would be attended with little advantage; and the incidents by which the course of the proceedings was affected will appear, in most parts of the trial, to include nearly the whole of what the further elucidation of this memorable transaction requires.

On the 29th of February, which was the eleventh day of the trial, Mr. Benn, a witness, professing forgetfulness, or speaking indeterminately, on a point on which he appeared to the managers to have spoken more determinately, when previously examined before the House of Commons, was interrogated as to the tenor of his evidence on that preceding occasion. The barristers, of counsel for the defendant, had cavilled several times before at the questions of the accusers. They now made a regular stand.



Mr. Law, and Mr. Plomer, argued, that a party should not be allowed to put any questions tending to lessen the credit of his own witness. Their reasons were, that such a proceeding was not allowed in the courts of law; that if the party believed his witness unworthy of credit, he acted fraudulently, in proposing to take the benefit of his evidence, if favourable; to destroy his credit, if the reverse; and that such an inquisition is a hardship to the man upon whom it is imposed.

The managers for the Commons contended; That such a question as they had put was conformable to the practice both of the courts of law, and of the high court of parliament; as appeared by the trial of Lord Lovat, by the permission given to put leading questions to a reluctant witness, and the practice in the courts of law of questioning a witness as to any deposition he may have made on the same subject in a court of equity: That most of the witnesses, who could be summoned upon this trial, were persons whose prejudices, whose interests, whose feelings, were all enlisted on the side of the defendant; and who would not, if they could help it, tell any thing to his prejudice: And that hence, in all cases similar to this, the privilege for which they contended was essential to justice.[1]

It is evident from former reasonings, that the first and principal plea of the lawyers is altogether foreign to the question, and deserves not a moment's regard. A contrary practice was universal in the courts of law. What then? The question of the wise man is, not what *is* done in the courts of law, but what *ought* to be done.



Witnesses would suffer by sustaining the proposed inquisition. But surely inquisition is not a worse thing, performed by one, than performed by another, party. Inquisition is performed upon every witness by the cross examination. But if inquisition is to be performed, what objection is there to giving *truth* the benefit of it? Why confine it to one of the parties?

We now come to that plea of theirs which alone has any obscurity in it. A party ought not to bring a witness, whose testimony is unworthy of trust. To this two things are to be given in answer. First, he may bring a witness, not knowing that he is unworthy of trust. Secondly, he may bring a witness, knowing that he is very imperfectly worthy of trust, because he has none that is better.

If a party brings a witness, expecting he will speak the truth, but finds that he utters falsehood, he is without resource, unless he is permitted to show that what is uttered is falsehood, or at any rate destitute of some of the requisite securities for truth. Upon these terms, a man need only be admitted a witness, to defeat, when he pleases, the cause of justice. This is to shut up one of the doors to the discovery of truth; and whatever in judicature shuts up any of the doors to the discovery of truth, by the same operation opens a door to the entrance of iniquity. Let us inquire what danger can arise from the privilege to which the lawyers object. If the testimony is really true, to scrutinize is the way to confirm, not weaken it. If the credibility of the witness is good, the more completely it is explored, the more certainly will its goodness appear. Make the most unfavourable supposition; that a party brings a witness, expecting mendacity; and, finding truth, endeavours to impair his credit. This is a possible case: Let us see what happens. All that a party can do to weaken the credit of a witness, is to point out facts which show him to be capable of mendacity. The credibility of a witness is either strong, or weak. If strong, the attempts of a party who stands in the relation of a summoning party, to detract from it, can hardly ever have any other effect than to confirm it, and cast suspicion on his own designs. If weak, he can only show the truth, which ought always to be shown; and if it appears, that he brought a witness, known to be mendacious, whose character he discloses only when he speaks the truth, in this case too he affords presumption against himself. Even when a witness, who has a character for mendacity, speaks the truth, it is fit that his character should be made known to the judge. It is not enough that one of the parties happens to know the conformity between the testimony and the facts. The satisfaction of the public is of more importance than that of an individual; and for the satisfaction of the public, it is necessary that all the requisite securities for the discovery of truth should have been employed.



It very often happens, that the only witness to be had is a mendacious and reluctant witness; a partner, for instance, in the crime. Justice may yet have some chance, if the party whose interest it is that the truth should be discovered is allowed the use of all the most efficient instruments of extraction. But if his witness declares, for example, that he does not recollect, and the party is not allowed to adduce evidence to show that it is impossible he should not recollect, a witness of such a description has a license put into his hand to defeat the ends of justice. It is thus abundantly evident that the honest suitor has often the greatest possible occasion for the power of discrediting his own witness, and must be defeated of his rights if deprived of it. Let us see what possible evil the dishonest suitor can effect by being possessed of it. He wishes, for example, to prove the existence of a fact which never had existence; and he brings a man whom he expects to swear to it, but who disappoints him. Here it is plain that to discredit his witness does no harm; the false fact remains unproved. Let us suppose

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that he brings, to disprove an actual fact, a witness who disappoints him. In this case he gains as little by discrediting his witness; the true fact is not in the least by that means disproved. But these two are the only possible sets of cases, to which for a fraudulent purpose evidence can be adduced. It appears then, we may almost say, demonstratively, that the power of discrediting his own witness may very often indeed be of the utmost importance to the honest suitor, can never, or almost never, be of any use to the dishonest one. It is a power, therefore, essential to the ends of justice.1

The Lords, however, in conformity with the wishes of the lawyers, and with a grand lawyer at their head, having adjourned to their own chamber for the purpose of deliberation, opened the business, the day on which the court was next convened, by informing the managers for the Commons, that it was not allowed them to put the question which they had last proposed. "The managers for the Commons," say the printed Minutes of Evidence, "requested leave to withdraw for a while.—The managers for the Commons, being returned, said it was with the greatest concern they informed the House, that it was impossible for them to acquiesce in the decision of the House: That they felt it so important, not only to the present question, but to the whole of the trial, that they should hold themselves bound to go back to the House of Commons, who sent them thither, to take instructions from them how to proceed—if they did not feel it necessary to proceed with vigour and dispatch, which might make them, for the present, wave their opinion upon the subject, but under a protest the most strong, that they had a right to put the question proposed, and that if they should think a similar question necessary to be put in the course of the future proceedings, they would propose it for the more deliberate judgment of the House."1



On the 10th day of April, and thirteenth of the trial, the evidence for the prosecution, on the first article of impeachment, was closed. On the following day it was summed up by Mr. Anstruther; and this part of the trial was concluded by some observations which Mr. Burke requested permission to adduce, on a peculiar feature of the evidence, to which the nature of the circumstances compelled the complainants in this case to resort. It had been already remarked that of the witnesses who could be called upon this prosecution, the greater part from powerful causes would be favourable to the defendant. It was now remarked that they would be lenient to the crimes. "It was to be recollected, that some of those men who had been called to the bar of the court, had been the instruments of that tyranny which was now arraigned. Those who were deputed to oppress were to be heard with caution when they spoke of the measure of the oppression. It was easy to be seen that those who had inflicted the injustice would not use the harshest terms when speaking of its measure and rate."1



On the 15th day of April, and the fourteenth of the trial, the proceedings were opened on the second article of the accusation; or that, relating to the Begums of Oude. Mr. Adam, in a speech of great length, exhibited a view of the allegations. On the following day, Mr. Pelham commented on the answer of Mr. Hastings, and evidence began to be heard.

The extreme want of recollection, professed by Mr. Middleton, and the embarrassment and confusion of his statements, having drawn down certain strictures from Mr. Sheridan, "I must take the liberty," said Mr. Law, the counsel, "of requesting, that the Honourable Manager will not make comments on the evidence of the witness, in the presence of the witness. It will tend to increase the confusion of a witness who is at all confused; and affect the confidence of the most confident,—I shall, therefore, hope the Honourable Manager will, from humanity and decorum, attend to it. I am sure I do not mention it out of disrespect to him."2 This passage is adduced
to show the opinion of a person, of great eminence in the law, on a matter of some importance—the *brow-beating* of a witness.



The courts in which, by the usual steps, he rose to preside, are justly designated, as, of all the places, set apart for the administration of justice, those in which the rule of humanity and decorum, here set up by the advocate, is the most grossly and habitually violated. The advantage taken of the embarrassment of a witness, who really appears desirous to conceal or contradict the truth, is not of course the practice which it is meant to condemn. What excites the disgust and indignation of every honest spectator, from every quarter of the globe, is the attempt so often made, and so often made successfully, to throw an honest witness into confusion and embarrassment, for the sake of destroying the weight of his testimony, and defeating the cause of truth; the torture unnecessarily and wantonly inflicted upon the feelings of an individual, to show off a hireling lawyer, and prove to the attorneys his power of doing mischief.

Mr. Middleton availed himself to an extraordinary extent of the rule, a rule upheld by the Lords; that a witness might refuse to answer a question, which tended to criminate himself. This is a rule, which if thieves, robbers, and murderers, were the makers of law, one would not be surprised at finding in force and repute. That the personages, by whom it was established, wished the discovery of guilt, it is not easy to believe; for so far as it operates, the impunity of the criminal is secured.

On the 30th day of May, thirty-first of the trial, the evidence for the prosecution on the subject of the Begums was closed; and on the following, Mr. Sheridan began to present the view of it which he wished to imprint upon the minds of the judges. Four days were occupied in the delivery of the speech; and
this part of the business was concluded on the 13th of June, when the Lords adjourned to the first Tuesday in the next session of parliament.



Before the time which was destined for re-assembling the parliament, the event occurred of the mental derangement of the King. This delayed the resumption of proceedings till the 21st of April, 1789. On that day, the thirty-sixth day of the trial, the article of impeachment, relating to the receipt of presents, was opened by Mr. Burke. The intermediate articles were omitted, partly as involved in the question respecting the Begums of Oude, and partly for the avoidance of delay, of which complaints were now industriously raised and dispersed.

Having stated in his speech those facts, the first information of which was derived from the Rajah Nuncomar, the manager declared that, “if the counsel for the defendant should be so injudicious as to bring forward the conviction of the Rajah, for the purpose of destroying the effect of these charges, he would open that scene of blood to their Lordships’ view, and show that Mr. Hastings had murdered Nuncomar by the hands of Sir Elijah Impey.” Six days afterwards, that is on the 27th of April, when the manager had spoken for two days, Major Scott presented to the House of Commons a petition from Mr. Hastings, complaining that Mr. Burke had adduced against him a variety of accusations extraneous to the charges found by that House; and especially had accused him of having murdered Nuncomar by the hands of Sir Elijah Impey. Upon the subject of this petition several debates ensued. It was first disputed, whether the petition should be received; The managers contending, that the motion was irregular and unprecedented; that if every expression not agreeable to the feelings of the party accused, were improper in a criminal prosecution, it would be necessary for criminal prosecutions to cease; that a practice of petitioning against the accuser would regularly convert him into a species of defendant, and, by creating a diversion, defeat the prosecution of crimes; that if the prosecutor misconduct himself in his function, it is for the tribunal before which he offends to animadvert upon his conduct; that the Commons might undoubtedly change their managers, if experience had proved them to be unfit for their office; that if the Commons, however, did not mean to withdraw their trust, it would be inconsistent, by any discrediting procedure, to weaken the hands of those who; contending with an adversary so numerously surrounded, so potently supported, and whose delinquencies, by distance of place, distance of time, complexity of matter, and difficulties of innumerable sorts by which the production of evidence was loaded, were to so extraordinary a degree covered from detection; had need of support, not of debilitation; and who required additional strength to enable them to remove the obstacles which separated the evidence from the facts.



The minister, and with him the ministerial part of the house, observing, that the Commons had given to their conductors limited powers, and that, if those conductors exceeded the bounds within which it was intended to confine them, it belonged to the Commons, not the Lords, to impose the due restraint, carried the vote that the petition ought to be received.

It was agreed, that the subject of the petition should undergo deliberation on the 30th of the month, and that in the mean time the Lords should be requested, by a message, to suspend proceedings on the trial.

On the 30th, instead of proceeding to the appointed deliberation, the House, on a suggestion of the Chancellor of the Exchequer, anxious, he said, to preserve the regularity of the proceedings of the House, communicated to the member whose conduct was charged, (though every body had seen him present at every thing which had passed) a formal notice, that a petition had been received, and that the House would take it into consideration on a day that was named. Mr. Burke, without objecting to the formality, said, that he had no wish for it on the present occasion; that he willingly cast himself on the honour and justice of the House; that he should

gladly, if it were their pleasure, retire from the heavy burthen under which they had placed him; that in order to facilitate the inquiry he should not be present at their deliberation, and should in the mean time distinctly confess that he did employ the words, on account of which the complaint had been brought. In justification of them he observed; That circumstantial evidence constituted the proof by which the pecuniary corruption of Mr. Hastings was to be ascertained; that, in tracing the indications of concealed delinquency, a solicitude to destroy the sources of evidence had always been considered as one of the strongest; that it was for this purpose, the circumstances attending the death of Nuncomar had been exhibited; that this individual having offered to produce evidence of the pecuniary corruption of Mr. Hastings, and Mr. Hastings having lent himself both actively and passively to the destruction of this source of evidence, such behaviour on the part of Mr. Hastings, was circumstantial evidence of guilt; and that if circumstantial evidence must not be produced, because the mention of the scenes from which it is to be extracted may give pain to the individual, whose imputed guilt is the object of inquiry, the use of circumstantial evidence is precluded, and the punishment of some of the most dangerous crimes is rendered impossible.



On the following day, to which the consideration of the petition was postponed, a member of the House produced, and read a letter, from Mr. Burke. Its object was to exhibit again, and in a permanent form, the reasons which induced him to abstain from any share in the controversy respecting his own behaviour; and to declare that no appearance of disfavour, no discouragement, provided the House, whose servant he was, still left in his hands the trust which they had originally placed in them, should affect his attachment to the great service which he had undertaken to render, or slacken his diligence therein to the end. Describing the petition, as a stratagem, familiar to the politics of Calcutta, for turning the accuser into a defendant, and diverting inquiry, he adduced two reasons, for declining all defence; first, because he would not expose his sources of proof to the knowledge, nor his witnesses to the power of the defendant; secondly, because a man whose conduct is good, can hardly ever be injured by unjust accusations. “It would,” he said, “be a feeble sensibility on my part, which at this time of day would make me impatient of those libels, which by despising through so many years, I have at length obtained the honour of being joined in commission with this committee, and becoming an humble instrument in the hands of public justice.” The last of the reasons, which were thus solemnly adduced by Mr. Burke, reaches far beyond the limits of any single inquiry, however important; since it involves in it the freedom of the press; and shows, that, even when it is converted to abuse, it is not for the advantage of an innocent man to seek to restrain it; he will find his advantage in continuing through life to despise its excesses.



In favour of Mr. Hastings it was proposed that evidence should be taken to prove the words of which the petition complained; and Major Scott made a speech, in which, after giving his own explanation or the death of Nuncomar, he adduced as a defence on which he might rely, the circumstance, that after the facts relating to the death of Nuncomar were known in England, Mr. Hastings had been repeatedly chosen by the Ministers and the Company to fill the high office of chief ruler in India, and upon his

return to England had never been called upon for one word of explanation in regard to that extraordinary affair.

That could not be a very sure defence of one party, which possibly was but a severe accusation of another.

In opposition to this proposal, and in order to explode the inquiry, it was moved, that the House do adjourn. After some contention, 158 members voted against ninety-seven, that evidence should be heard; and it was moved, that the short-hand writer be called in. This was not a proper mode, it was said, of proving the words of a member of parliament: And, in cavilling about evidence, the managers showed an inclination, not much better than that of their opponents.

It was moved, and upon division carried, that a Committee should be formed to search for precedents; and the House adjourned.

On the 4th of May the Committee reported that a precedent exactly in point was not to be found. A question then was raised, whether the examination of the short-hand writer should extend to the whole of the speech, or so much of it only as was the subject
of complaint. The managers contended for the whole. Mr. Pitt spared not upon them either sarcasms or imputations. The question, urged to a division, went of course with the minister.



The words being proved, which Mr. Burke had begun with confessing, it was moved, "That no direction, or authority, was given by this House, to bring as a charge against Mr. Hastings, or to impute to him, the condemnation and execution of Nuncomar." Mr. Pitt described the motion, as a necessary atonement which the House owed to Mr. Hastings for charging him with murder; at the same time disclaiming all intention of throwing blame on the managers. Mr. Fox had not much objection to the motion, as it implied no censure on Mr. Burke, nor restrained him in future from adducing the facts; but he threw out insinuations against the minister, as having belied his professions of fairness and impartiality; and contended that it was inconsistent with the honour and justice of the House to leave men to struggle with a duty, whom they found unequal to its discharge; that in proving a crime, it was essential to the ends of justice to be allowed to adduce every relevant fact: that it was no matter whether the fact was innocent or criminal: and that in courts of law themselves, it was a rule to admit one crime as evidence to prove another; a greater crime as evidence of a less; murder, for example, as proof of a fraud.

Mr. Sheridan represented that he had used the same words a year before, when no notice was taken of them: that Mr. Hastings was familiar with the imputation of causing the death of Nuncomar, for in his defence he had noticed it and repelled it by denial. With regard to the truth of the allegation, he called upon Mr. Pitt to rise, and say, if he dared, that Nuncomar, if he had not accused Mr. Hastings,
would have died the death to which he was exposed. Nor was this all. Both he and Mr. Fox declared, that if they had occasion in the course of the trial to speak again of the death of

Nuncomar, they would speak of it in terms exactly the same with those which Mr. Burke had employed.

"Mr. Pitt said he disregarded the insinuations against himself, but he and his friends should be watchful over the conduct of the managers, and take care they transgressed not the directions of the House.

Mr. Fox replied, that no tyrant ever behaved in a more barbarous manner over those whom he governed, nor with more treachery and fraud: that the privileges of the Commons were never more invaded, or endangered, within this century, nay, he would say within the last, than they had been within these few days."

In consequence of this altercation, the ministerial party proposed to increase the asperity of the motion, by adding, that the words "he murdered him by the hands of Sir Elijah Impey," ought not to have been spoken. Mr. Fox, after inveighing against the absurdity of condemning and not changing the managers, proposed the following amendment; "Notwithstanding in a former year no notice was taken of the words spoken by another manager to the same effect; and that Mr. Hastings in his defence had considered them as a charge, and given it a reply." Upon his intimating very plainly his belief, that the ministerial party, after finding it convenient to vote for the impeachment, were now at work to defeat it of its end, and through the medium of a courtly censure meanly to convey sentiments which they were afraid or ashamed to avow, Colonel Phipps rose to order, describing the words which had been uttered as words not fit for that assembly, and which would not be tolerated in any other place. This being treated by Mr. Francis as an indecent menace, and receiving a severe reply from Mr. Fox, strangers, that is the public, as if something were about to occur which it was not good the public should know, were turned out. Upon their admission, after an hour's exclusion, Mr. Pitt was repeating former arguments; to which, after Mr. Fox had made a reply, the House called impatiently for the question, Mr. Fox's amendment was negatived without a division, and the original motion with its amendment passed by a majority of 133 to sixty-six. This was followed by a motion for a vote of thanks to the managers; but that was treated as premature, and resisted by a vote for the previous question.



The trial was resumed by the Lords on the 5th of May, when Mr. Burke continued his opening speech on the charge relating to presents. He announced with great dignity the proceedings which had taken place in the House of Commons, and the restrictions which they had imposed upon him with regard to the death of Nuncomar; at the same time declaring that he had used the word *murder* only because he could not find a stronger; that the opinion of which that word was the expression, was the result of a nine years' laborious inquiry; and that it would be torn from him only with his life. On the 7th, which was the next day of the trial, he concluded his speech. It was left to the managers either to produce evidence on that part of the charge which Mr. Burke had opened, or to go on to that, the opening of which was reserved to another speaker; and the first was the mode which they preferred.

On this article of the impeachment it will be necessary, rather more than on the former articles, to enter into the particulars of the evidence; first, because in the history of the government and people it was fit to confine the narrative to events of which the consequences were important to the government and people, instead of complicating it with questions which had little reference beyond the character of an individual; and, secondly, because, at this stage, a variety of questions, on the admission or exclusion of evidence, arose; questions, the operation of which extended far beyond the limits of any single inquiry, and of which, without a knowledge of the circumstances, a due conception cannot be obtained.



The question, whether the defendant had or had not received presents corruptly, was divided into two parts. The first related to the presents, alleged to have been received previously to the arrival of Clavering, Monson, and Francis, the receipt of which Mr. Hastings had not voluntarily disclosed; the second related to the presents which he had received when Clavering and Monson were dead, one just before, the rest after the departure of Mr. Francis for Europe, presents which, after a time, he confessed that he had received, and which he said he received not for his own use, but that of the Company.

The principal object of the managers in the first part of this inquiry was to prove, that the appointment of Munny Begum to the office of Naib Subah was a corrupt appointment, made for the sake of the bribes, with which it was attended.

The first part of the proof was to show that the choice of Munny Begum was so improper and absurd, that as no good motive could be assigned for it, so the receipt of bribes was the only rational one it was possible to find.

First, the duties of the office of Naib Subah, as described by Mr. Hastings himself, were numerous and important; and such as could not be neglected, or misperformed, without the deepest injury, not only to the population of the country, but to the East India Company itself. In the long list of those duties, were the administration of justice and police, of which the Naib Subah was not, like our kings, the mere nominal head. The actual performance of a considerable portion of the business of penal judicature (for the civil was mostly attached to the office of Duan), was reserved to him; and the portion so reserved was the high and governing portion; without which the rest could not at all, or very imperfectly go on. The same was the case with the police, of which he was the principal organ. The conduct of all negotiations, and execution of treaties, that is, the charge of all the external relations of the state, though, really, as the agent of the Company, was ministerially vested in him. Nor was the administration of all that related to the person and family of the Nabob, who, though in a dependent condition, still maintained the appearance of sovereignty, a matter of which the performance was as easy as it might seem to be familiar.

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That the Court of Directors had the same conception of the importance of the office of Naib Subah, the managers proved by one of their dispatches, in which they gave

directions to choose for it "some person well qualified for the affairs of government," that is, a person endowed with the rarest qualifications. Nay, so much stress did they lay upon this selection, that they actually pointed it out as one of the most signal proofs which their President and Council could afford, that the confidence they reposed in them was not misapplied.1

That Munny Begum, whom Mr. Hastings appointed to this office, was devoid of every requisite qualification for the proper performance of its duties, was, they contended, indisputable, from a variety of facts and considerations. In the first place, she was a woman, that is, a person, according to Oriental manners, shut out from the acquisition of knowledge and experience; acquainted with nothing but the inside of a haram; precluded from intercourse with mankind; and, in the state of seclusion to which she was chained, incapacitated, had she possessed the knowledge and talents, for those transactions with the world, in which the functions of government consist. In the next place they contended that she was a person, not only of the lowest rank, but of infamous life; having not been the wife of Meer Jaffier; but, a dancing girl; that is, a professional prostitute, who caught his fancy at an exhibition, and was placed as a concubine in his haram.1



They next proceeded to prove that, when Munny Begum was chosen, other persons were set aside, whose claims were greatly superior to hers.

In the first place, if a lady of the haram of Meer Jaffier was a proper choice, the mother of the Nabob was alive; and she, it was inferred, would have been a fitter guardian of her son during nonage, than a spurious step-mother, a person whose interests were so apt to be contrary to his.

In the next place, if there was any peculiar fitness for the office in a member of the family of the late Meer Jaffier, Ahteram ul Dowla, the brother of that Nabob, and the eldest surviving male of the family, had actually advanced his claims. But as Mr. Hastings had stated a reason for setting him aside, the managers offered to show by evidence that what he alleged was a false pretence.



The reason produced by Mr. Hastings was, that Ahteram ul Dowla had a family of his own; that he might, therefore, be tempted to shorten that life which stood between them and promotion: that his son and he, if Nabob and guardian, would possess an inconvenient, if not a dangerous, portion of power; that the establishment of any male in the office of Naib Subah would prevent the Company from availing themselves of the minority, to withdraw from the Nabob a still greater share of his power; and that, until a greater share of power were withdrawn from the Nabob, the authority and even security of the Company were by no means complete. The managers proceeded to show, that this pretext was false; and for this purpose produced a document to prove, that when a different view of the subject favoured the purpose of Mr. Hastings, he made affirmations of a very different sort. He then affirmed, that the Company had already taken from the Nabob every particle of independent power; and that the anticipation of danger from such a quarter, by any possible combination of

circumstances, was altogether absurd. “No situation of our affairs,” he said, “could enable the Nabob, or any person connected with him, to avail himself, by any immediate or sudden act, of the slender means which he has left to infringe our power, or enlarge his own. He has neither a military force—authority in the country—foreign connextion—nor a treasury.”[1]



Having given such evidence, that the pretexts on which Mr. Hastings rejected other parties were false, the managers proceeded to give evidence that the pretexts were equally false, on which he made choice of Munny Begum. The first was, that it was inexpedient to leave in existence the office of Naib Subah. The second was, that the annual charge of three lacs of rupees, the salary of that officer, was an expense of which the East India Company would not approve. The third was, that the existence of such an officer lessened the consequence of the Company’s own administration. The fourth was, that it was expedient to divide the duties among three officers, one, the guardian of the person and household of the Nabob; a second, the steward of that household, under the title of Duan; a third, the superintendant of judicature and police, under title of Roy Royan of the Khalsa. And a fifth was, that Munny Begum, as widow of Meer Jaffier, had a peculiar fitness for the office of guardian of the Nabob. To show that the pretext of abolishing the office of Naib Subah was false, the managers brought evidence to prove that it still existed; as all the powers of it were vested in Munny Begum, other persons being nothing but agents and subordinates dependant upon her will: “You,” said the Board, “are undoubtedly the mistress, to confirm, dismiss, and appoint whomsoever you shall think fit in the service and offices of the Nizamut; they are accountable to you alone for their conduct, and no one shall interfere between you and them.” That the pretext relating to the expense was false, was proved by the fact, that no diminution was ever attempted, but the whole three lacs were given to Munny Begum and her subordinates. The pretext that the dignity of any person administering what Mr. Hastings himself called the slender means of the Nabob, could lessen the consequence of the Company’s government, upon which both he and the Nabob depended absolutely for all that they possessed, is so evidently false, as to be ridiculous. That the pretext about dividing the duties was false appeared from the fact, that they were not divided; any further than by name; Munny Begum being the absolute mistress of all the instruments, just as if she had been appointed the Naib Subah in title. And that it was a false pretext to rest the fitness of Munny Begum upon her being the widow of Meer Jaffier, was proved by the fact that she was not his widow, that she had never been his wife, but his concubine, and that her offspring had been treated as spurious by the English government.[1]

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Having thus shown, or endeavoured to show that the choice of Munny Begum to fill the office, or supply the place of Naib Subah, could not be accounted for upon any other supposition than that of pecuniary corruption, the managers next proceeded to prove that Mr. Hastings, as well as his creatures, did actually receive large sums of money for that appointment. And at this point began the great efforts which were made on the part of the defendant to exclude evidence; and so successfully made, that nothing more than a vigilant application of the rules which his lawyers laid down, and

the lords confirmed, is necessary, in the case of a ruler who has a little cunning, to render conviction of delinquency all but impossible.

To one of the preliminary points, the managers wished to adduce the evidence of a letter of Mr. Hastings. The original letter, however, was not to be found. But there was a copy of it in the book at the India House, into which all letters were transcribed; and there was a printed copy of it in the report of the Secret Committee of the House of Commons. The counsel for the defendant objected; and the Lords determined, that before any of these copies could be received as evidence, the managers must prove three points; first, that the original letter had existed; secondly, that now it could not be found; thirdly, that the alleged copy was exact. All these points might have been determined immediately, had not one of the darling rules of the lawyers, for the exclusion of evidence, shut up, on this occasion, the source from which perfect evidence might have been immediately derived. Had the real discovery of truth been the direct and prevailing object; there, stood the supposed author of the letter; he might have been asked, upon his oath, whether he did write such a letter or not; and the question would have been decided at once. Oh but! say the lawyers, this would have been to make him criminate himself. Quite the contrary, provided he was innocent; if guilty, the lawyers will not *say,* that his guilt ought not to be proved. Upon the strength, however, of the lawyers' rules, this instrument for the discrimination of guilt from innocence was not to be used.



Whereas Mr. Hastings had the express commands of the Court of Directors, dated in August, 1771, to make it appear in the Nabob's accounts for what particular purpose every disbursement was made, and yet nothing was exhibited in those accounts but general statements of so much expended, while it was ascertained that Mr. Hastings had given no orders agreeably to the commands of the Directors, and that inaccuracies prevailed in the statements that were given; a strong presumption was thereby created against the Governor-General, because he had thus provided a grand channel through which the current of presents might flow into his pockets without the necessity of an entry, sufficient to detect them, in any books of account. After the statement of this presumption, the managers proceeded to the exhibition of direct testimony, that bribes were received by Mr. Hastings, for the appointment both of Munny Begum and of her subordinates. They began with the information received from the Rajah Nuncomar, that Mr. Hastings had accepted a present of two lacs and a half from Munny Begum for appointing her Regent during the minority of the Nabob; and a present of one lac from himself for appointing his son, the Rajah Gourdass, steward under Munny Begum. The documents produced were the Minutes of Consultation of the President and Council at Calcutta. The reading was not interrupted till it came to the examination of the Rajah, before the Council, on the subject of the charges which he had preferred. The learned counsel represented that it ought not to be read, First, because it was not upon oath; Secondly, because it was taken in the absence of Mr. Hastings; Thirdly, because it was not before a competent jurisdiction; Fourthly, because the Rajah was afterwards convicted of a forgery, committed before the date of the examination. On the objection as to the want of an oath, it was shown to have been the practice of Mr. Hastings to avail himself of the allegation that an oath was

not a requisite to the testimony of a noble Hindu, of whose religion it was a breach. Besides, it can, on reflection, be regarded by no body, as adding any thing considerable; and may perhaps, be, with justice, regarded as adding nothing at all, to the securities for truth, to compel a man, who otherwise would certainly affirm a lie to the judge, to perform a short religious ceremony beforehand. In the case of the man who otherwise would not tell a lie to the judge, the oath evidently is of no use whatever. Further; testimony admits of degrees; one testimony has so many of the securities for truth, another has so many less, another fewer still; the value of each is estimated by the judge, and even the lowest is reckoned for what it is worth. So, when the oath is wanting to an article of testimony, it is only one of the securities that is wanting; and the testimony may be worthy of the highest possible credit on other accounts. As to the objection drawn from the absence of Mr. Hastings, it was treated as not merely unreasonable, but impudent. Why was Mr. Hastings absent? Because he determined not to be present: and if a man is thus allowed to fabricate by his own act an objection to evidence, and then to employ it, he is above the law. The objection to the competence of the jurisdiction was founded upon a disallowed assumption, that the Council, after it met, was dissolved by the simple fiat of the President, though the majority, whose vote was binding, determined it was not. As to the conviction of Nuncomar, the managers declared that they were only restrained by the authority of those whom they represented from asserting that it was a conviction brought about for the very purpose to which it was now applied, the suppression of evidence against Mr. Hastings. I shall add, that the rule upon which the objection was founded, is pregnant with the same sort of absurdity and injustice, with the other rules of exclusion, examples of which we have already beheld. If a man has committed a crime, ought he therefore to be endowed with the privilege of conferring impunity on every crime committed in his presence, provided no body sees the action but himself? The evidence of the greatest criminal is of so much importance, that pardon is commonly granted to any one of a combination who gives evidence against the rest.



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Upon the whole, with regard to this document, it is most obvious to remark, that it is contrary to the nature of things to suppose that evil should have arisen from hearing it read; because every observation which could tend to show how little on the one side, or much on the other, was its value as an article of evidence, it was the business of the parties to present; and this the Lords were surely as competent to determine as the still more important questions which it behoved them to decide. When the judge has heard the information which is tendered to him, he can ascertain whether it does or does not contain any of the matter of proof, and if any, in what precise quantity, little or great; When of the evidence tendered to him there is any portion which he has not heard, he can determine nothing about it; and may possibly have lost, rejected, and destroyed that very information on which the power of righteous judgment depended.

Another observation which might have been urged with irresistible force of reason was, that the propriety of receiving such evidence was already weighed and determined by the Legislature, which, in constituting a new Court of Judicature for the trial of offences committed in India, had enacted, that all documents, of the nature of that which was now tendered in evidence, should be received as evidence. The

assent of the Lords was included in every act of the Legislature; and that very assembly, therefore, which had already decreed, in its legislative capacity, that such evidence was useful, now, in its judicial capacity, decreed that it was the reverse.



For the purpose for which the managers now adduced the examination of Nuncomar, it was not necessary they said to insist upon the truth of the testimony left behind him by that unfortunate man. They meant to exhibit the behaviour which Mr. Hastings had manifested, when accusations of such a nature were preferred against him; and by the relation of the behaviour to the charge manifest the probability of guilt. The demeanour of a criminal was circumstantial evidence of his crime.

If the examination was to be read for the sake alone of the circumstantial evidence afforded by the demeanour of Mr. Hastings, not for the purpose of adducing as evidence the testimony itself, the Counsel expressed a sort of willingness to give way. But the managers refused to bind themselves to any conditions, in limitation of what they claimed as a right. On a suggestion from Lord Kenyon, the Lords adjourned to their own chamber to consult.

On the next day of the trial, the Lords announced, “That it is not competent for the managers for the Commons to produce the examination of Nuncomar in evidence; the said managers not having proved, or even stated any thing as a ground for admitting such evidence, which, if proved, would render the same admissible.” If the reason which precedes be well founded, admissibility in regard to relevant evidence ought never to be a question.

The managers desired leave to withdraw. Upon their return, Mr. Burke declared, it was with equal surprise and concern they had heard the determination of their Lordships: It was a determination which exceedingly increased the difficulty of bringing criminality to conviction: To the Lords, however, belonged the power of determining: It remained for the managers to submit.

The Lord Chancellor replied, that what was *said* or *done* by Mr. Hastings was evidence against him; not what was said or done by other persons; for then calumny might stand as evidence of guilt. Something said or done by Mr. Hastings was therefore necessary to render this examination admissible evidence.



Mr. Fox rejected this decision. *Forbearing* to do, was often guilt, or evidence of guilt, as well as *doing.* There are circumstances in which, if charges are made against a man, and instead of promoting he does all in his power to prevent inquiry, he gives evidence, and satisfactory evidence of his guilt. This was the evidence which the managers desired to present to their Lordships, and which their Lordships were so unwilling to receive, If this kind of evidence were rejected, Mr. Burke would give joy to all East Indian delinquents. “Plunder on. The laws intended to restrain you are mere scarecrows. Accumulate wealth by any means, however illegal, profligate, infamous. You are sure of impunity; for the natives of India are by their religion debarred from

appearing against you out of their own country, and circumstantial evidence will not be received." If the new principle were established, that acts of omission were not evidence, Mr. Fox, observed, that Indian delinquents were rendered secure. They would take no notice of any charges preferred against them; and thereby render inadmissible the only evidence by which guilt could be proved.

The managers, therefore, proposed to read the whole of the consultation of the 20th of March, including that of the 13th, in order to show the demeanour of Mr. Hastings. Then the House adjourned to the chamber of parliament. Next day the resolution of the Lords was announced, "That the consultation of the 13th of March, 1775, cannot now be read." Mr. Burke said that how great soever the pain with which he heard the resolution, he was consoled by the use of the word *now;* which left him room to hope, that the evidence in question might be admitted another time.



As Cantoo Baboo, the Banyan of Mr. Hastings, when summoned by the Council to give evidence on the subject of the charges of Nuncomar, was ordered by Mr. Hastings not to attend, the managers affirmed that this was something *done* by Mr. Hastings; and that the condition prescribed by the Chancellor was therefore fulfilled. The Lord Chancellor asked what the Council for Mr. Hastings had to offer against this plea. Mr. Law said, they possessed their Lordships' decision for excluding this evidence, and claimed the benefit of it. The managers conjured the Lords to reflect, that in the sort of cases before them to adhere to the rules of evidence upheld by English lawyers, was to let loose rapine and spoil upon the subjects of government. The managers were then asked, "if they would state the whole of the circumstances upon which they meant to rely, as a ground to entitle them to read the proceedings of the 13th of March, 1775." The managers desired leave to withdraw. Upon their return they expressed their regret, at not being able to comply with the request of the Lords. In the course of the trial various circumstances might arise, which did not at present occur to their minds. At present they held it enough to adduce one ground which to themselves appeared satisfactory, and upon this they craved the judgment of the Court. The Lords adjourned.



At this point, the Lords demanded to be enlightened, or kept in countenance, by the sages of the law. The following question was referred to the twelve judges. "Whether it be competent for the managers to produce an examination without oath by the rest of the Council, in the absence of Mr. Hastings the Governor, charging him with corruptly receiving 3,54,105 rupees, which examination came to his knowledge, and was by him transmitted to the Court of Directors as a proceeding of the said Councillors, in order to introduce the proof of his demeanour thereupon; it being alleged by the managers for the Commons, that he took no steps to clear himself, in the opinion of the said Directors, of the guilt thereby imputed, but that he took active means to prevent the examination by the said Councillors of his servant Cantoo Baboo." To this the judges returned for answer, "That it is not competent for the managers to produce an examination, without oath by the rest of the Councillors, in the absence of Mr. Hastings the Governor, charging him with corruptly receiving 3,54,105 rupees, which examination came to his knowledge, and was by him transmitted to the Court of

Directors, as a proceeding of the said Councillors, in order to introduce the proof of his misdemeanour thereupon." It being carried in the affirmative that the Lords do agree to this opinion, the Court was resumed and the managers were informed, "That the examination of Nuncomar, and the rest of the proceedings of the Councillors, on the 13th of March, 1775, after Mr. Hastings left the Council, ought not to be read."

The managers began now to complain bitterly, that the resolutions of the Lords were pronounced, without the accompaniment of the reasons on which these resolutions were founded. The managers affirmed that they were thus left completely in the dark, and embarrassed in all their proceedings. This was a point of the highest importance, and it is to be regarded as one of the most characteristic parts of the exhibition then made of itself, by the tribunal before which Mr. Hastings was tried. To issue decisions, without presenting the reasons, is to act the part not of a judge, but of a despot. The mandate of a despot rests on his will. The decision of a judge is founded on reasons, or it deserves any thing rather than the name. But if the decision of the judge is founded on reasons, it is of infinite importance that they should not be confined to his own breast. In the first place, the necessity of stating reasons is one of the strongest securities against all the causes of bad decision, the ignorance of the judge, the negligence of the judge, and the corruption of the judge; against the ignorance of the judge, by making it visible and ridiculous; against the negligence and corruption of the judge, by making him know that he himself must be the indicator of his own offences, the herald as well as author of his own shame. This is one, but not the only benefit derived from imposing upon judges the necessity of giving the reasons upon which their decisions are grounded. The public do not enjoy the advantages of security, unless they have what is called the *sense* of security, or the belief that they are secure. Unless the administration of justice yield the *sense* of security, it fails of accomplishing one of the most important of its ends. But of all possible means to convey this sense of security one of the most potent undoubtedly is, to make known to the people invariably the reasons upon which the decisions of the judges are founded. It is this alone with which the people can, or ought to be satisfied. How can they know, that a decision is just, when they are ignorant of its grounds? It is to be considered as circumstantial evidence (and evidence which in general ought to be held conclusive), when reasons are not given for a judicial decision, that it is for one of two causes; either, 1. because no good reasons can be given; or 2. in order to favour a practice according to which decisions, for which no good reason can be given, may be pronounced at any time.



It is therefore a fundamental axiom in the science of jurisprudence, that without reasons strictly accompanying every judicial decision, the duty of the judge is most imperfectly performed, and good judicature altogether impossible.

With regard to the resolution itself, Mr. Burke proclaimed, in the face of the Court by which it was formed, "That it held out to future governors of Bengal the most certain and unbounded impunity. Peculation in India would be no longer practised, as it used to be, with caution, and with secrecy. It would in future stalk abroad in noon-day, and act without disguise; because after such a decision, as had

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just been made by their Lordships, there was no possibility of bringing into a court the proofs of peculation."

The fact is of the highest importance. The rules of evidence, deplorably adopted by the Lords, are so many instruments of protection to the crimes of public men in public places; that is, crimes, from the very nature of the case, more extensively mischievous than all others; and crimes of which the existence can seldom be legally ascertained except by the very sort of evidence, which the Court, set up in this country to punish them, makes rules to exclude.

Beside the examination of the Rajah Nuncomar, there was recorded in the consultation of the 13th of March, a letter from Munny Begum, which stood, according to the managers, upon grounds of its own. Its authenticity was fully proved by Sir John D'Oyley, Mr. Auriol, and a Persian Moonshee who had translated it, and after having examined the seal, pronounced it to be the seal of Munny Begum. This person, whose character and rank Mr. Hastings placed very high, had stated in this letter her having given a large sum of money to Mr. Hastings for appointing her regent during the minority of the Nabob. The evidence of this letter the managers proposed to adduce. The counsel for the prisoner objected. The ground of the objection was, that the letter was recorded in those minutes of the consultation of the 13th of March, which the Court had refused to admit. The House sustained the objection, and forbade the letter to be read.[1]



The next part of the proceedings is truly remarkable. "The managers desired that Philip Francis, Esq. might be called in, to prove that a letter from Munny Begum to the Rajah Nuncomar, charging Mr. Hastings with a receipt of three and a half lacs of rupees, was delivered into the Council on the 13th of March, 1775, and that Mr. Hastings knew the Begum had written such letter." The witness was not allowed to speak to the consultation of that day, or to the letter. The reason was, because the proceedings existed in writing, the letter existed in writing; and that which itself existed in writing was better evidence than parole testimony to its contents. The witness was not allowed to speak, because there existed a writing that was better evidence; and that writing which was better evidence the Court had determined they would not receive! The witness was not allowed to speak, on the pretext that something else was better evidence, while the Court itself had determined that the said something else was not evidence at all!

When the accounts of Munny Begum, in her quality of Regent, were called for by the Board of Council, after the arrival of Clavering, Monson, and Francis, a large sum appeared, of the mode of disposing of which no explanation was given. A commission, at the head of which was placed Mr. Goring, was sent to Moorshedabad, to inquire. Upon this investigation came out the declarations of Munny Begum, that the sum not accounted for had, at the time of vesting her with the Regency, been given to Mr.
Hastings, and his attendants. Certain papers, stating the receipt, by Mr. Hastings, of one lac and a half of rupees, papers transmitted by Mr. Goring to the Board at Calcutta, received by them, recorded without any objection on the part of Mr. Hastings, and transmitted by

him, still without objection, to the Court of Directors, it was proposed, by the managers, to read. The council for Mr. Hastings insisted, that these papers were not direct evidence, as wanting the requisite securities of oath and authentication; and not circumstantial evidence, because no act of Mr. Hastings, as required by the Court, connected them with himself. The Lords determined that the papers ought not to be read. And yet that there was matter of evidence in papers so delivered, and that there might be in the demeanour of the person whom they regarded, it is impossible to deny. That the papers did contain the declaration of Munny Begum, was susceptible of the completest proof. That her declaration not judicially given, and not subject to cross examination, was of much less value than if it had received these securities, is no less true; but still, as far as it was not invalidated by other circumstances, it was of some value, and ought to have been counted for what it was worth. And if Mr. Hastings, instead of taking the course which was natural to an innocent man, took that which a consciousness of guilt would naturally prescribe, this demeanour would be circumstantial evidence against himself. Instead of permitting light to come in from these two sources, light of which the value, whatever it was, would appear, when it was seen and examined, the Lords resolved to shut it out, without permitting it to be seen at all.



The managers next offered to produce, in evidence of the same facts, an original Persian letter, under the hand and seal of the Munny Begum, signed by the Nabob, and transmitted by Mr. Goring to the Board. And as an act of demeanour, fulfilling the condition required by the Lords to constitute any document a link in a chain of circumstantial evidence, they stated that Mr. Hastings, after Munny Begum was freed from all influence but his own, never attempted to invalidate the testimony she had given.[1] The House determined that the letter should not be read.

The Managers next proposed to examine Mr. Goring, in order to prove that Munny Begum delivered to him a paper, in the Persian language, under her own hand, stating, that Mr. Hastings had received from her a lac and a half of rupees, under colour of money for his entertainment. The counsel for the defendant objected to evidence of any consultation with Munny Begum, Mr. Hastings himself not being present. They objected also to the production of any paper, which had not been delivered in the presence of Mr. Hastings, and the contents of it read to him. The Managers offered the paper as an original instrument, which possessed all the securities for truth required by the Indian laws, being under the seal of the Begum, and attested by the Nabob, while it was contrary to the manners of the country for a woman of rank to appear in public, or take an oath. The House decided that the paper could not, upon these grounds, be admitted as evidence against the defendant.



As Major Scott, agent of Mr. Hastings, with full, and almost unlimited powers, had delivered to the Select Committee of the House of Commons, a translation of a letter from Munny Begum to Mr. Hastings, in which she affirmed the delivery to him of one lac and a half of rupees, the managers contended that this was a perfect acknowledgment of the letter on the part of Mr. Hastings; and that, therefore, the letter ought to be read. The matter was pressed by the Managers in every possible

direction; and every expedient which they could imagine for opening a way to its reception was tried, but in vain. The lawers for the defendant, burying in silence a rule which on another occasion they would have strained their lungs to proclaim, *Qui facit per alium facit per se,* insisted that what is done for a man by his agent, is not done by himself; and that the recognition of a piece of evidence by Major Scott, was not recognition by Mr. Hastings. After some days of contention, the Lords retired to their chamber to deliberate; and, on the next day of the Court, came out, in the usual oracular style, the response, "That the Persian paper, purporting to be a letter from the Munny Begum, and the translation of the same, offered in evidence by the managers for the House of Commons, ought not to be read."

Beside the absurdity already disclosed, of refusing to receive an article of evidence, because it is not so strong as it would have been, had it possessed more of the causes of strength; while the interests of truth require that the exact value of it should be ascertained, and that it should not be thrown away, but counted for what it is worth; it is obvious to common sense that the question agitated on this occasion so long and vehemently before the Court, might have been settled in one instant, by barely asking Mr. Hastings, if he acknowledged the writing as a letter to himself from Munny Begum.



The vulgar notion, that a man should not be required to give evidence which may operate against himself, is then only rational, when the law is so bad, that it really ought not to be executed; and when humanity approves of every subterfuge by which men may escape from its detestable fangs. That this was once the case with the law of England, as it is the case with the laws of all countries, in times of ignorance, and times of despotism, is undoubtedly true; and then it was, that the vulgar notion, and the rule founded upon it, received their birth. In times when the law was so bad, and the King and other great men so powerful, that they were able on most occasions to use the law as a commodious instrument, for executing upon individuals the dictates of their vengeance, their jealousy, their avarice, or their caprice, that great instrument for defeating the law, namely, the rule, that a man shall not be compelled to give evidence against himself, had often a very obvious, though a temporary, and limited utility. Like most other matters of law it obtained its existence more immediately from the interests of the great men. In times of rudeness, which are times of turbulence, contests are frequent for the crown; and the great men are ranged on different sides. If it happens to them sometimes to be on the winning side; it is equally incident to them to be on the losing. When that happens, the law will be employed to destroy them. And as they live in such a state of things that all foresee they may very probably stand in this predicament themselves, they all eagerly concur in establishing the credit of a rule that shall render it very difficult for the law to convict them; in other words shall afford them many chances to escape. The moments, however, at which the law becomes good, and no man has power to wrest it iniquitously to his own purposes, the case is altered. The moment the law becomes such, that it really ought to be executed, that it is good for the community it should be exactly executed, that it cannot without mischief to the community, in one instance, be defeated of its execution, then every subterfuge by which he who has infringed the law may escape, is an evil; then every thing which guards the truth from discovery, is

a cause of mischief; and, surely, it is one of the most effectual expedients for guarding the truth from discovery; surely it is one of the most effectual of all the subterfuges by which he who has infringed the law may escape its penalties, if he who knows the most of the circumstances shall be protected in concealing what he knows.

Mr. Burke complained of the inextricable perplexity, in which the managers were involved by these naked decisions. If reasons were given, they would know, that wherever the same reasons applied, the same decision would be pronounced. Issued without any reason, every decision stood for itself alone; was confined to an individual not extended to a species; and furnished no rule for any thing else. They doubted not but the resolution of the House was founded upon *technical grounds.* But "in the case on which their Lordships had last decided, the managers had offered in evidence a paper, proved to have been written by Munny Begum, and transmitted to Mr. Hastings—they offered also a translation of that paper, delivered to the Committee of the House of Commons by the very agent of Mr. Hastings—they proved that these papers had been sent to the prisoner in the Eleventh printed Report of that Committee, and that when he drew up his defence he must have had them before him:—



That papers so substantiated, should have been rejected by their Lordships, must be a matter of astonishment to all the thinking part of mankind, who should happen to be unacquainted with the *technical* grounds, on which their Lordships had resolved that these papers were not to be received."[1]

During these contentions two incidents occurred, the importance of which requires, that they should here be presented to view. It was given out, as a *dictum,* by Mr. Law, the defendant's counsel, That every accusation brought against a man and not proved, was a calumny, and slander. "Mr. Burke," says the historian of the trial, "replied, with much indignation, that he was astonished the learned Gentleman dared to apply such epithets to charges brought by the Commons of Great Britain, whether they could or could not be proved by *legal* evidence. It was

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very well known that many facts could be proved to the satisfaction of every conscientious man, by evidence which, though in its own nature good and convincing, would not be admitted in a court of law. It would be strange, indeed, if an accusation should be said to be slanderous and calumnious, merely because certain rules of law declared that evidence, not to be admissible in law, which would carry conviction to the breast of every man who read it."[1] But this observation, pointed as it was in the particular case, was too much limited to that particular case; as was, indeed, the misfortune of most of the instruments with which Mr. Burke endeavoured to parry the weapons of the lawyers. The *dictum* of the lawyer is *universally* mischievous, and also contemptible; and ought to have been proved to be so: the efficacy of it, as far as it is allowed to have any, is to provide impunity for crimes. When is it known that an accusation can be proved? Never, till the cause is tried before the judge. If an accusation must, therefore, never be brought (assuredly a calumny ought never to be brought), unless it is known that it can be proved, an accusation ought never to be preferred at all. There ought to be no accusation of guilt; and of course, no trial; and no punishment! If, in order to escape from these atrocious consequences, the lawyer will not say that it is

necessary a man should *know* his accusation can be proved, but declare it is enough provided he *believes* that it can be proved, the wretched *dictum* is wholly given up. The fact is, that presumption, and often a very slight presumption, may not only justify, but urgently demand accusation. According to the vile doctrine of the lawyer, every indictment found by the grand jury, upon which a verdict of guilty is not given at the trial, is a calumny; and yet the grand jury proceed so purely upon presumption, and are so precluded from the possibility of knowing whether the accusation can be proved, that they can hear evidence only on one of the sides.



The other incident is closely connected with the foregoing. Mr. Law, whose native audacity had, by the support which he found he received, and the indignities put upon the accusation, been gradually rising to a tone of great disrespect to the managers, had now broken out into such language, as the House thought it necessary to rebuke for indecency. Mr. Law defended himself by saying, he did not mean to apply the terms *slander* or *calumny* to any proceeding of the House of Commons; but he had the authority of that House for declaring, that the Honourable Manager had used *slanderous* and *calumnious* expressions, not authorized by them. “Mr. Fox,” says the historian of the trial, “took fire at this expression. He said it was indecent and highly irregular, in an advocate, to allude to what had taken place within the walls of the House of Commons: that the learned counsel had done worse, he had *misrepresented* that to which he had presumed to allude: he had charged the whole body of the Commons with having sent up slanders in the shape of charges: and he had pronounced the deputies of the Commons calumniators, merely because they offered in evidence those very documents, on the authority of which the Commons had pronounced the charges to be well-founded, and sent them as articles of impeachment to the Lords.” Mr. Law defended himself acutely from the impropriety of alluding to any proceeding in the House of Commons, by affirming that he alluded only to what the Honourable Manager himself had told them of the proceedings of that House. Mr. Fox said, that this was a new misrepresentation; their Lordships had not been told that any thing which had fallen from the managers had been designated by the House of Commons, slanderous or calumnious; nor any thing which could be tortured into such a meaning.



Mr. Fox would not proceed in the trial, until the Lords should give an opinion on this language. If that was refused, he must return to the Commons for fresh instructions.

The words were taken down, read to their author, and recognized. It was proposed that the Lords should withdraw to consider them. But a mode was found of giving satisfaction to the managers without this interruption. The Lord Chancellor, it was agreed, should admonish the learned counsel, That it was *contrary to order* in the counsel to advert to any thing that had passed in the House of Commons: That it was *indecent* to apply the terms slander or calumny to any thing that was said by their authority: And that such expressions must not be used.[1]

The managers next proceeded to prove, that when Mr. Hastings became master of the votes of the Council, he re-appointed Munny Begum, and the Rajah Goordass, to the offices from which the majority of the Council had removed them, after those persons had presented public official accounts charging him with the receipt of three and a half lacs of rupees. This was an act of Mr. Hastings, in relation to these accounts, which, the managers contended, fulfilled the condition required by the Lords for receiving them. The counsel for the defendant produced his objections. The managers answered. The counsel replied. The Lords withdrew to their chamber to deliberate. They asked the opinion of the twelve judges. The judges required a little time. After an intermission of proceedings from the 17th of June to the 24th the Lords met in Westminster Hall, and informed the managers, "That the accounts last offered by them in evidence ought not to be read."



Before any further proceedings commenced, it was proposed by Lord Portchester, one of the Peers, that certain questions should be referred to the judges. It was according to form, that this business should be transacted, by the Lords, in their chamber of parliament. To this they returned. And at six o'clock in the evening, they sent a message to the Commons, that they had adjourned the further proceedings on the trial for six days. When they met on the 30th in Westminster Hall, no communication of what had passed in their chamber of parliament, was made to the parties. And the managers for the Commons were desired to proceed.

Upon their adjournment, however, on the 24th, the Lords had spent the day in debate; and agreed to proceed with the further consideration of the subject on the 29th. On that day, they went into a committee, "To inquire into the usual method of putting questions to the judges and receiving their answers in judicial proceedings." A great number of precedents were read. There was a long debate. At last it was determined, "That the proceedings on the trial of Warren Hastings, Esq. had been regular, and conformable to precedent in all trials of a similar nature."

It had been agreed at an early period of the trial, that of the documents received in evidence only so much as referred strictly to the point in question should be read; and that they should be printed entire by way of appendix to the minutes. In this way, a letter, of Mr. Goring, reporting the statements made by Munny Begum relative to the money received by Mr. Hastings, had been printed. This report the managers now desired might be read. As printed, by order of the peers, to give information on the subject of the trial, it was already in evidence before them. A long contention ensued. The Lords adjourned twice to deliberate, on two separate points. They at last determined, "That no paper ought to be read merely because it is printed in the appendix; and, therefore, that the letter of Mr. Goring, last offered in evidence, ought not to be read."



The managers offered the letter again, and urged its acceptance, on two other grounds; First, as part of a consultation which had already been read, and applied to the same subject; Secondly, as rendered evidence by the demeanour of Mr. Hastings, who had

requested the Court of Directors to read and consider it. The objections of the counsel were made. The usual reply and rejoinder were heard. The managers were asked, “If the above were the whole of the grounds upon which they put the admissibility of the papers offered: To which they made answer, That they were. The House adjourned to the chamber of parliament.” The next day of the trial the managers were informed, that “the letter ought not to be read.”

The managers after this proceeded to prove, that when Mr. Hastings, as soon as he recovered an ascendancy in the Council, re-established Munny Begum in the regency, the pretext upon which he grounded this proceeding, namely, the will of the Nabob, who had a right to make the appointment,
was false, and impostrous; in as much as the Nabob, according to Mr. Hastings himself, according to the Judges of the Supreme Court, and according to the known facts of his situation, had no will; and was nothing but a creature in the hands of Mr. Hastings. They also offered proof, that this proceeding was condemned by the Court of Directors, and that it was injurious to the government, and to the interests of the people. To the evidence tendered for this purpose, but little opposition was raised. And here the case for the managers upon the first part of this article of the impeachment was closed.[1]



Before proceeding to open the question upon the second part, the Lord Chancellor requested to know to what length of time it appeared to the managers that their proceedings on this branch of the subject would extend. As he received an answer, importing that several days would be requisite, even if no delay was created by the lawyers in objecting to evidence; and as these communications seemed to point to a design of adjourning further progress in the trial, till the beginning of the next session of parliament, Mr. Hastings rose, and made a very humble and pathetic speech, complaining of the hardships of the trial, and earnestly deprecating delay. His life, he said, would not suffice, if this prosecution proceeded at the pace at which it had begun, to see it to an end. He affirmed, but qualifying the assertion carefully, that it might not appear offensive to the Lords, that he would have pleaded *Guilty,* had he foreseen the space of time which the trial would consume. He could not frame, he said, any specific prayer to their Lordships, nor could he press them to a greater waste of their time, at so advanced a period of the season; but if the managers could specify any such limited
period as their Lordships could devote, to close the impeachment, which he had been informed was to end with this article, he would rather consent to wave all defence, than postpone the decision to another year. The House adjourned to the chamber of parliament, where it was agreed to proceed on the trial on the first Tuesday in the next session of parliament.



On the 16th of February, 1790, the business of the trial now prolonged to the fifty-sixth day, was resumed. What remained of the sixth article of impeachment, and a part of the seventh, were opened by Mr. Anstruther. And on the 18th of February, which was the fifty-seventh day of the trial, evidence began to be heard.

A letter was produced, dated 29th of November, 1780, from Mr. Hastings to the Court of Directors. In this letter the Directors were told, that, so far back as on the 26th of June, Mr. Hastings had made "a very unusual tender," as he calls it; that is, to defray with his own money the extraordinary expense of sending against the Mahrattas the detachment under Major Carnac. He also, at the same time, gives them to understand that the money, which he had thus expended, was not his own. But, without a word to show to whom, in that case, the money did belong, he only adds, "With this brief apology I shall dismiss the subject." His language is somewhat strange. This account of this transaction he calls an "anecdote."—"Something of affinity," he says, "to this anecdote may appear in the first aspect of another transaction." Of that transaction too the same letter contains an account. When Bengal was threatened with the detachment of the Berar army, which during the war with the Mahrattas marched into Cuttack, one of the means which Mr. Hastings employed for eluding the danger was, to supply that detachment with money. He now informs the Court of Directors, that he took upon himself the responsibility of sending three lacs of rupees, unknown to his Council. Two-thirds of this sum, he says, *he had raised by his own credit;* and should charge as a debt due to himself by the Company: the other third he had supplied from the cash in his hands belonging to the Company.



About these several sums, this was all the information which the Governor-General thought fit to give to the Directors on the 29th of November, 1780.

On the 5th of January, 1781, the following notice was communicated by the Governor-General to the Members of the Council, "Honourable Sir, and Sirs, Having had occasion to disburse the sum of three lacs of sicca rupees, on account of secret services, which having been advanced *from my own private cash,* I request that the same may be repaid to me," &c.; and on the 9th he received three bonds for the amount.

Of the whole sum it was proved that one third was paid to Mr. Hastings in England.

The next document was a letter from Mr. Hastings to the Secret Committee of the Court of Directors, dated Patna, 20th January, 1782, stating, that he had, when at Chunar, accepted from the Nabob Vizir, a present of ten lacs of rupees, which he requested their permission to appropriate to himself.

Another of his letters to the same Committee, dated 22d May, 1782, gave an account of the sums which he had privately received, and expended in the service of the Company. Excepting the sum from the Nabob Vizir, no information was yet given of the sources whence any part of that money had been derived. Of the use which was made of the several sums, he says, that the reference which he gives to the several accounts, in which they are credited in the Company's books, is specification enough. With regard to the sources whence they were derived, the motives for receiving them, and his own modes of dealing with them, he satisfies himself, with the following mysterious and obscure expressions. "Why these sums were taken by me; why they were, except the second" (that applied to the service of Carnac's

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detachment) “quietly transferred to the Company’s use; why bonds were taken for the first,” (that sent to the Berar army in Cuttack), “and not for the rest, might, were this matter to be exposed to the view of the public, furnish a variety of conjectures, to which it would be of little use to reply. Were your Honourable Court to question me upon these points, I would answer, that the sums were taken for the Company’s benefit, at times in which the Company very much needed them; that I either chose to conceal the first receipts from public curiosity by receiving bonds for the amount, or possibly acted without any studied design which my memory could at this distance of time verify; and that I did not think it worth my care to observe the same means with the rest.”

The managers proved; that in the letter of the 29th of November, 1780, two thirds of the money sent to the Berar army were stated as the money of the Governor-General himself; that in this of the 22d of May, 1782, the whole is stated as the money of the Company. It may, however, be also observed, that the taking of the bonds, instead of being a transaction to keep the matter secret, was the only thing which could make it public. He received the money from a private source; he gave it to the Berar Rajah privately, and told him the gift was a secret; all this might have been hid from the world for ever, except for the bonds.



Another thing which is very remarkable is, the idea, which the Governor-General seems to have formed, of the strange negligence of the Court of Directors toward the proceedings of their servants; when he could present to them such an account, as this, of such transactions, without expecting their most severe displeasure. Great sums of money, received from secret sources, and instead of any account of such extraordinary and suspicious transactions given to them to whom the fullest account of every transaction was due, a declaration that this was not a matter for public view, and that it would furnish a variety of conjectures if known, make up one of the strangest scenes between a master and servant, that the history of public negligence presents for the instruction of mankind.

The negligence, which the Governor-General here imputes to himself, the crime of acting in such affairs with so disgraceful a measure of inattention, that he himself knew not the motive by which he was guided, ought alone, if true, to have condemned him in the minds of vigilant employers, and proved his total inaptitude for the trust which was placed in his hands; if not true, conclusions are suggested of a different sort.

The above-mentioned account of the appropriation to the service of the Company of certain sums privately received, though dated on the 22d of May, 1782, was not sent from Calcutta on the 16th of December. By this time, Mr. Hastings had received accounts of the inquiries instituted, and even the resolutions passed, with respect to his conduct, by the House of Commons in England. To escape the appearance of having been impelled to produce this account by the terror of investigation, he got Mr. Larkins, the Accountant-General, to affix to it his affidavit of the time in which it was written. In his letter of this date he reproaches his employers for rendering necessary,

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by their want of confidence, this humiliating precaution. Addressing the Secret Committee of the Court of Directors, he says, “If I wanted integrity and honour, the Court of Directors have afforded me but too powerful incentives to suppress the information which I now convey to them through you, and to appropriate to my own use the sums which I have already passed to their credit—by the unworthy, and, pardon me if I add, dangerous reflections which they have passed upon me for the first communication of this kind. And your own experience will suggest to you that there are persons who would profit by such a warning.” He adds, with regard to the sums in question, and the declaration is important, “I could have concealed them, had I had a wrong motive, from yours and the public eye, for ever.” He makes in the same letter another declaration which is worthy of a man conscious of rectitude; “if I appear in any unfavourable light by these transactions, I resign the common, and legal, security of those who commit crimes or errors. I am ready to answer every particular question, that may be put against myself, upon honour, or upon oath.”

There he laid his finger on the material point. There he appealed to an efficient test. Innocence is proved by interrogation, and best proved when the interrogation is most severe. Had Mr. Hastings acted up to this declaration; had he really submitted himself to scrutiny; instead of using, to defend himself from it, every effort which the artifice of lawyers
could invent, and every subterfuge which the imperfections of the law could afford, he might have left his rectitude, if real, without a suspicion; whereas now, if his accusers could not prove his guilt, it is still more certain that he has not proved his innocence.



Mr. Hastings, to prove that he never meant to appropriate the money for which he took the bonds, stated in his defence, delivered at the bar of the House of Commons, that a few months after the receipt of the bonds, that is in July, 1781, he indorsed all three payable to the Company, and left them in the hand of the Accountant-General, with express directions to deliver them up. The managers gave evidence to prove that they were not indorsed till the 29th of May, 1782; and not communicated to the Board and cancelled, till the 17th of January, 1785.

The managers next gave in evidence a letter of Mr. Hastings to the Court of Directors, dated the 21st of February, 1784, in which he gave them an account of several sums, which had been expended in their service, but drawn from his own fortune, without having, as yet, been charged to their account. Some of the objects of this expenditure were of the most excellent kind, as the digest and translation of the native laws. Having stated these debts, amounting to a sum of not less than 34,000*l.* sterling, Mr. Hastings added, that he meant to pay himself by a sum of money which had privately come into his hands. Of the source from whence this money was derived, he afforded, as on former occasions of the sort, no information to his employers whatsoever. He left them absolutely and unceremoniously in the dark.

The managers next presented a passage from Mr. Hastings’s defence, delivered at the bar of the House of Commons, in which the mode of receiving this
money is declared in the following words. “In the years 1783, when I was actually in want of a sum of money for my private

expenses, owing to the Company not having at that time sufficient cash in their treasury to pay my salary, I borrowed three lacs of rupees of Rajah Nobkissen, an inhabitant of Calcutta, whom I desired to call upon me, with a bond properly filled up—he did so; but, at the same time I was going to execute it, he entreated, I would rather accept the money than execute the bond: I neither accepted the offer nor refused it; and my determination upon it remained suspended between the alternative of keeping the money as a loan to be repaid, and of taking it and applying it, as I had done other sums, to the Company's use; and there the matter rested till I undertook my journey to Lucknow, when I determined to accept the money for the Company's use. And these were my motives: Having made disbursements from my own cash, which I had hitherto omitted to enter into my public accounts, I resolved to reimburse myself, in a mode most suitable to the situation of the Company's affairs, by charging these disbursements in my Durbar accounts of the present year, and crediting them by a sum privately received, which was this of Nobkissen's."

A letter was then read, from the Court of Directors to the Governor-General and Council at Fort William, dated 16th March, 1784, in which they require an account (none had as yet been given) of the presents which the Governor-General had confessed. "Although it is not," they say, "our intention to express any doubt of the integrity of our Governor-General, on the contrary, after having received the presents, we cannot avoid expressing our approbation of his conduct, in bringing them to the credit of the Company: yet, we must confess, the statement of these transactions appears to us in many parts so unintelligible, that we feel ourselves under the necessity of calling on the Governor-General for an explanation, agreeable to his promise, voluntarily made to us. We therefore desire to be informed—of the different periods when each sum was received—and what were the Governor-General's motives for withholding the several receipts from the knowledge of the Council—or of the Court of Directors—and what were his reasons for taking bonds for part of these sums—and for paying other sums into the treasury as deposits on his own account."



Mr. Hastings was at Lucknow when this letter was received. He returned to Calcutta on the 5th of November, 1784; and departed for England in the month of February, 1785. During all this time no answer was returned. When in England, he was given to understand that an explanation was still required; and he addressed a letter to the Chairman, dated Cheltenham, 11th July, 1785. He first apologizes, for delay, by his absence from Calcutta, and the pressure of business at the close of his government. He can give no further account, he says, of dates, than he has given, though possibly Mr. Larkins could give more. The necessities of the government, he says, were at that time so great, that "he eagerly seized every allowable means of relief;" but partly thought it unnecessary to record these secret aids, partly thought it might be ostentatious, partly that it would excite the jealousy of his colleagues. He made the sums be carried directly to the treasury, and allowed them not to pass through his own hands, to avoid the suspicion of receiving presents for his own use. Two of the sums were entered as loans. One was entered as a deposit, namely, that expended on Carnac's detachment, because the transaction did not require concealment, having been already avowed. He makes a curious declaration, that though destined for the public service,

and never meant for his own use, “it certainly was his original design to conceal the receipt of all the sums, except that one, even from the knowledge of the Court of Directors.” This relates to all the sums, except that from the Nabob Vizir. With respect to that he says, “When fortune threw in my way a sum, of a magnitude which could not be concealed, and the peculiar delicacy of my situation, at the time in which I received it, made me more circumspect of appearances, I chose to apprise my employers of it, and to add to the account all the former appropriations of the same kind.”

In this, if something, be it what it may, be alleged, as a motive for concealment from the Council, nothing whatsoever is even hinted at as a motive for concealment from the Court of Directors. This, the principal question, was still completely evaded, and left without a shadow of an answer. One of the allegations is altogether unintelligible, that it would have excited suspicion had the sums been carried to his own house, but no suspicion when, as his money, not the Company’s, it was lodged in their treasury either as a deposit or a loan. If the money was represented as his, the question, how he came by it, was the same in either case. With respect to these most suspicious transactions, two important points of information were still obstinately withheld; namely, from what parties the sums were obtained, and why the transactions were concealed from those from whom it was a crime in their servants, of the deepest die, to conceal any thing which affected the trust committed to their charge.

From this, the managers proceeded to a different head of evidence; namely, the changes which Mr. Hastings had introduced in the mode of collecting the revenues. The object was to show that these changes increased the facilities of peculation, and laid open a wide door for the corrupt receipt of money; that such facilities had not been neglected; and that money had been corruptly received. The great points to which the managers attached their inferences of guilt were three; the appointment of the Aumeens, with inquisitorial powers for the purpose of the inquiry into the taxable means of the country, at the termination of the five years’ settlement in 1777; the abolition of the Provincial Councils and appointment of the Committee of Revenue; and the receipt of presents from the farmers of the revenue in Nuddea Dinagepore, and Bahar.

The managers began with the Provincial Councils. It was proved by a variety of documents, that the Provincial Councils had received the strongest approbation of the Court of Directors. It was proved that they had repeatedly received the strongest testimonies of approbation from Mr. Hastings himself. Yet, on the 9th of February, 1781, Mr. Hastings abolished them; and formed his Committee of Revenue.

It was next proved, that Gunga Govind Sing was appointed Duan to this Committee; and that high and important powers were attached to his office.



To prove that the character of Gunga Govind Sing was bad, a consultation of the Council in 1775 was read. On that occasion he was, for a fraud, dismissed from his office of Naib Duan to the Provincial Council of Calcutta; Mr. Francis and Mr. Monson declaring that from general information they held him to be a man of

infamous character; the Governor-General asserting that he had many enemies, and not one advocate, but that all this was general calumny, no specific crime being laid to his charge. Lastly, the managers offered evidence to prove that Gunga Govind Sing, at the time of this appointment, was a public defaulter, by a large balance, of which he would render no account.

They now passed from the abolition of the Provincial Councils, to the present from the revenue farmer of Patna. In the sixth article of charge, Mr. Hastings was accused of having taken from a native of the name of Kelleram, as a consideration for letting to him certain lands in Bahar, a sum of money amounting to four lacs of rupees. It was inferred that this was a corrupt appointment, as well from other circumstances, as from this, That Kelleram was notoriously a person of infamous character, and, in all other respects, unqualified for the office.

The managers proposed to begin with the proof of this unfitness. The Counsel for the defendant objected; because unfitness was not a charge in the impeachment. After hearing both parties, the Lords adjourned. Finally, they resolved, "That the managers for the Commons be not admitted to give evidence of the untitness of Kelleram for the appointment of being a renter of certain lands in the province of Bahar; the fact of such unfitness not being charged in the impeachment."



The point is of importance. It is only when conformable to reason, that the authority of lords, or of any one else, is the proper object of respect.

Whether the appointment of a particular man to a particular office was corrupt, or not corrupt, was the question to be tried. If circumstantial evidence is good in any case, it is good in this. But surely, it will not be denied, that the fitness or unfitness of the person to the office, is one among the circumstances from which the goodness or badness of the motives which led to his appointment may be inferred. Accordingly, the counsel for the defendant did not deny that the unfitness of Kelleram was proper to be made an article of circumstantial evidence. Not denying that it would be just matter of evidence, if given, they insisted that it should not be given.

Their objection amounted to this, that to prove one fact of delinquency, no other fact importing delinquency shall be given in evidence, unless the evidentiary fact itself is charged as delinquency in the instrument of accusation. Now such is the nature of many crimes, that other crimes are the most common and probable source of circumstantial evidence: At the same time, it may be very inconvenient, or even impossible, to include all these minor crimes in the instrument of accusation appropriated to the principal crime. They may not all be known, till a great part of the evidence has been heard and scrutinized. The tendency of such a rule cannot be mistaken. It adds to the difficulties of proving crimes; it furnishes another instrument, and, as far as it operates, a powerful instrument, for giving protection and impunity to guilt. The objection, that a man cannot be prepared to defend himself against an accusation which has not been preferred, is futile: because the fact is not adduced as the fact for which the man is to be punished, but a fact to prove another fact. Besides, if on this, or any other

incident of the trial, he could show cause for receiving time to adduce evidence, or in any other way to prepare himself, for any fresh matter which might arise on the trial, a good system of judicature would provide the best mode of receiving it.

Mr. Burke took the liberty of making remarks. He said the Commons of England had a right to demand that they should not be held to technical niceties. And he complained of the obstruction, which this resolution of the Court would create, in dragging to light the offences of the accused, or even in ascertaining the measure of the crime. "If the managers were to be debarred," he said, "from giving evidence of corrupt intentions, and of aggravations arising from circumstances, *not specifically stated in the charges,* it would be impossible for their Lordships to determine the amount of the fine, which ought to be imposed upon the prisoner, if he should be convicted; and their Lordships must, in the end, be embarrassed by their own decision."

The managers then gave in evidence, that, in July 1780, Mr. Hastings wrote an order to the chief of the Patna Council, to *permit* Kelleram to go to Calcutta: that it was debated in the Council, whether, "in his present situation," he ought to be permitted to go in consequence of the Governor-General's orders: that two out of five members voted against the permission: that Kelleram, on receiving permission, requested a guard of Sepoys for his protection down to Calcutta, which was granted: that proposals were received by Mr. Hastings from Cullian Sing for renting the province of Bahar: that the proposals were accepted:
and that Kelleram was appointed deputy, or naib.



The managers for the Commons stated, that they would next give evidence to show that this bargain had been extremely injurious to the interests of the Company, as Kelleram had not made good his engagements.

The Counsel for the defendant objected to this evidence, and a long debate ensued. They took the same ground as before, that this would be evidence to a crime not specified in the charge. The Lords adjourned, and spent the rest of the day in deliberation. On the next day of the trial, the managers were informed, "That it was not competent for them to give evidence, upon the charge in the sixth article, to prove that the rent at which the defendant, Warren Hastings, let the lands, mentioned in the said sixth article of charge, to Kelleram, fell into arrear and was deficient." Yet why should a fact, which was offered only as matter of evidence, be rejected as evidence because it was not offered also as matter of charge? This was to confound the most important distinctions. Assuredly, if the corruption of a bargain can be proved by circumstances, its evil consequences, if such as might easily have been, or could not but be, foreseen, is one of those circumstances, and an important one. This, said the Lords and the lawyers, must not be adduced.

The managers vehemently renewed their complaint, that the resolutions of their Lordships were unaccompanied by the reasons on which they were founded. The judges of other courts, it was said, pursued a different course. The evil consequence on which they principally rested their complaint was, the ignorance in which a decision without a reason left them of what would be decided in other cases.

The managers next gave in evidence, that a rule, with regard to peshcush, or the gratuity offered by a renter upon the renewing of his lease, had been established in 1775; and that a small sum, merely to preserve an old formality, was accurately prescribed, and made permanent. The great sum, taken by Mr. Hastings from Kelleram, was not, therefore, peshcush. Mr. Young, who had been six years a member of the Provincial Council of Patna, said that the lease stood in the name of Cullian Sing; but Kelleram was considered as a partner. Being asked, Whether, if the lands had been let at their full value, it would have been for the interest of Kelleram to give four lacs of rupees as a gratuity upon the bargain, he replied, "I think, in the circumstances in which Kelleram stood, he could not afford it." He was asked, "In what circumstances did he stand?" The opposing lawyers objected; upon the old ground, that the unfitness of Kelleram was not matter of charge. True, and not proposed to be made. But it was matter of evidence, and, as such, ought to have been received. The managers waved the question.

The same witness proved, that at the time when this bargain was struck between Mr. Hastings and Kelleram, a contract had actually been concluded for the whole province by the Provincial Council, who had let the lands, in the usual proportions, to the Zemindars of the country, and other renters. This legal transaction was therefore violated by the bargain subsequently struck between Mr. Hastings and Kelleram. Within the knowledge of the witness the province had never before been all let to one man.



It was given in evidence that Cullian Sing was Duan of the province; that it was the duty of the Duan to check the collectors, and prevent the oppression of the ryots; that of course this check was annihilated by making the Duan renter; but it was also stated, that Cullian Sing had never, in fact, exercised any of the powers of Duan, being prevented by the Provincial Council as unfit.

The witness was asked, "Whether the withdrawing the Provincial Council, and abolishing the office of Dewan, did not put it in the power of the farmer to commit oppression with greater ease than before?" His answer was, "Doubtless." He was asked "What impressions the letting of the lands to Kelleram and Cullian Sing made upon the minds of the inhabitants of the country?" Mr. Young answered, "They heard it with terror and dismay." After the answer was given, Mr. Law objected to the question; it not being within the competence of the witness to speak of any body's sentiments but his own. To give in evidence the sense of the country was on the other hand affirmed to be an established practice. The Lords returned to their own house. They put a question to the judges. The judges requested time to answer it. And further proceedings on the trial were adjourned for two days. When the court resumed, the managers were informed, "That it was not competent for them to put the following question to the witness on the sixth article of the charge;—What impression the letting of the lands to Kelleram and Cullian Sing made upon the minds of the inhabitants in the province of Bahar." Yet it will not be denied, that when a man was set over a country with powers to which those of a despot in Europe are but trifling, the impression on the minds of the people might rise to such a height as to be a

circumstance of great importance, and indispensably necessary to be taken into the account, in forming a correct and complete conception of the views of him by whom the appointment was made. To refuse to receive such evidence is, therefore, to refuse the means
of forming a complete and correct conception of that on which the most important judicial decisions may turn.



The witness was asked, what effects arose from the appointment of Kelleram? and how he conducted himself as renter of the province? Neither of these questions was allowed.

After this the managers went back to the abolition of the Provincial Councils and the Committee of Revenue. Mr. Young deposed, that Gunga Govind Sing, who was appointed Duan; that is, under the new system, the great executive officer of revenue; was a man of infamous character, in the opinion both of Europeans and natives; that the Board of revenue was in his opinion an institution which gave a new degree of power to the Governor-General; that under that system, mischief could more easily exist and be concealed, than under that of the Provincial Councils; that the people were more open to the oppression of the Duan. When the question was asked, whether it came within his knowledge that more evil, or less evil, existed under the Committee of revenue, than under the Provincial Councils, the right of exclusion was urged afresh. Acts of oppression could not be given, because oppression was not charged in the articles. Be it so; but corruption was charged, and acts of oppression were offered as proof of it. Nor is there any contempt of rationality so great as to deny, that acts of oppression may afford evidence, in proof of corruption. To exclude that evidence, by rule, is to deprive justice of one of the means of disclosing guilt. The managers maintained, that oppression was in reality matter of charge, by the words, “to the great oppression and injury of the said people.” The lawyers contended, that this, like the words,
“contrary to the peace of our Lord the King,” was but an inference of law. The managers insisted that the cases were radically different, because an act of murder, felony, treason,

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was, by its nature, and necessarily, contrary to the King’s peace; the appointment of a Board of Revenue was not by necessity oppression. The oppression was not matter of inference, but matter of proof. The Lords adjourned to deliberate, and consumed in the chamber of parliament the rest of the day. The managers were at last informed, “That it was not competent for them to put the following question to the witness upon the seventh article of charge, viz. Whether more oppressions did actually exist under the new institution than under the old.”

The managers then reverted to the bargain of Mr. Hastings with Cullian Sing, and Kelleram. The purport of the questions was to prove that a rumour, a prevalent belief, of the receipt, as a gratuity or present, of a sum of four lacs of rupees, by Mr. Hastings, existed, previous to the time at which he made confession of it to his employers. Many of the questions of the managers were resisted by the Counsel for the defendant, but such questions were put by some of the Peers as elicited proof that the rumour did precede the confession.

By cross-examination it was shown, that the abolition of the Provincial Councils was injurious to the interests of the witness; that Gunga Govind Sing, to whose reputed character he spoke, lived at Calcutta, while he himself resided principally at Patna; that one of the individuals from whom he had heard a bad character of Gunga Govind Sing was his enemy; but that his bad character was a subject of common conversation.

In the course of this examination it came out, though the Counsel for the defendant objected to it
as evidence, that Kelleram, at the time of his bargain with Mr. Hastings, was a bankrupt, and a prisoner.



Mr. David Anderson was examined, the president of the Committee of Revenue, and a man selected by Mr. Hastings for the most important employments. It appeared that his office, as president of the Committee, was almost a sinecure, for excepting about three months he was always absent on other employments. He, too, was acquainted with the rumour about the money received from Kelleram, which made him so uneasy about the reputation of Mr. Hastings, that he conversed with him upon the subject, and was told that the money had been accounted for. He understood, that sums were privately received from persons employed in the revenue, which never were entered in the public accounts. He himself was sworn not to receive money privately. The Duan of the Committee of revenue might extort money unduly from the people, without detection, provided the offence was not very general. The question was put, and a most important question it was: "Whether, after all, the Committee, with the best intention, and with the best ability, and steadiest application, might not, to a certain degree, be tools in the hands of the Duan." The question was objected to, and given up.

On his cross-examination, he affirmed that Gunga Govind Sing had not a bad character, he thought he had in general a good character. To show that three lacs of the money privately received were sent to the Berar army, two questions were put, to which the managers objected, with as little to justify their objections, as those of their opponents, and more to condemn them, because contrary to the principles to which they were calling for obedience on the opposite side.

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The managers added the following pertinent questions: "Whether during the whole of the year 1780, there was any such distress in the Company's affairs as to put them to difficulty in raising three lacs of rupees?—I do not believe there was.—Whether after the year 1781, the Company did not borrow several millions?—They borrowed very large sums; I cannot say what."

This was intended to meet the allegation of Mr. Hastings, that the extreme exigence of the Company's affairs had led him to the suspicious resource of taking clandestine sums of money from the subjects and dependants of the state.

After some further evidence, bearing upon the same points, and exciting objections of the same tendency, on which therefore it is unnecessary to dwell, the managers proceeded to the questions connected with the province of Dinagepore, whence one of the secret sums had been derived.

In order to show the opinion of Mr. Hastings himself, that great enormities might be committed under the Committee of Revenue, and yet be concealed, they read the passage from his minute of the 21st of January, 1785, in which he says, "I so well know the character and abilities of Rajah Deby Sing, that I can easily conceive it was in his power both to commit the enormities which are laid to his charge, and to conceal the grounds of them from Mr. Goodlad," the collector, and Company's chief officer in the district. The managers said, they would next proceed to show the enormities themselves.

But the Counsel for the defendant objected, on the ground they had so often successfully taken, that these enormities were not matters of charge. To this, as before, the simple answer is, that corruption was the matter of charge; and that the enormities of a man placed in a situation to do mischief might be a necessary and important article in the proof that corruption placed him there. To reject it was, therefore, to reject that without which it might be that justice could not be faithfully administered; without which it might be that misconception would be created in the mind of the judge; and hence misdecision, wrong in place of right, become the ultimate and unavoidable result.



The managers again contended that oppression *was* a matter of charge; that Mr. Hastings well knew it must flow from the system which he pursued; and that the honour of the Court, and the character of the British nation, were at stake, when the question was, whether enormities, such as no tongue could describe, should be thought worthy of investigation, or be for ever screened from it by lawyers' ceremonies. The Counsel for the defendant answered this appeal to honour and feeling, by challenging the managers to make these enormities an article of impeachment, and boasting their readiness to meet such a charge. But this was a mere evasion. Why meet those enormities only as matter of impeachment, refuse to meet them as matter of evidence? They had the same advantages in the one case as in the other. They might equally display the weakness, if any existed, in the evidence brought to support the allegations; they might equally bring counter evidence, if any existed, to disprove them. As far therefore as the challenge had any effect, it was an effect contrary to the interests of justice.[1]

The Lords retired to their chamber to deliberate; and, on their return, which was not till the succeeding day of the trial, announced, that it was not competent for the managers to produce the evidence proposed.

To show that the offices of Farmer of the revenue, and Duan, the latter of which was intended to be a check upon the former, were never united in one person, except in two of the instances in which Mr. Hastings received money, the following extract of a letter from Mr. Shore, President of the Committee of Revenue, to the Governor-General and Council, dated 2d of November, 1784, was read: "Rajah Deby Sing was Farmer, Security, and Duan of Rungpore. The union of the two former offices in the same person requires no explanation, since the practice is very general, and is founded upon solid and obvious reasons. The investiture in the office

of Duan, during the period in which he held the farm, is less common, but not without precedent; for Rajah Cullian Sing stood precisely in the same predicament with regard to the province of Behar."

The managers next adduced evidence, with respect to an offer made by the Vizir in the month of February, 1782, of a second present of ten lacs of rupees to Mr. Hastings. Mr. Hastings declined acceptance of the present, on his own account; and communicated the circumstance to the Council, who used endeavours to obtain the money for the Company.

Evidence was next adduced to prove that Mr. Hastings had remitted, through the East India Company, since his first elevation to the head of the government in Bengal, property in his own name to the amount of 238,757*l.*

Mr. Shore being examined whether Gunga Govind Sing was a fit person to be Duan, or principal executive officer of revenue, declared that, in his opinion, no native ought to have been employed in that situation. To the character of the natives, in general, he ascribed the highest degree of corruption and depravity.

Mr. Fox summed up the evidence, thus adduced on the sixth and on part of the seventh and fourteenth articles of impeachment, on the 7th and 9th of June, 1790, the sixty-eighth and sixty-ninth days of the trial. The Lords then adjourned to their chamber and agreed to postpone the trial to the first Tuesday in the next session of parliament.[1]

Some incidents, which, during these proceedings, took place in the House of Commons, it is requisite briefly to mention. On the 11th of May, in conformity with a previous notice, Mr. Burke, after a speech in which he criticized severely the petitions of

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Mr. Hastings, who had bewailed the hardships of the trial, and complained of delays, though he himself, he affirmed, was the grand cause of delay, and appeared to have contrived the plan of making his escape by procrastination, moved two resolutions: First, that the House would authorize the managers to insist upon such alone of the articles as should appear to them most conducive in the present case to the satisfaction of justice: Secondly, that the House was bound to persevere till a judgment was obtained upon the articles of principal importance. The minister supported the first of the motions, but the other, as unnecessary, he thought the manager ought not to press. Mr. Fox laid the cause of delay upon the obstructions to the receipt of evidence, particularly the want of publicity in the deliberations upon the questions of evidence in the House of Lords; because every decision, unaccompanied with reasons, was confined to a solitary case; and all other cases were left as uncertain and undecided as before. Some days after these proceedings appeared, in one of the newspapers, a letter, signed by Major Scott, containing a short review of the trial, and animadverting with great severity upon the managers; treating it as no better than a crime, and indeed a crime of the deepest dye, to have prosecuted so meritorious an individual as Mr. Hastings at all; but a still greater enormity not long ago to have closed all proceedings against

him. Of this publication complaint was made in the House of Commons. The author, as a member of the House, was heard in his defence. The letter was treated as a libel on the managers, and a violation of the privileges of the House. The minister admitted the truth of these allegations; but urged, with great propriety, That the House had exceedingly relaxed its practice, in restraining the publication either of its proceedings, or censures bestowed upon them; that the common practice of the House formed a sort of rule, a rule to which every man had a right to look, and which he had a right to expect should not be violated in his particular case; that under a law, formed by custom, or fallen partially into desuetude, no individual instance ought to be selected for punishment if it was not more heinous than those which were commonly overlooked; and, on these principles, that the present offence, though it might require some punishment, required, at any rate, a very gentle application of that disagreeable remedy. The managers were more inclined for severity. Mr. Burke made an important declaration; "That he was not afraid of the liberty of the press; neither was he afraid of its licentiousness; but he avowed that he was afraid of its venality." He then made an extraordinary averment, that 20,000*l.* had been expended in the publication of what he called "Mr. Hastings's libels." It was finally agreed, that the offender should be reprimanded by the speaker in his place.



Before the time appointed by the House of Lords for resuming the business of the trial, the parliament was dissolved. This gave birth to a question, whether a new parliament could proceed with the impeachment; and whether a proceeding of that description did not abate or expire with the parliament which gave it birth. The new parliament assembled on the 25th of November, 1790; and on the 30th, the subject was started by Mr. Burke, who exhibited reasons for proceeding with the trial, but intimated his suspicion that a design was entertained in the House of Lords to make the incident of a new parliament a pretext for abating the impeachment. On the 9th of December, a motion was brought forward, that on that day se'nnight the House should resolve itself into a committee to take into consideration the state in which the impeachment of Warren Hastings, Esq. was left at the dissolution of the last parliament. In opposition to this motion it was proposed, that the House should determine a more limited question, whether or not it would go on with the impeachment. Mr. Pitt was of opinion, that it was not fit to wave a question respecting an important privilege of the House, when that privilege was called in question. The original motion was therefore carried. On the day appointed for the Committee, the motion that the Speaker do leave the chair was opposed by allegations of the excellence of the conduct of Mr. Hastings, and the hardships to which he had been exposed, by the length of the trial, and the asperity of the managers. Mr. Pitt said, the question to which these arguments applied was the question whether it was proper in the House to go on with the impeachment. He wished another question to be previously, and solemnly decided, whether it had a *right* to go on with it. Mr. Burke said, that gentlemen seemed afraid of a difference with the House of Lords. For his part, "he did not court—fools only would court, such a contest. But they who feared to assert their rights, would lose their rights. They who gave up their right for fear of having it resisted, would by and bye have no right left." The motion was carried after a long debate. On the 22d, the business was resumed, on

the question, whether the trial of Warren Hastings was pending or not. The debate lasted for two days. The minister, and by his side Mr. Dundas, joined with the managers in maintaining the uninterrupted existence of the trial. Almost all the lawyers in the House, Mr. Erskine among them, contended vehemently that the dissolution

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of parliament abated the impeachment. This brought forth some strictures upon the profession, which formed the most remarkable feature of the debate. Mr. Burke said, that "he had attentively listened to every thing that had been advanced for and against the question; and he owned he was astonished to find, that the lawyers had not brought a single particle of instruction with them for the use of those that were laymen. One learned gentleman had given the solution, by confessing that he was not at *home* in that House. The same might be said of most of his brethren. They were birds of a different class, and only perched on that House, in their flight towards another. Here they rested their tender pinions, still fluttering to be gone, with coronets before their eyes. They were like the Irishman, who, because he was only a passenger in the ship, cared not how soon she foundered." Mr. Grant said, the great zeal for *Parliamentary Law,* and *Constitutional Law,* always forced into his mind the adage, *latet anguis in herba.* They were wide grasping phrases, admirably calculated to promote, without confessing, a design of acting agreeably to arbitrary will. Mr. Fox was very pointed in his strictures on the professors of the law. "If to their knowledge of the law," he said, "the lawyers were to add some regard to the constitution, it would be no great harm. He saw the high necessity of impeachments, not so much to check ministers, as to check the courts of justice. Suppose our judges were like some of those in the reign of Charles the Second. Where was our remedy, if not in impeachment? If that great instrument of safety was made inefficient, we should have no law, no justice, not even a *scintilla* of liberty. He reprobated the gentlemen of the long robe for having, as it were, conspired to oppose the motion. When he saw a corps of professional

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people, a knot of lawyers, a band of men, all animated with *l'esprit du corps,* setting themselves against the liberty of the subject, and the best means of supporting the constitution, he should say it was worse than the Popish plot in Charles the Second's time, if any Popish plot did then exist." Mr. Burke said, "he wished the country to be governed by law, but not by lawyers." The motion was finally carried by a great majority.

The business was not resumed till the 14th of February 1791, when it was moved by Mr. Burke, that the House should proceed with the impeachment. In a long speech he endeavoured to obviate the prejudices which were now generally disseminated, as if the measure was operating upon the defendant with cruelty and oppression. "It had been argued," he said, "that the trial had lasted a long time, and that the very length of it was a sufficient reason why it should cease; but if protraction was admitted as a substantial reason for putting an end to a penal investigation, he who committed the greatest crimes would be surest of an acquittal; and mankind would be delivered over to the oppression of their governors; provinces to their plunder, and treasuries to their disposal."—"False compassion aimed a stroke at every moral virtue." He affirmed that the managers were chargeable with none of the delay. Though the quantity of the matter was unexampled, a small number of days had been employed in hearing the speeches they made, or the evidence which they tendered. For all the rest any body in

the world was responsible rather than they. He then displayed the great and numerous difficulties which had been thrown in the way of the prosecution: and asked if the House "had forgotten, there was such a thing as the *Indian interest;* which had penetrated into every department of the constitution, and was felt from the Needles, at the Isle of Wight, to John o'Grot's House!" He then complained of the extraordinary obstructions raised "by certain professors of the law, whose confined and narrow mode of thinking, added to their prejudices, made them enemies to all impeachments, as an encroachment on the regular line of practice in the courts below." Yet, notwithstanding the importance of these considerations, that he might comply with the spirit of the times, he should propose, that the managers proceed no further than to one other article; that on contracts, pensions, and allowances; which, as Mr. Hastings had defended the acceptance of presents, by alleging the pecuniary wants of the Company, and as the proof of this article would show that where poverty was pretended profusion had prevailed, was an article, necessary to complete the proof of the offences, which were charged under the previous head of accusation. After a long debate, in which nothing of particular moment occurred, the several motions for proceeding in the impeachment, so limited and reduced, were put and carried.



When the intention of the Commons to proceed with the impeachment was announced to the Lords, a committee was formed to search the journals for precedents. The question was at last debated on the 20th of May. The only circumstance of much importance, in the debate, was one of the arguments employed by the Lord Chancellor to prove that impeachments abated by the dissolution of parliament. They abated, he said, because one of the parties to the prosecution, namely, the Commons, became extinct. If it were alleged that the whole people of England were the real prosecutors, as the acts of the Lower House of Parliament were the acts of the people, he had two things to reply. The first was, that the acts of the House of Commons could not be regarded as the acts of the people of England; because the House of Commons did not *actually* represent the people of England; it represented them no more than virtually. The next thing was, that their Lordships' House of Parliament knew nothing about the people, as an acting body in the state; they knew only the House of Commons, the acts of which, he had shown, were not the acts of the people. The people, therefore, were not parties to an impeachment. Lord Loughborough attempted to answer this argument; but, as he produced nothing which refuted the assertion, that the House of Commons did not represent the people of England; did not, in any such sense represent them, as could allow it with truth to be said that the acts of that House were the acts of the people; so he said nothing which bore with any force upon the point, till he came to allege that the people had the power of insurrection. "Let not their Lordships," he said, "act incautiously with regard to the popular part of the constitution! Let them look about them, and be warned! Let them not deny that the people were *any thing;* lest they should compel them to think that they were *every thing.*"

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On the unfitness of the constitution to produce good government, unless impeachment existed in a state of real efficiency, Lord Loughborough followed Mr. Fox and Mr. Burke. Without this, "it would be impossible to get at a bad minister, let his

misdemeanours and crimes be ever so enormous: Our much-boasted constitution would lose one of its best securities; and ministerial *responsibility* would become merely nominal." In other words, it would have no existence; we should have, instead of it, an impostrous pretence. Mr. Burke, however, and Mr. Fox asserted; and no one who understands the facts can honestly dispute; that the mischievous rules of evidence and procedure set up by the lawyers, and sanctioned by the Lords, make impeachment effectual, not for the punishment of the guilty, but their escape. That the constitution of England is inadequate to the purposes of good government; as no improvement in that respect has since taken place; is, therefore, the recorded opinion of three at least of the most eminent men of the last generation. After a long debate, it was finally agreed, that the impeachment was depending; and that on the 23d the House would resume proceedings in Westminster Hall.



The Lords having taken their places, and the usual preliminaries performed, Mr. St. John was heard to open the fourth article of the impeachment; that in which was charged the crime of creating influence, or of forming dependants, by the corrupt use of public money.

Under this head of the trial, the material incidents are few.

The topic of influence was of a more extensive application, than the question relating to Mr. Hastings, or than all the questions relating to India taken together. On this subject, to which the most important question respecting the actual state of the British constitution immediately belongs, Mr. St. John laid down the following doctrines: "That all the checks of the constitution, against the abuse of power, would be weak and inefficient, if rulers might erect prodigality and corruption into a system for the sake of *influence:* That public security was founded on public virtue, on morals, and on the love of liberty: That a system which tended to set public virtue to sale, to pluck up morals by the roots, and to extinguish the flame of liberty in the bosoms of men, could not be suffered to escape punishment, without imminent peril to the public weal." Whether Mr. Hastings was guilty or not guilty of creating that influence, remained to be proved: That it tends more than almost any other crime to deprive the people of England of the benefits of good government, it is impossible not to perceive.



As soon as the opening speech was concluded, Mr. Hastings rose. As the length of his address is moderate, and as it affords a specimen of the manner in which Mr. Hastings demeaned himself to the Lords, its insertion will be repaid by the instruction which it yields.

"My Lords,

"I shall take up but a very few minutes of your time: but what I have to say, I hope, will be deemed of sufficient importance to justify me in requesting that you will give me so much attention. A charge of having wasted 584,000*l.* is easily made, where no

means are allowed for answering it. It is not pleasant for me, from week to week, from month to month, from year to year, to hear myself accused of crimes, many of them of the most atrocious dye, and all represented in the most shocking colours, and to feel that I never shall be allowed to answer them. In my time of life—in the life of a man already approaching very near to its close, four years of which his reputation is to be traduced and branded to the world, is too much. I never expect to be allowed to come to my defence, nor to hear your Lordships' judgment on my trial. I have long been convinced of it, nor has the late resolution of the House of Commons, which I expected to have heard announced to your Lordships here, afforded me the least glimpse of hope, that the termination of my trial is at all the nearer. My Lords, it is now four years complete since I first appeared at your Lordships' bar; nor is this all; I came to your bar with a mind sore from another inquisition in another place, which commenced, if I may be allowed to date it from the impression of my mind, on the day I arrived in this capital, on my return to England after thirteen years' service. On that day was announced the determination of the House of Commons, for arraigning me for the whole of my conduct; I have been now accused for six years; I now approach very near (I do not know whether my recollection fails me) to sixty years of age, and can I waste my life in sitting here from time to time arraigned, not only arraigned, but tortured with invectives of the most virulent kind? I appeal to every man's feelings, whether I have not borne many things, that many even of your Lordships could not have borne, and with a patience that nothing but my own innocence could have enabled me to show. As the House of Commons have declared their resolution, that for the sake of speedy justice (I think that was the term) they had ordered their managers to close their proceedings on the article which has now been opened to your Lordships, and to abandon the rest, I now see a prospect which I never saw before, but which it is in your Lordships' power alone to realize, of closing this disagreeable situation, in which I have been so long placed; and however I may be charged with the error of imprudence, I am sure I shall not be deemed guilty of disrespect to your Lordships in the request which I make; that request is, that your Lordships will be pleased to grant me that justice which every man, in every country in the world, free or otherwise, has a right to; that where he is accused he may defend himself, and may have the judgment of the court on the accusations that are brought against him. I therefore do pray your Lordships, notwithstanding the time of the year (I feel the weight of that reflection on my mind), but I pray your Lordships to consider not the unimportance of the object before you, but the magnitude of the precedent which every man in this country may bring home to his own feelings, of a criminal trial suspended over his head for ever; for in the history of the jurisprudence of this country, I am told (and I have taken some pains to search, and, as far as my search has gone, it has been verified) there never yet was an instance of a criminal trial that lasted four months, except mine, nor even one month, excepting one instance, an instance drawn from a time and situation of this government, which I hope will be prevented from ever happening again. My Lords, the request I have to make to your Lordship is, that you will be pleased to continue the session of this court till the proceedings shall be closed, I shall be heard in my defence, and your Lordships shall have proceeded to judgment. My Lords, it is not an acquittal that I desire: that will rest with your Lordships, and with your own internal conviction. I



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desire a defence, and I desire a judgment, be that judgment what it will. My Lords, I have bowed, I have humbled myself before this court, and I have been reproached for it. I am not ashamed to bow before an authority to which I owe submission, and for which I feel respect that excites it as a willing oblation from me. I now again, with all humility, present myself a subject of your justice and humanity. I am not a man of apathy, nor are my powers of endurance equal to the tardy and indefinite operation of parliamentary justice. I feel it as a very cruel lot imposed on me, to be tried by one generation, and if I live so long, to expect judgment from another; for, my Lords, are all the
Lords present before whom I originally was tried? Are not many gone to that place to which we must all go? I am told that there is a difference of more than sixty in the identity of the judges
before whom I now stand. My Lords, I pray you to free me from this prosecution, by continuing this trial till its close, and pronouncing a judgment during this session; if your Lordships can do it, I have a petition to that effect in my hand, which, if it is not irregular, I now wish to deliver to your Lordships."



There was exquisite adaptation, either with or without design, in the conduct of Mr. Hastings, to the circumstances in which he was placed. The tone of submission, not to say prostration, which he adopted towards the Court, was admirably suited to the feelings of those of whom it was composed. The pathetic complaints of hardship, of oppression, of delay, of obloquy, began when the tide of popular favour began to be turned successfully against the agents of the prosecution; and they increased in energy and frequency, in proportion as odium towards the managers, and favour towards himself, became the predominant feeling in the upper ranks of the community.

This odium, and this favour, are not the least remarkable among the circumstances which this impeachment holds up to our view. During the trial, what had the managers done to merit the one; what had Mr. Hastings done, to merit the other? Convinced, for it would be absurd to suppose they were not convinced, that they had brought a great criminal to the judgment seat, they had persevered with great labour to establish the proof of his guilt. Mr. Hastings had suffered a great expense; and at that time, it could not be known that he had suffered any thing more than expense. The necessity of labour and attendance was common to him with his accusers. As for suspense, where a man is guilty, the feeling
connected with it may be a feeling not of pain but of pleasure; a feeling of hope that he may escape. To a man who is sure to be condemned, delay may be a benefit. The innocent man alone is
he to whom it is necessarily injurious: and the innocence of Mr. Hastings was not yet decreed.



Of the causes of the odium incurred by the managers, and the favour acquired by the defendant, I am unable to render a perfect account. There is much of secret history connected with it, which it is not possible to establish, on evidence which history can trust. This much may be said, for it rests on public grounds: The managers brought a great deal of rhetoric, with papers and witnesses, to the trial; and seemed unhappily to think that rhetoric, papers, and witnesses were enough: They brought not much knowledge of those grand pervading principles which constitute the moral and

rational standard of all that ought to be law, and on which they might have grounded themselves steadfastly and immoveably in defiance of the lawyers: And they brought little dexterity; so that the lawyers were able to baffle, and insult, and triumph over them, at almost every turn. After the prosecution was rendered unpopular, the intemperance of the tone and language of Mr. Burke operated strongly as a cause of odium; yet it is remarkable, that when that same intemperance was speedily after carried to greater excess, and exerted in a favourite direction, that is, against the reformers in France, it became, with the very same class of persons, an object of the highest admiration and love. The favour with which the cause of Mr. Hastings was known to be viewed in the highest family in the kingdom, could not be without a powerful effect on a powerful class. The frequency with which decisions and speeches, favourable to him, were made in the House of Lords; the defence which he received from the great body of the lawyers; the conversation of a multitude of gentlemen from India, who mixed with every part of society; the uncommon industry and skill with which a great number of persons, who openly professed themselves the agents or friends of Mr. Hastings, worked, through the press, and other channels, upon the public mind; and, not least, the disfavour which is borne to the exposure of the offences of men in high situations, in the bosom of that powerful class of society which furnishes the men by whom these situations are commonly filled; all these circumstances, united to others which are less known, succeeded, at last, in making it a kind of fashion, to take part with Mr. Hastings, and to rail against the accusers.



In the present speech of Mr. Hastings, and the petition which it echoed, it surely was, on his part, an extraordinary subject of complaint, that, between the delivery of the accusations, and the delivery of his defence, a long period had intervened: When the managers had from the beginning most earnestly contended that, immediately, after each of the accusations, he should make his defence upon each; and he himself had insisted, and victoriously insisted, that he should not.

Of the delay, one part was owing to the nature of the charges and the nature of the evidence; the one comprehensive, the other voluminous. This was inseparable from the nature of the cause. The rest, a most disgraceful portion, was owing to the bad constitution of the tribunal, and its bad rules of procedure; causes of which Mr. Hastings was very careful not to insinuate a complaint. The whole odium of the accusation fell, as it was intended to fall, upon the managers, to whom, unless guilty of delay, which was never alleged, in bringing forward the evidence, not a particle of blame under this head belonged.



When Mr. Hastings desired to represent the hardship as unparalleled in his native country of remaining under trial during four years; he was very little informed of the dreadful imperfections of the law of that country, and of the time which any poor man, that is the far greater number of men, is liable to remain, not in the enjoyment of freedom and every comfort which wealth can bestow; but in the most loathsome dungeons, without bread sufficient to eat, or raiment to put on, before trial begins, and after acquittal is pronounced. In that last and most cruel state of human suffering,

there was at that time no limit to the number of years, during which, without guilt, or imputation of guilt, a man (as a debtor) might remain.

To prove that Mr. Hastings had created *influence,* to ensure to himself by the misapplication of the public money a corrupt support, five instances were adduced: a contract of opium, granted to Mr. Sulivan; an illegal traffic in opium, for the alleged purpose of remitting money of creatures and dependants; undue allowances granted to Sir Eyre Coote; a contract for bullocks; and two contracts for grain. The two cases to which the greatest suspicion attaches are the opium contract; and the money given to Sir Eyre Coote.

With regard to the contract, the facts are shortly these. Mr. Sulivan was the son of the Chairman of the Court of Directors: He was a very young man, with little experience in any of the affairs of India, and no experience in the business of opium at all: The Court of Directors ordained, that all contracts should be for one year only, and open to competition: The opium contract was given to Mr. Sulivan, without competition, by private bargain, and not for one year only, but four: Mr. Sulivan possessed the office of Judge Advocate; he was further appointed Secretary to Mr. Hastings, and attended him on his journey to the Upper Provinces: He could not therefore attend to the business of the contract, and he sold it: He sold it to Mr. Benn for a sum of about 40,000*l.:* Mr. Benn sold it to Mr. Young for 60,000*l.:* And Mr. Young confessed that he made from it an ample profit. From these facts the managers inferred, that the contract was given at an unfair price to Mr. Sulivan, for enabling the son of the Chairman to make a fortune, and Mr. Hastings to ensure the father's support. "It was melancholy," they said, "to see the first Officer of the Company at home, and their first Officer abroad, thus combining in a system of corruption, and sharing the plunder between them."



The facts adduced on the other side were; that the rule of forming the opium contract for one year, and openly, had long been dispensed with, and for good reasons, with the consent of Mr. Francis himself; that a more favourable bargain was not granted to Mr. Sulivan than to his predecessor; and that Mr. Benn and Mr. Young owed their profits to their own peculiar knowledge of the business.

The question however is not yet answered, why it was given to a man, who it was known could not keep it; and who could desire it only for the purpose of selling it again with a profit; when it might have been sold to the best purchaser at once.

In the case of Sir Eyre Coote, the following were the facts: "That 16,000l. per annum was the pay allowed him by the Company, and ordered to stand in lieu of all other emoluments: That it was of great importance to the Governor-General to obtain his support in the Council, of the votes of which he would then possess a majority: That shortly after his arrival, a proposition, introduced by himself, and supported by the Governor-General, was voted in the Council, for granting to him, over and above the pay to which he was restricted by the Court of Directors, a sum exceeding 18,000*l.* per annum, under the name of expenses in the

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field: That the General began immediately to draw this allowance, though in a time of peace, under the pretence of visiting the stations of the army: That the burden was speedily shifted from the shoulders of the Company, to those of the Nabob Vizir, by the General's arrival to visit the stations of the army in Oude: That the face put upon the matter was, to charge the payment of the allowances upon the Vizir, only while the General was in the territory; but that in fact they never were taken off so long as the General lived: That the Court of Directors condemned these allowances: but this condemnation was disregarded, and the allowances paid as before.

The facts operating in favour of Mr. Hastings were; That General Stibbert, when acting as Commander-in-chief only for a time, had, partly by the orders of the Court of Directors, partly by the liberality of the Governor-General in Council, received an allowance of about 12,000*l.* for his expenses in the field: that Sir Eyre Coote represented an allowance, equal to that received by General Stibbert, as absolutely necessary to save him from loss, when subject to the expenses of the field: that, notwithstanding the treaty, expressly confining the demands of the English government upon the Vizir to the expense of one battalion of troops, he did in fact pay for more, because more were by his consent employed in his country, the whole expense of which (and the field allowance to the General when at those stations of the troops were stated as part of that expense) he was called upon to defray.



Mr. Hastings further alleged, that this sum was paid with great cheerfulness by the Vizir, even after the General left the territory of Oude; that the General was soon after called to Madras to oppose Hyder Ali; that his death was evidently approaching; and that it would have been imprudent to make him throw up the service in disgust, by telling him that the Court of Directors condemned the allowance, when he alone could save the British interests in India from that destruction with which they were threatened by Hyder.

Upon the comparison of these facts, the following questions remain unanswered: Why not postpone the allowance, till the Directors were consulted? Why give the General 6,000*l.* per annum more than he asked? Why make the allowance to General Stibbert, whose pay was only 7,500*l.* per annum, a rule for a man whose pay was 16,000*l.,* and who was expressly declared to have received that large amount in lieu of all other emoluments? It is farther, in plain language to be declared (for this practice of governments cannot be too deeply stamped with infamy,) that it was hypocrisy, and hypocrisy in its most impudent garb, to hold up the consent of the Nabob, as a screen against condemnation and punishment: when it is amply proved that the Nabob had not a will of his own; but waited for the commands of the Governor-General, to know what, on any occasion that interested the Governor-General, he should *say* that he wished. When the Governor-General wished to lay upon the Vizir the expense of a greater portion of the Company's army, than was contracted for by treaty, what could he do? He knew it was better for him to submit than to contest; and if so, it was evidently his interest to afford to the transaction any colour which the Governor-General might suggest, or which it was easy to see would best answer his purposes. Cheerfully paid by the Nabob! No doubt. We have seen the Nabob eager to

make presents; presents of one sum, after another, of a hundred thousand pounds, to the great man on whom depended the favour he hoped, or the disfavour he dreaded; at the time when he was complaining that his family were unprovided with bread. At the very time when he is said to have cheerfully paid nearly two lacs of rupees per annum to Sir Eyre, he was writing to the Governor-General the most pathetic descriptions of the misery to which he was reduced by the exactions of the English government; and declaring that "the knife had now penetrated to the bone." But by what power was this eagerness to bribe the powerful servants of the Company produced? Could it be regarded, in any sense, as a voluntary act, the fruit of benevolence and friendship? Was it not extorted by what may truly be denominated the torture of his dependance; the terror of those evils which he contemplated in the displeasure of his masters? It is infamous to speak of presents from a man, in such a situation, as *free* gifts. No robbery is more truly coercion.

Again: the allegation that Sir Eyre Coote would have deserted his post, as a soldier, and abandoned his country in a moment of extreme exigency, upon a question of 18,000*l.* per annum; stamps with infamy, either the character of that General, if it was true, and it is not without appearances to support it; or that of Mr. Hastings, if it was false.

On the 30th of May, 1791, and the seventy-third day of the trial, Sir James St. Clair Erskine was heard to sum up the evidence upon the fourth article of impeachment. "Then the managers for the Commons informed the House, that, saving to themselves all their undoubted rights and privileges, the Commons were content to rest their charge here." Mr. Hastings made a humble address to the court, and alluding to his last petition which yet lay upon the table unconsidered, he implored that, if the prayer of that petition was not complied with, he might be allowed to appear, at least, one day at their Lordships' bar, before the end of the present session. The Lords adjourned, and sent a message to the Commons, from their own house, that they would sit again on the 2d of June. The next day, in the House of Lords, a motion, grounded upon a letter of Mr. Hastings, requiring only fourteen days for the time of his defence, was made by one of the peers, for an address to the King that he would not prorogue the parliament, till the conclusion of the trial. The proposition of Mr. Hastings to confine his defence to any number of days, was treated by Lord Grenville as absurd. How could Mr. Hastings know what questions would arise upon evidence, and how much time their Lordships might require to resolve them; business which had occupied the principal part of the time that had already been spent? How could he know what time the Commons might require for their evidence, and speeches in reply? How could he know what time their Lordships the Judges would require for deliberation on the evidence which they had heard? The motion was rejected.[1]



On the 2d of June, the seventy-fourth day of the trial, Mr. Hastings read a written paper, containing his defence. As far as the matter of it was any thing in answer to the facts which have been charged as criminal, or tends to the demonstration of innocence, it has either been already adduced, when the fact or the charge was exhibited; or will hereafter be stated when the evidence is brought forward on which the allegation was grounded. One or two incidents it is instructive to mention.

Mr. Hastings declared, in the beginning of his paper; that if his judges would only then come to a decision, he would wave all defence. He risked nothing by this proposition; to which he well knew that the Lords would not consent. But he gained a great deal by the skill with which his declaration insinuated the hardship of delay.

It is observable that most of the ill-favoured acts of Mr. Hasting's administration, the extermination of the Rohillas, the expulsion of Cheyte Sing, the seizure of the lands and treasures of the Begums, and the acceptance of presents, were all for the acquisition of money. Though Mr. Hastings insisted, that all these acts were severally justifiable in themselves, without the plea of state necessity, yet state necessity, the urgent wants of the Company, are given, as the grand impelling motive which led to the adoption of every one of them. They are exhibited by Mr. Hastings, as acts which saved the
Company, acts without which, according to him, the Company must have perished.1



Towards the end of his defence, he rises to a most exulting strain:

"To the Commons of England, in whose name I am arraigned for *desolating the provinces of their dominion in India,* I dare to reply, that they are, and their representatives annually persist in telling them so, the most flourishing of all the States in India—It was I who made them so.

"The valour of others acquired, I enlarged, and gave shape and consistency to the dominion which you hold there; I preserved it; I sent forth its armies with an effectual, but economical hand, through unknown and hostile regions, to the support of your other possessions; to the retrieval of one from degradation and dishonour: and of the other, from utter loss and subjection. I maintaind the wars which were of your formation, or that of others, *not of mine.* I won one member2 of the great Indian Confederacy from it by an act of seasonable restitution; with another3 I maintained a secret intercourse, and converted him into a friend: a third4 I drew off by diversion and negotiation, and employed him as the instrument of peace.—When you cried out for peace, and your cries were heard by those who were the object of it, I resisted this, and every other species of counteraction, by rising in my demands; and accomplished a peace, and I *hope everlasting*
one, with one great State;1 and I at least afforded the efficient means by which a peace, if not so durable, more seasonable at least, was accomplished with another.2



"I gave *you all,* and you have rewarded me with *confiscation, disgrace, and a life of impeachment.*"

The House having heard his address, adjourned to the chamber of parliament, where it was determined they should proceed with the impeachment on the first Tuesday in the next session of parliament.

On the 14th day of February, 1792, and the seventy-fifth day of the trial, the court was next assembled. Mr. Law, the leading council for Mr. Hastings, began to open the

defence. The length of the trial, the toils of the Lords in sustaining the burthen of judges, the sufferings of the prisoner under the evils of delay, of misrepresentation, of calumny, and insult, were now become favourite and successful topics, well remembered both by Mr. Hastings and his counsel. A mischievous prejudice was hatched; that of all these evils, the prosecution itself was the cause; as if crimes of the nature of those imputed to Mr. Hastings were crimes of which it is easy to establish the proof; as if the prosecution of such crimes, apt to be the most hurtful of all crimes, were an evil, not a good; as if those by whom that service is powerfully and faithfully rendered were among the enemies, not the greatest benefactors of mankind! Mr. Hastings, it may be said, committed no crimes. Be it so. Yet it will not be disputed that he committed acts which looked so much like crimes, that it was fit in the House of Commons to send them, as it did, to their trial; it was fit in the managers to adduce such evidence as they believed would make known the fact; to accompany that evidence with such observations as they thought best adapted to discover its application and force; and to resist such attempts as they conceived were made to prevent the exhibition and accurate appreciation of evidence, and hence the disclosure and conviction of guilt. Whatever time was necessary for this, was legitimately and meritoriously bestowed. It has not been attempted to be proved, that the managers consumed one instant of time that was not employed in these necessary functions. The number of hours so consumed was not great. Of all the rest, the court and the defendant were the cause; and upon the delay, which they themselves produced, they laboured to defame, or acted in such a manner as had the effect of defaming, the prosecution of all complicated offences; in other words, of creating impunity for the whole class of great and powerful offenders.

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Though blame, and even ridicule, and insult, had been bestowed upon the managers, for the length of their speeches, Mr. Law consumed three whole days with the speech in which he made the general opening of the defence. After he had finished, Mr. Plumer commenced on the first article of impeachment, the charge relating to Benares; and with his speech he occupied five days. It was not till the 1st of May, and the eighty-third day of the trial, that the defensive evidence began to be adduced. The mass of evidence given in defence was still greater than that presented by the managers. Appendix included, it occupies nearly twice as many pages of the printed minutes. Of this mass very little was new, excepting some parole evidence, chiefly intended to prove that there was disaffection, and preparations for rebellion, on the part of Cheyte Sing, before the arrival of Mr. Hastings at Benares. That evidence completely fails. That Mr. Hastings believed in nothing like rebellion, is evident from his conduct. Besides; would the proper punishment for rebellion have been a fine of fifty lacs?

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In making objections to evidence, the managers were only less active than Mr. Law. One thing may be said against them; and one thing for them. It was inconsistent in them to follow a course, which they had made a ground of complaint against their opponents. But as their opponents had seized the benefit of a particular instrument, it would have been to place themselves by their own act, in a state of inequality and disadvantage, had they refused to defend themselves by the same weapons with which

they were assailed. There was no instance of exclusion which falls not under some of the heads, on which reflections have already been adduced.

Mr. Dallas, of Counsel for the defendant, was then heard to sum up the evidence on this head of the defence; and occupied the greatest part of three days with his speech. As soon as he had finished, the House adjourned to the chamber of parliament; and agreed to proceed in the trial on the first Tuesday in the next session of parliament.[1]

Though parliament re-assembled on the 13th of December, 1792, the House of Lords did not resume proceedings in the trial till the 15th day of February, 1793. This was the ninety-sixth day of the trial. Mr. Law opened the defence, on the charge relative to the Begums of Oude, in a speech two days long. He began "with," says the historian of the trial, "a very affecting introduction; in which he stated that the situation of his oppressed client was such, as, he believed, no human being, in a civilized nation, had ever before experienced; and which, he hoped, for the honour of human nature, no person would ever again experience." The moral was; that the prosecution which produced so much oppression was a wicked thing; that the managers, who were the authors of it, were the oppressors; and that the defendant, who bore the oppression, no matter for the allegations of his oppressors, deserved benevolence and support, not condemnation and punishment. In this lamentation, therefore, of the lawyer, the force of a multitude of fallacies, which his auditors, he knew, were well prepared to imbibe, were involved; and a variety of unjust and mischievous ideas, though not expressed, were effectually conveyed.



Of the evidence tendered, on this part of the defence, the result has already been fully adduced. During the delivery of it only one incident occurred, of which the importance would compensate description. On the third of the days allotted to the delivery and receipt of the evidence, on which day the managers had been minute and tedious in their cross examination, Mr. Hastings made another address to the Court. The benefit derived from his former attempts, and from the pathetic exordiums of the Counsel, encouraged repetition. "He said it was with pain, with anxiety, but with the utmost deference, that he claimed to be indulged in a most humble request that he had to make; which request was, that their Lordships would, in their great wisdom, put as speedy a termination to this severe and tedious trial, as the nature of the case would admit." His expense, and the loss of witnesses by delay, were the hardships of which, on this occasion, he principally complained. He took special care, however, to inform the Court, that though "it was known there had been great and notorious delays; in no moment of vexation or impatience, had he imputed those delays to their Lordships."[1] True, indeed! That would have been a course, most inconsistent with his kind of wisdom. On the 25th of April, the evidence was closed; Mr. Plomer began to sum it up; and continued his speech on the 30th of April, and the 2d and 6th of May, the next three days of the trial.[2]



On the 9th of May, which was the 111th day of the trial, Mr. Dallas began to open the defence on as much as had been insisted upon by the managers, of the sixth, seventh,

and fourteenth articles of impeachment. His speech continued four days. On the second day of the speech, when the Lords returned to the chamber of parliament, another petition was presented to them from Mr. Hastings, urging again the hardship of his case, and presenting a most humble prayer for the termination of his trial during the present session of parliament. Not satisfied with this; as soon as Mr. Dallas had brought his opening speech to a close, Mr. Hastings made a short address to the Court, which he read from a paper. Describing his state of suspense as "become almost insupportable," he stated his resolution to abridge the matter of his defence, both on the above articles, and also the fourth, relating to influence, in such a manner, as to be able to deliver it in three days, that the managers for the Commons might have time to conclude their reply during the present session. With respect to a declaration, in this address, that, for eminent services to his country, he had been rewarded with injustice and ingratitude, Mr. Burke said, it was for the Lords to consider the propriety of such a speech, as applied by a culprit at their bar to the Commons of Great Britain; and he entered a caveat against the proposal of the defendant to deprive himself of any thing due to his defence; since he might thus be cunningly providing for himself a plea, that, had he not omitted his evidence, the proof of his innocence would have been rendered complete.



Of the evidence brought forward under those several heads, the only material point, which has not been already presented to view, is that relating to the remittances of the defendant. It appeared that 238,757*l.* had been remitted through the Company in the name of Mr. Hastings. Mr. Woodman, his attorney, swore, that the greater part of this was remitted for other persons; and that the sum remaining in his hands, as the property of Mr. Hastings, at the time of his return, was 72,463*l.*

A large mass of attestations of good behaviour, and of plauditory addresses from India, were presented. But these proved only one of two things; either that the prisoner deserved them; or that the authors of them were under an influence sufficient to produce them without his deservings. That the latter was the case, there can be no doubt; whatever the fact in regard to the former. Sir Elijah Impey said, in a letter from India produced to the House of Commons, "that addresses are procured in England through influence, in India through force." Viewing the matter more correctly, we may decide that there is a mixture of the force and the influence in both places. And Mr. Burke justly described the people of India, when he said; "The people themselves, on whose behalf the Commons of Great Britain take up this remedial and protecting prosecution, are naturally timid. Their spirits are broken by the arbitrary power usurped over them; and claimed by the delinquent, as his law. They are ready to flatter the power which they dread. They are apt to look for favour, by covering those vices in the predecessor, which they fear the successor may be disposed to imitate. They have reason to consider complaints, as means, not of redress, but of aggravation, to their sufferings. And when they shall ultimately hear, that the nature of the British laws and the rules of its tribunals are such, as by no care or study, either they or even the Commons of Great Britain, who take up their cause, can comprehend, but which, in effect and operation, leave them unprotected, and render those who oppress them secure in their spoils, they must think still worse of British justice, than of the arbitrary power of the

Company's servants. They will be for ever, what for the greater part they have hitherto been, inclined to compromise with the corruption of the magistrates, as a screen against that violence from which the laws afford them no redress."[1]

When the evidence was closed, instead of summing it up by means of his Counsel, Mr. Hastings himself addressed the Court. The object was fourfold; First, to make, under an appeal to Heaven, a solemn asseveration, of having in no instance intentionally sacrificed his public trust to his private interest; Secondly, a similar asseveration, that Mr. Woodman received all the remittances which during the period of his administration he had made to Europe, and that at no time had his whole property ever amounted to more than 100,000*l.;* Thirdly, to make a strong representation of the great necessities of the state, for the relief of which he had availed himself of the irregular supplies for which he was accused; Fourthly, to charge the managers with a design to retard the decision on the trial till another year, and to entreat the Lords to resist them.



Mr. Burke and Mr. Fox thought it necessary to take notice of the great freedom with which the defendant was at last emboldened to speak of the managers for the Commons; to repel the charge of procrastination so confidently thrown upon them; and to challenge the proof that one single moment of unnecessary delay had been created by them.

The defence was finished on Tuesday the 28th of May, 1793. On the return of the Lords to the chamber of parliament, they agreed, after a long discussion, to adjourn further proceedings on the trial till Wednesday se'night. When this resolution was communicated to the Commons, Mr. Burke addressed himself to the House. He first contented, that, considering the mass of evidence which it was necessary to digest, the time was not sufficient to prepare the reply. He next animadverted, in a style of severity, upon the appeals, made by Mr. Hastings to the House of Lords, and calculated to bring odium upon the House of Commons. A line of conduct had been pursued, which brought affronts upon the managers, the servants of the House. He said, that the managers had been calumniated.

In this, he alluded to an incident of rather an extraordinary nature. On the 25th of May, when Mr. Burke was cross-examining Mr. Auriol, and pushing the witness with some severity, and at considerable length, the Archbishop of York, who had already signalized his impatience during the cross-examinations performed by Mr. Burke, and whose son, Mr. Markham, had been in high employments under Mr. Hastings in India, "started up," says the historian of the trial, "with much feeling; and said it was impossible for him silently to listen to the illiberal conduct of the manager: That he examined the witness, as if he were examining, not a gentleman, but a pick-pocket: That the illiberality and the inhumanity of the managers, in the course of this long trial, could not be exceeded by Marat and Robespierre, had the conduct of the trial been committed to them." Mr. Burke, with great dignity and great presence of mind, replied, "I have not heard one word of what has been spoken, and I shall act as if I had not." Upon reading the printed minutes of the evidence with due care, I

perceive that Mr. Burke treated the witness as an unwilling witness, which he evidently was; as a witness, who, though incapable of perjury, was yet desirous of keeping back whatever was unfavourable to Mr. Hastings, and from whom information unfavourable to Mr. Hastings, if he possessed it, must be extorted by that sort of coercion which it is of the nature and to the very purpose of cross-examination to apply. Of the tones employed by Mr. Burke, the mere reader of the minutes cannot judge; but of the questions there set down, there is not one which approaches to indecorum, or makes one undue insinuation. It was the right reverend prelate, therefore, who betrayed an intemperance of mind, which as ill accorded with the justice of the case, as with the decencies of either his judicial or his sacerdotal character.

Alluding to that outrage, Mr. Burke said, that an investigation into the conduct of the managers was indispensable; that to render investigation answerable to its end, the utmost possible publicity should be given; and that for this purpose he should move for a committee of the whole House, before which he undertook to prove, that the managers had neither protracted the trial by unnecessary delay, nor shortened it to the frustration of justice.

A discussion then took place, on a report of the words of the Archbishop, which had been published in one of the prints of the day. But, information being communicated that the prelate had just sustained a severe calamity in the loss of his daughter, the subject was dropped. Mr. Burke, with characteristic propriety, recommended to the House to overlook the offence of the dignified speaker, the real offender; but to prosecute the poor publisher, for a libel: Nobody attended to his wretched suggestion.

The next day, May the 29th, when the Lords were informed by a message from the Commons, that more time was required to prepare for the reply, they agreed to proceed with the trial on Monday se'nnight.

In the House of Commons, on the 30th, the report from the Committee was brought up; and a motion was made that a further day be desired to make the reply. A debate ensued; the House divided; and the motion was carried by a majority of more than two to one.

Mr. Burke then moved, "That the managers be required to prepare and lay before the House the state of the proceedings in the trial of Warren Hastings, Esq.; to relate the circumstances attending it, and to give their opinion, and make observations on the same, in explanation of those circumstances."

This motion was opposed by the friends of Mr. Hastings. "Mr. Burke," says the historian of the impeachment, "called loudly upon the justice of the House, either to dismiss him from their service as a manager of this impeachment, or allow him to defend himself from the aspersions which had been thrown upon his character. Mr. Dundas thought it would be
prudent in the Right Honourable Manager to withdraw his motion; though, if he persisted in it, he would give him his vote. He agreed perfectly with him, that the managers had great cause

of complaint. But he trusted it would not be so in future. The motion might, in its consequences, lead to a misunderstanding, that would be fatal to the impeachment. Mr. Wyndham thought the managers had been so ill-treated, that the House ought not to lose a moment in asserting its dignity and privileges. It had been said, no insults, perhaps, would be offered in future. He hoped there would not. But the managers might be treated in such a way, that they might feel themselves hurt, while yet the House could not interfere. Mr. Pitt, moved by the reasons urged by Mr. Dundas, proposed that the previous question be admitted by the Right Honourable Manager; but said, that he was, notwithstanding, so well convinced of the truth of what he had asserted, that he would vote with him, if he refused to withdraw his motion." On a division of the House, the motion was lost by a majority of four.

On Wednesday, the 5th of June, in his place in the House of Commons, Mr. Grey, having affirmed the impossibility of being ready on Monday to reply to a mass of evidence which was not yet printed, and the further impossibility, at so late a period of the session, of going through with the remaining business of the trial, without compromising the claims of justice, said, "he should be ready in his place the next day, to move for a message to the Lords, to adjourn further proceedings in the trial till the next session of parliament, when the Commons would be ready to proceed day by day till final judgment should be given, if their Lordships thought fit."

Mr. Dundas, as he spoke with more courage, so spoke to the point more correctly than any other man who spoke upon this occasion. "If he thought the motion could operate unjustly upon the defendant, he should be as ready," he said, "as any one to give it his negative; but sending the managers unprepared to reply, would be neither more nor less than a complete loss of the time so misapplied. Much had been said of delay. But to whom was that delay imputable? Not, in any degree, to that House, or to the managers; against whom such insinuations were neither just, nor generous, from those gentlemen who had negatived a proposition, made by the managers on a former day, for stating the whole facts on the trial, to exculpate themselves from every shadow of foundation for such a charge. He also observed, that the cry against delay had been uniformly raised at the close of a session. Why it was not made at an early period, when propositions might have been brought forward to expedite the proceeding, he left the House to form their own opinion. If, however, there was any delay in the trial, it lay, he cared not who heard him, or where his declaration might be repeated, at the door of the House of Lords."

On a division, however, the motion was lost by a majority of 66 to 61. Mr. Burke immediately gave notice, that, in consequence of these extraordinary proceedings, he should next day submit a motion to the House, which he deemed absolutely necessary for their honour, dignity, and character. On that day,
Friday, the 7th of June, Mr. Grey expressed his wish to the House, that they would accept of his resignation, as a manager. It was his duty to reply to the defence of Mr. Hastings, on the first article of the impeachment. But it was impossible for him to be ready on Monday. In this distress he applied to the House for instruction. After some conversation, a motion was made by Mr. Dundas, to apply once more to the Lords for delay. While

this was debated, strangers were excluded. The motion was carried by a majority of 82 to 46.

On Monday, the 10th of June, a petition to the Lords was presented from Mr. Hastings, remonstrating against the application for delay. His language now waxed exceedingly strong. “He could not but regard the further adjournment required, as derogatory to those rights which belong to him, and as warranted by no grounds of reason or justice applicable to the case.” He argued, that the time which had been allowed for preparation was quite sufficient; as the greater part of the evidence adduced in his defence had been long familiar to the managers. This allegation was true; but it is one thing to have been long familiar with a great mass of evidence; and another thing to be able to speak upon it; and to show accurately the force with which it applies to all the parts of a complicated question. It is remarkable that the zeal of Mr. Hastings, not perhaps unnatural, to accuse his prosecutors, should have made him forget that the world would see and feel this distinction. Not only was a very intense process of thought necessary to determine with precision what should be done with every portion of so vast an aggregate of evidence; but the labour was immense to fix every portion, and that which was to be done with it, in the memory; a task which could not be performed till the very time arrived when the tongue was immediately to deliver what the memory contained.



Lord Stanhope, in his zeal for the defendant, moved the House to give notice to the Commons, that the Lords would proceed on the trial on Wednesday next. Lord Abingdon said, “to refuse the application of the Commons would bring a national censure on the House.” He asked, “Do your Lordships mean, by a side wind, or some other manœuvre, to get rid of this trial?” Lord Grenville, then rising, proposed an amendment, that instead of “Wednesday next,” these words should be inserted, “the second Tuesday in the next session of parliament.” After some explanation and debate, the amendment was carried by a majority of 48 to 21.[1]

The proceedings on the trial were resumed by the House of Lords, on Thursday the 13th of February, 1794, the one hundred and eighteenth day of the trial. The counsel for the defendant having requested to take the evidence of Lord Cornwallis, who had just arrived from India; and the managers having given their assent, not as to a right, but an indulgence, the Lords adjourned the trial to Wednesday next. “The delay,” says the historian of the trial, “was occasioned by complaisance to Lord Cornwallis, who, it was supposed, might want time to refresh his memory, with the perusal of official papers, before he appeared in the character of a witness in the impeachment.” This was an abundant allowance for refreshing the memory of a witness, compared with the time to which the Lords and the prisoner at their bar contended, at the conclusion of the preceding session, for restricting the managers in making ready for the reply. In consequence of the indisposition of the Noble Marquis, the trial was further postponed to the 24th, and then to the 25th of the same month; when it was announced on the part of the defendant, that, in consequence of the continued indisposition of Lord Cornwallis, he waved the benefit of his evidence. The managers expressed their readiness to permit his Lordship to be examined at any

period during the remainder of the trial; and at the same time alluded to the arrival of another gentleman, Mr. Larkins, whose testimony, when it was not obtainable, Mr. Hastings had described as calculated to be of the utmost service to him, but, to their great surprise, showed no inclination to avail himself of it, now when it was at his command. Mr. Law said he disdained to accept for his client, as a boon, the power, which was his right, of adducing evidence at any period of his trial; that his client rested his defence upon the grounds already adduced, and was not accountable to any man for the motives which induced him to call or not to call any man as a witness. Mr. Law forgot, or wished his hearers to forget, that the question was not about *accountability,* but about *evidence;* whether by not calling Mr. Larkins, whose absence he had formerly deplored, he did not render the sincerity of that lamentation doubtful, and add to the circumstantial evidence against a cause, for the defence of which, so much artifice was employed: The proper business of Mr. Law would have been to show, if he could, that for such inferences, however natural, the fact of not calling now for the evidence of Mr. Larkins did not afford any ground.

The managers produced evidence to rebut the defence on the Benares charge. It had been stated, that if Mr. Hastings acted wrong in the demands which he made upon Cheyte Sing, Mr. Francis concurred with him. The managers proposed to call Mr. Francis, to show that he did not. The counsel for the defendant objected. They affirmed, that on the reply, the prosecutor was entitled to bring evidence for one purpose only; that of rebutting evidence adduced on the defence: If not for this purpose, it ought to have been given at first, to enable the defendant to meet it in his defence.—This was rather inconsistent with the doctrine of Mr. Law, when, alluding to the offer of the managers to permit the examination of Lord Cornwallis and Mr. Larkins, he claimed for his client a right to bring any evidence at any period of the trial. The objection about meeting such evidence, on the defence, might be answered, by granting, which would be due, a power of meeting new matter of crimination, by new matter of defence. The objection is, that this would tend to delay; but so it would, if the same matter had, in the first instance, been added respectively to the matter of crimination and that of defence; and it would always be a question, to be left to the court, whether the importance of the evidence was enough to compensate for the inconvenience and delay; and whether any thing sinister was indicated by giving it after, rather than before, the defence. Mr. Burke made a speech, in disparagement of the lawyers' rules of evidence; which he said were very general, very abstract, might be learned by a parrot he had known, in one half hour, and repeated by it in five minutes; might be good for the courts below; but must not shackle parliament, which claimed a right to every thing, without exclusion, or exception, which was of use to throw light on the litigated point.



After a dispute, which lasted for the greater part of two days, the Commons were informed, that it was not competent for them to adduce the evidence proposed. Mr. Burke again complained bitterly of the want of publicity in the deliberations which led to the decisions, and the ignorance in which the managers were held of the reasons on which they were grounded. It was thus impossible they could know before-hand whether a piece of evidence, which presented itself to

them as important, would, or would not, be admitted by the Lords. This refusal of reasons was one of the causes of that delay, of which so many complaints had been raised. Lord Radnor having interrupted him, as arguing against a decision of the House, Mr. Burke said, "What he asked from the House was *publicity* in its decisions on questions of law, and a communication of the grounds on which it formed those decisions. He had condescended to ask this as a *favour,* when he might have claimed it as a *right.*" Mr. Law said, he would not waste a moment of their Lordships' time, in supporting a judgment of the House, which, being founded on a rule of law, wanted no other support. Mr. Burke replied, that "he had been accustomed to insolent observations from the counsel; who, to do them justice, were as prodigal of bold assertions as they were sparing of arguments." Before the Court adjourned for deliberation, Mr. Hastings again addressed them, enumerated the miseries of delay, prayed for expedition, and, in particular, entreated their Lordships not to adjourn, as usual, on account of the absence of the judges during the circuit.

One of the reasons adduced by Mr. Hastings for the dethronement or deprivation of Cheyte Sing was the bad police of his country; to prove which, the outrages complained of by Major Eaton were adduced. The managers stated that "they would now produce a letter of Major Eaton's, to show he did not consider the supposed irregularities worth inquiring into. The counsel for the defendant objected to the evidence. The House informed the managers, that the whole of the Benares narrative, and the papers annexed, having been given originally by the managers for the Commons, the evidence tendered was not admissible." Be it so. But that does not hinder this from proving the existence of the letter, and the insignificance of the occurrences on which the plea of Mr. Hastings was erected.



As the defendant had produced in evidence the vote of thanks offered to him by the Court of Directors on the 28th of June, 1785; to rebut this evidence, the managers offered to produce a paper printed for the information of the proprietors, by order of the Court of Directors in 1783. This was vehemently resisted, not only by the counsel for Mr. Hastings, but by himself in person, as an ill-considered and intemperate act of a Court of Directors, who were his political enemies. "It was, therefore, (he said,) a species of unparalleled cruelty to bring it forward to oppress a man who had already suffered so much, for no other reason which he could divine, than having at a time of great public danger, effectually served his country, and saved India. He relied upon their Lordships' humanity, honour, and justice, that they would not suffer this minute of the censure to be read; it being passed at a moment of intemperate heat and agitation, and utterly extinguished by a subsequent resolution.

"Mr. Burke rose as soon as Mr. Hastings had concluded, and contended that the paper was proper to be received, because it was an answer to a letter which the prisoner had dared to write to the Directors his Masters, and to print and publish in Calcutta.

"Mr. Hastings instantly rose, and said, 'My Lords, I affirm that the assertion which your Lordships have just heard from the Manager *is false.* I never did print or publish any letter in Calcutta that I wrote to the Court of Directors. I knew my duty better. That assertion is a

libel; it is of a piece with every thing that I have heard uttered since the commencement of this trial, by that *authorised, licensed'*—(and after a long pause, he added, turning to Mr. Burke) *'Manager!'*

"Mr. Burke continued to affirm that Mr. Hastings *had* printed and published the letter in Calcutta. Mr. Hastings loudly called out to him, it was not true; and the counsel said to Mr. Burke, *No! no!"*

The Lords adjourned, put the question to the judges, received their answer, and announced to the managers on a following day, "That it was not competent for the managers for the Commons to give in evidence the paper, read in the Court of Directors on the 4th of November, 1783, and then referred by them to the consideration of the Committee of the whole Court, and again read in the Court of Directors on the 19th November, 1783, and amended, and ordered by them to be published for the information of the proprietors—to rebut the evidence given by the defendant of the thanks of the Court of Directors, signified to him on the 28th June, 1785." No decision is more curious than this. The same sort of evidence exactly, which the Lords allowed to be given *for* Mr. Hastings, they would not allow to be given *against* him; one proceeding of the Court of Directors, as well as another. It might have been said, that a prior decision of the same court was superceded by a posterior; but this should have been said after both were submitted to consideration, because it might be so, or it might not, according to the circumstances of the case.



On the 1st of March, the Lords not choosing to proceed without the assistance of the Judges, during their absence on the circuit, adjourned the court to the 7th of April. On the 6th of March, upon motion made in the House of Commons, by Mr. Burke, the managers were appointed a committee to inspect the journals of the House of Lords, and to examine into the made of procedure that was adopted on the trial of Warren Hastings, Esq.; and on the 17th of the same month, it was ordered, on the motion of Mr. Burke, that the managers should lay before the House the circumstances which have retarded the progress of the said trial, with their observations thereon.

On the 9th of April, which was the second day of the proceedings after the adjournment for the circuit, Lord Cornwallis was examined on the part of the defendant. His evidence contributed little to establish any thing. If it tended to confirm the views, held up by any one of the parties, more than those by another, it was rather those of the accusers than those of the defendant. On the alleged right of the government to call upon the Zemindars in time of war, for aids, over and above their rents, he made one important declaration, that no such aid had been demanded in any part of India during his administration.

As Mr. Hastings had declined, the managers thought proper, to call for the evidence of Mr. Larkins. The first questions which they put were intended to elucidate the letter which Mr. Larkins, upon the application of Mr. Hastings, wrote to Mr. Devaynes, in explanation of the dates of a part of the presents which Mr. Hastings had received. The counsel for the defendant objected; contending that, in reply, evidence, though of

a witness till that time in India, could not be admitted to new matter, or matter which had not been contested; but only to points which had been disputed, or evidence which had been attacked. Mr. Burke again disclaimed the authority of the lawyers; and said, "the defendant was placed by these arguments in the most contemptible point of view. He had been specifically charged with bribery, sharping, swindling: From these charges, he had replied, that the testimony of Mr. Larkins, if he had it, would vindicate him: Mr. Larkins was now present: But the prisoner, instead of wishing to clear his fame, called for protection against the testimony to which he had appealed; and sought a shelter, not in his own innocence, but in a technical rule of evidence." The Lords adjourned to deliberate, and when the court met on a future day, their Speaker announced, "Gentlemen, Managers for the Commons, and Gentlemen of Counsel for the Defendant, I am commanded by the House to inform you, that it is not competent for the managers for the Commons to examine the witness, in relation to a letter of the 5th of August, 1786, from the witness to William Devaynes, Esq. one of the Directors of the East India Company, produced as evidence in chief by the managers for the Commons." Mr. Larkins was again called, and one of the first questions which were put was represented by the counsel for the defendant as falling under the same objection. But "so much, they said, had been uttered, about this testimony, and the motives of Mr. Hastings in resisting it, that any longer to forbear bringing these assertions to the test of proof, might perhaps seem to justify the insinuations which had been cast out against the defendant." Relying, therefore, on the justice and humanity of the House to prevent the protraction of the trial, on this or any other account, to another year, they gave their consent to the examination of Mr. Larkins, on the same terms as if he had been examined at the first stage of the trial. This day the Court received another of Mr. Hastings' addresses. Alluding to a report of an early prorogation of parliament, he conjured them to end his trial before the end of the session; affirming, "that human patience (meaning no disrespect to the Lords) could not sustain this eternal trial." Next day, also, time passing away in disputes about the admissibility of the questions which the managers tendered to the witness, Mr. Hastings rose, and said that, if the Lords would but sit to finish the trial during the present session, his counsel should make no objection to any questions that might be asked. He then made a pathetic statement, recounting the offers which he had made to wave his defence, the actual relinquishment of part of it, and his other sacrifices to expedite the trial, among which he stated his consent to the examination of Mr. Larkins. He ended by praying that the court would sit on the following day, and permit that examination to be closed.



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This was on the 16th of April. On the 17th Mr. Burke, in the House of Commons, brought up the report of the managers appointed to inquire into the causes of the delay in the trial of Mr. Hastings. An ample view of this important document is required. But it would interrupt too long the proceedings on the trial, and may be reserved till they are brought to a close.[1] The lawyers, whom it desperately offended, because it spoke out, respecting their system, a greater than usual portion of the truth, argued against the printing of it; as in this, however, Pitt and Dundas

took part with the managers, the opposition of the lawyers failed.



The examination of Mr. Larkins was concluded on the 28th of April, having, together with the disputes to which it gave occasion, occupied the time of the court for rather more than three days. It had a tendency, but no more than a tendency, rather to clear than convict Mr. Hastings of any intention at any time to appropriate to himself any part of the presents, the receipt of which he afterwards disclosed; because the money, though entered in the Company's books as money of Mr. Hastings, was not entered as such in the accounts kept of his private property by Mr. Larkins. The only new fact of any importance was, that a balance of the presents, received by Gunga Govind Sing for Mr. Hastings, was never paid to Mr. Hastings; who stated, with some marks of displeasure to Mr. Larkins, that Gunga Govind Sing pretended he had expended one lac of rupees, (10,000*l.*) during the absence of Mr. Hastings, in jewels, for a present to Mrs. Wheler, the wife of the member of council, upon whom, together with the Governor-General, the weight of administration at that time reposed.

Of the money which Mr. Hastings had desired to borrow of the Rajah Nobkissen, and which he said he had afterwards, upon the entreaty of the Rajah, accepted as a present, it appeared that Nobkissen had afterwards demanded payment, when Mr. Hastings had met the demand by what the lawyers call *a set-off,* or counter claim upon the demandant. Nobkissen had then filed a bill of discovery against Mr. Hastings in Chancery. The answer of Mr. Hastings was, that, as an impeachment was depending, he declined giving any answer at all. The managers proposed to give these proceedings in evidence. The lawyers of counsel for Mr. Hastings repelled them, as inadmissible. Mr. Burke was provoked to language scarcely temperate: "He was addressing," he said, "a body of nobles who would act like nobles; and not as *thieves in a night cellar:* he could not suspect them of *so foul a thing* as to reject matter so pregnant with evidence: the notions of the Judges were not binding on the Lords: And the trial of Lord Strafford afforded an example to which, in this respect, he trusted they would always conform." The Lords took the rest of the day to deliberate; and on their next return to the hall of judgment announced, "That it was not competent to the managers for the Commons to give in evidence the pleas put in by Warren Hastings, Esq., on the 14th of February and 25th of March, 1793, to the discovery prayed by a bill in Chancery, filed against him by Rajah Nobkissen on the 27th of June, 1792, touching a sum of three lacs of rupees, or 34,000*l.* sterling money, mentioned in the sixth article of charge."

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"As the counsel for the defendant had, on the Benares charge, the Begum charge, the charge of presents, and the charge of contracts, given evidence of the distresses of the country, as a justification, or excuse, of the irregular acts of extortion, oppression, bribery, and peculation, charged against the defendant in the articles of charge," the managers proposed to prove, that the cause of these distresses was the misconduct of Mr. Hastings, plunging the Company into a war with the Mahrattas, neither necessary nor just. To this evidence the counsel objected, and the Lords resolved that it was not admissible. Abundance of angry altercation took place both before and after the decision; and Mr. Burke, in the pursuit of his object, a pursuit always eager, now, in

some degree, intemperate, exposed himself at last to the imputation of pushing his examinations too far, of putting frivolous, when his stock of important, questions was exhausted, and contending long for points, either of no importance, or points in which he might see that he would not succeed. Yet, in these aberrations of a mind, which had now, to a considerable degree, lost the command of itself, a very small portion of time; not six, possibly not so much as three days, in the whole of this protracted business, were really misapplied by him, or fell to his share in distributing the blame of the unnecessary portion of delay.

Of the extraordinary proposition, to offer the injustice of the Mahratta war to rebut certain allegations of the defendant, Mr. Burke was probably the injudicious author. This was to bring a fact, to prove another fact, when the evidentiary fact was much more difficult of proof than the principal one; when the evidentiary fact was of such a nature, that it was either not susceptible of precise and conclusive proof; or opened so wide a field of inquiry, that the service it would render in the cause was evidently not a compensation for the trouble, which, in the shape of delay, expense, and vexation, it could not fail to create. This constituted a sufficient ground for the decision which, in this instance, was pronounced by the Lords. Mr. Burke, however, was so pertinacious, as to desire to enter against it a deliberate protest, which he tendered, in a writing of considerable length, and wished to have it entered upon the minutes. But the Lords informed him it could not be received.

After adducing evidence to several other points, the Commons offered matter to rebut the certificates,

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which had been presented in favour of the character and administration of the defendant, from several parts of India. They proposed to show, that these certificates could not be voluntary, because they were contradicted by the circumstances to which the people were reduced: And if so, these certificates were additional proofs of the atrocity, not of the beneficence, of the English government in India. Among other places, a certificate had arrived even from Dinagepore. To throw light upon this certificate, the managers offered to read the official report of an eminent servant of the Company, upon the government of this province. This was the famous document relative to the cruelties of Deby Sing. Its admission was again resisted on the part of the Defendant. Again the Lords decreed that it was not to be heard.

The evidence was closed on the 6th of May, which was the 129th day of the trial. The advocate for the defendant having confidently told the Lords, “that all the attempts which had been made in the present session to support the case of the prosecution had ended in producing an effect directly contrary; and that important conclusions, which could not have escaped their Lordships’ penetration, had resulted in favour of his client from the invaluable oral testimony lately given at their bar,” (alluding to the testimony of Lord Cornwallis and Mr. Larkins, which just as little established any thing in favour, as it did in crimination of Mr. Hastings): and having thus, with a well-timed artifice, assumed, without proof, and as standing in need of no proof, all that he wished to be believed; he added, that, in imitation of the former sacrifices to which, for the sake of lessening the delay, enormous, dreadful delay, the defendant had

already submitted, he would make another sacrifice (which, if that was true which had just been asserted by the counsel, was no sacrifice at all), and wave his right to make any observations on the evidence which had been offered in reply.



The managers then proceeded to sum up the evidence in reply; Mr. Grey, on the Benares charge, Mr. Sheridan on that of the Begums, Mr. Fox on the charge of presents, and Mr. Taylor on that of contracts. In this business seven days were consumed. Mr. Burke began the concluding speech on the 28th of May, and continued his oration nine days. After the third day, another petition was presented from Mr. Hastings to the House of Lords, which, as it is not very long, and not slightly impregnated with instruction, is here inserted.

"That it is with the greatest reluctance and concern that your Petitioner feels himself obliged once more to address your Lordships on the subject of his long-depending trial.

"Your Petitioner begs leave to lay before your Lordships his well-founded apprehensions, excited by the manner in which the general reply on the part of the managers is now evidently conducted, that such reply is meant to be extended beyond the probable limits of the present session of parliament.

"Your Petitioner hopes he may be allowed to bring to your Lordships' recollection, that the reply was, at the instance of the managers, adjourned over from the last year, under the assurance of an accelerated and early termination of it; and that the whole of the present session, except a small interuption occasioned by the examination of the Marquis Cornwallis, has been employed by the honourable managers, not with standing that your Petitioner has, for the purpose of dispatch, in addition to the sacrifices made for a similar purpose in the last year, waved his right to observe, by his counsel, on the new evidence adduced in reply.

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"Your Petitioner begs leave again to suggest to your Lordships the unexampled duration of his trial; the indefinite period to which it may be still further protracted; and the extreme vexation and injury to which he would be subjected, if the intention on the part of his prosecutors should be suffered to have effect.

"He implores, therefore, of your Lordships' humanity and justice, that such measures may be adopted on the part of your Lordships, as may assure to your Petitioner the speedy termination of this painful and unparalleled proceeding; and further, if need should be, that your Lordships will graciously condescend, in such a manner as to the wisdom and dignity of your Lordships may seem meet, to become suitors to his Majesty's goodness in his behalf, that the present sessions of parliament may be permitted to continue till the reply on the part of the honourable managers for the House of Commons shall be fully and finally closed."

On the opening of the Court, on the first day after this petition to the House of Lords, Mr. Burke, says the historian of the trial, "began, by complaining in very strong

terms, both of the Court, and of Mr. Hastings; of the latter for writing a most audacious libel, under the name of a petition; and of the former for having recorded it in their Journals. What the House of Commons would do, in consequence of this insult, he could not tell, as he had not had an opportunity of consulting the House upon it: he should, therefore, proceed as if no such libel had been written."

Mr. Burke concluded his speech on the 16th of June. On the 20th, in the House of Commons, Mr.
Pitt rose to move, "That the thanks of the House should be given to the managers appointed by them to conduct the prosecution against Warren Hastings, Esquire, for their faithful management in the discharge of the trust reposed in them." The motion was seconded by Mr. Dundas. Mr. Pitt declared, that the magnitude and difficulty of the task which had been imposed upon the managers, and the ability and diligence with which it had been sustained, excited the strongest sentiments in their favour. Delay was the great source of complaint; but if the long intervals of the Court were excluded, and the number of hours were computed which had actually been bestowed upon the business of the trial, it would be found, compared with the quantity of matter essentially involved in the cause, by no means unreasonably great. "The next point," he said, "to be considered was; of this time, whether great or small, how much had been occupied by the managers; and how much by the defendant, as well in the several replies, as by the unceasing and unwearied objections, taken on his part, to almost every thing offered on the part of the prosecution. To prove this disposition of objecting to evidence, gentlemen had but to look to the report made, by their committee, on the causes of delay. They would there find it proved.—It was, in the next place, to be recollected; that their managers had to discuss questions which they could not relinquish without abandoning the privileges of the Commons.—Upon all these grounds he would not allow that, if any unnecessary delay existed, any portion of it was chargeable to the managers for that House."



Mr. Sumner, regretting the unusual necessity which made him vote against the minister, opposed the
motion. He said, "he was happy to avow himself a very great admirer of Mr. Hastings; that he looked up to him with every sentiment of regard and affection;" professing at the same time, "that his objections to the present motion arose from circumstances, utterly independent of Mr. Hastings." He excepted to the time of the vote, which, though not contrary to precedent, would have something of the effect of a pre-judging of the cause. However, he at last confessed, that he should have little objection to the vote, if it regarded only the rest of the managers without including Mr. Burke. Against him, he run forth into a long invective; his anger appearing to be directed against the strong terms of disapprobation, which Mr. Burke had scattered with a lavish hand, not only on Mr. Hastings, but all other individuals whom he regarded as partners either in his crimes or their protection. Mr. Wigley, and others, concurred with him in his observations. Mr. Wyndham, Mr. Francis, and Mr. Fox said, that many of the expressions, adduced by the Gentlemen, as the grounds of their opposition, were not correct: that they disclaimed the separation which had been made between them and their distinguished leader; and that it was affectation, and the affectation of weakness,

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to pretend disgust at the natural language of a strong indignation, when calling for punishment on crimes which the managers believed to have been committed, and to which, if they were committed, no language capable of describing them adequately could be found. Mr. Law, a servant of the Company, and brother of the Counsel for Mr. Hastings, made a speech against the *coarseness* of Mr. Burke, in such language as the following: "If any passage in his speech could be called sublime and beautiful; it was, at the best, but sublime and beautiful nonsense: At other times his expressions were so vulgar and illiberal, that the *lowest blackguard in a bear-garden* would have been ashamed to utter them." He was, indeed, surprised that a Right Honourable Gentleman (Mr. Fox) "should condescend to mix his character with that of the leading manager, whose follies and intemperance he had vainly endeavoured to correct. Whatever might be the abilities of the leading manager, he was totally unfit to conduct a public trial. His violence, his passion, and his obstinacy, were unconquerable. And as for his information," said Mr. Law, "I was really astonished, that a man who had been twenty-two years employed in Indian inquiries, should still be so very ignorant of India. His prejudices had totally warped his judgment."

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Upon this latter point, the question was, whether it was Mr. Burke, or Mr. Law, who continued ignorant; and of which of the two it was that prejudices had perverted the judgment to the greatest extent. Mr. Law was very quietly making *himself* the standard of perfection; when, like so many of his brethren in India, he had hardly looked at a single object, except through the medium of prejudice; and had so little information about India, as, on the great objects, to be wrong in almost every opinion which he entertained.

The vote for the thanks of the House was carried by a majority of fifty to twenty-one. The Speaker, in addressing the managers, said; "That the subject to which their attention had been directed was intricate and extensive beyond example: That they had proved it was well suited to their industry and eloquence, the exertions of which had conferred honour, not on themselves only, but on that House, whose credit was intimately connected with their own."
Mr. Pitt moved that the Speaker do print his speech.[1]

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No further proceeding was had on the trial till the next session of parliament. The 13th day of January, 1795, was the day on which the business was appointed to begin. On that day a committee of the Lords was formed, to inspect the journals, and to report on what they contained, respecting the mode of giving judgment on trials of high crimes and misdemeanours. The report was referred to a committee of the whole House, which began to deliberate on the 2d of March. Though, at the beginning of the trial, it had been determined by the Lords, that they should not proceed article by article, but that all the articles should be lumped together, both in the prosecution and the defence; it was now represented, by Lord Thurlow, who had before this time resigned the woolsack to Lord Loughborough, not only that they must not take, for decision, the articles all in the lump; but that it would be too much for their Lordships to take them even one by one; that it would be necessary, as several of the articles contained several allegations, to break these articles into separate parts, and to deliberate and decide separately upon each. How

severe a condemnation this pronounced upon the former decision, by which the whole evidence was demanded in a lump, not one of their Lordships remarked; but they all agreed in the present propriety of that expedient for distinctness which they had formerly renounced and prohibited.

The procedure adopted by their Lordships was, to decide upon each point three times; first in a committee of the whole House; next in the House itself; and a third time as judges in Westminster-hall.



Twenty-three questions were formed, upon those articles of impeachment to which the Commons had tendered evidence, and one upon the rest. Upon most of the questions, a debate of considerable length ensued. Lord Thurlow was the strenuous advocate of Mr. Hastings, upon all the points; and argued to show from the evidence that no criminal fact whatsoever was proved. Lord Loughborough, the Chancellor, took a different course, and argued to show that of the allegations to which the Commons had adduced their evidence, almost all were proved. It was not till the last day of March that the deliberations of the committee were closed, and their resolution upon each of the questions was pronounced. On all of them the vote passed in favour of Mr. Hastings. On the next day, when, agreeably to form, the resolutions were reported to the House, Lord Thurlow moved, that the resolutions reported be read one by one, and a question put upon each. The Lord Chancellor, and several other Lords, contended that this was a proceeding altogether nugatory, if not ludicrous; it was to vote the same questions, first on one day, and then on another, on no other account than a change of name; they were called the Committee the one day, the House the other; but no man was bound as a judge by the decisions either of the Committee or the House; though assuredly embarrassment would be thrown in the way of their determinations as a tribunal, by a reiteration of votes on the same subject, given when they were not a tribunal. The motion of Lord Thurlow was, nevertheless, carried, by a majority of fourteen to six; and the resolutions one after another obtained a second assent.

The business was not resumed till the 17th of April, when the form was determined of the questions which were to be put to the Lords individually in Westminster-hall. Some discussion occurred, and the questions, agreed upon, differed considerably from those, on each of which the House had passed a couple of preparatory votes. They proceeded to judgment on the 23d: when the questions were put and determined in the following mode.

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“1. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the first article of charge?

“George Lord Douglas (Earl of Morton in Scotland), how says your Lordship, Is Warren Hastings, Esq. guilty or not guilty, of the said charge?

“Whereupon Lord Douglas stood up, uncovered, and laying his right hand on his breast, pronounced—Not guilty, upon my honour.

“The Lord Chancellor then put the same question to all the Peers in robes, as follows:

"James Lord Fife, how says your Lordship?—Not guilty, upon my honour.

"Charles Lord Somers, how says your Lordship?—Not guilty, upon my honour.

"Francis Lord Rawdon (Earl of Moira in Ireland), how says your Lordship?—Not guilty, upon my honour.

"Thomas Lord Walsingham, how says your Lordship?—Not guilty, upon my honour.

"Edward Lord Thurlow, how says your Lordship?—Not guilty, upon my honour.

"Martin Lord Hawke, how says your Lordship?—Not guilty, upon my honour.

"Frederick Lord Boston, how says your Lordship?—Not guilty, upon my honour.

"Edwin Lord Sandys, how says your Lordship?—Not guilty, upon my honour.

"Henry Lord Middleton, how says your Lordship?—Not guilty, upon my honour.

"Samuel Lord Bishop of Rochester (Dr. Horsley), how says your Lordship?—Not guilty, upon my
honour.



"John Lord Bishop of Bangor (Dr. Warren), how says your Lordship?—Not guilty, upon my honour.

"Thomas Lord Viscount Sidney, how says your Lordship?—Not guilty, upon my honour.

"George Lord Viscount Falmouth, how says your Lordship?—Not guilty, upon my honour.

"Henry Earl of Caernarvon, how says your Lordship?—Guilty, upon my honour.

"Joseph Earl of Dorchester, how says your Lordship?—Not guilty, upon my honour.

"Algernon Earl of Beverley, how says your Lordship?—Not guilty, upon my honour.

"Jacob Earl of Radnor, how says your Lordship?—Guilty, upon my honour.

"William Earl Fitzwilliam, how says your Lordship?—Guilty, upon my honour.

"George, Earl of Warwick, how says your Lordship?—Not guilty, upon my honour.

"George William Earl of Coventry, how says your Lordship?—Not guilty, upon my honour.

"John Earl of Suffolk, how says your Lordship?—Guilty, upon my honour.

"George Marquis Townshend, how says your Lordship?—Not guilty, upon my honour.

"Francis Duke of Bridgewater, how says your Grace?—Not guilty, upon my honour.

"Francis Duke of Leeds, how says your Grace?—Not guilty, upon my honour.

"Charles Duke of Norfolk, how says your Grace?—Guilty, upon my honour.

"David Earl of Mansfield, how says your Lordship?—Not guilty, upon my honour.

"William Lord Archbishop of York, how says your Grace?—Not guilty, upon my honour.

"Upon the remaining fifteen questions the Peers voted in the following manner:

"2. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged by the Commons in the second article of charge?—Guilty, six.—Not Guilty, twenty-three.

"3. Is Warren Hastings, Esq. guilty or not guilty of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to the said Warren Hastings having in the years 1772, 1773, and 1774, corruptly taken the several sums of money charged to have been taken by him in the said years, from the several persons in the said article particularly mentioned?—Not Guilty, twenty-six.

"4. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or before the 26th of June, 1780, corruptly received and taken from Sadanund, the Buxey of the Rajah Cheit Sing, the sum of two lacs of rupees as a present or gift?—Guilty, four.—Not Guilty, twenty-three.

"5. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in October, 1780, taken and received from Kelleram, on behalf of himself and a certain person called Cullian Sing, a sum of money amounting to four lacs of rupees, in consideration of letting to them certain lands in the province of Bahar in perpetuity, contrary to his duty, and to the injury of the East India Company?—Guilty, three.—Not Guilty, twenty-three.

"6. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, in the year 1781, received and taken as a present from Nundoolol, the sum of fifty-eight thousand rupees?—Guilty, three.—Not Guilty, twenty-three.

"7. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having, on or about the month of September, 1781, at Chunar, in the Province of Oude, contrary to his duty, taken and received as a present from the Vizir the sum of ten lacs of rupees?—Guilty, three.—Not Guilty, twenty-three.

"8. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the sixth article of charge, in so far as relates to his having first fraudulently solicited as a loan, and of his having afterwards corruptly and illegally taken and retained as a present or gift, from Rajah Nobkissen, a sum of money amounting to 34,000*l.* sterling; and of his having, without any allowance from the Directors, or any person authorized to grant such allowance, applied the same to his own use, under pretence of discharging certain expenses said to be incurred by the said Warren Hastings in his public capacity?—Guilty, five.—Not Guilty, twenty.

"9. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having, in the year 1781, granted a contract for the provision of opium for four years, to Stephen Sulivan, Esq. without advertising for the same, and upon terms glaringly extravagant
and wantonly profuse, for the purpose of creating an instant fortune to the said Stephen Sullivan?—Guilty, five.—Not Guilty, nineteen.



"10. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having borrowed money at a large interest, for the purpose of advancing the same to the contractor for opium, and engaging the East India Company in a smuggling adventure to China?—Not Guilty, twenty-five.

"11. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the contract for bullocks granted to Charles Croftes, Esq.?—Guilty, three.—Not Guilty, twenty-three.

"12. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to his having granted the provision of bullocks to Sir Charles Blunt by the mode of agency?—Guilty, three.—Not Guilty, twenty-three.

"13. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates to the several allowances charged to have been made to Sir Eyre Coote, and directed to be paid by the Vizir for the use of the said Sir Eyre Coote?—Guilty, four.—Not Guilty, twenty-two.

"14. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the Commons in the fourth article of charge, in so far as relates

to the appointment of James Peter Auriol, Esq. to be agent for the purchase of supplies for the relief of the Presidency of Madras, and all the other Presidencies in India, with a commission of
fifteen per cent?—Guilty, four.—Not Guilty, twenty-two.



"15. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors charged upon him by the Commons in the fourth article of charge, in so far as relates to the appointment of John Belli, Esq. to be agent for the supply of stores and provisions for the Garrison of Fort William in Bengal, with a commission of thirty per cent.?—Guilty, three.—Not Guilty, twenty-three.

"16. Is Warren Hastings, Esq. guilty, or not guilty, of high crimes and misdemeanors, charged upon him by the residue of the impeachment of the Commons?—Guilty, two.—Not Guilty, twenty-five."[1]

On the 29th of May, at the desire of nine Proprietors, a General Court of the East India Company was held; at which two resolutions were passed, recommending that indemnification should be made by the Company to Mr. Hastings for the legal expences incurred by him in making his defence; and that, in consideration of his important services, and annuity of 5,000*l.* out of the territorial revenue should be granted to him and his representatives, during the term of the Company's exclusive trade. Both questions were determined by ballot, one on the 2d, the other on the 3d of June. These proceedings
were communicated to the ministers on the 24th of June; by whom the questions were referred to the law officers of the crown. Legal doubts existed whether, under the legislative appropriation of the Company's revenues and profits, any fund existed from which the proposed allowances could be drawn. For a time the ministry showed no disposition to let the munificence of the Company obtain its effect. The application was not answered till the 13th of January, 1796; and then the answer was unfavourable, with respect to both parts of the donation. The question, however, did not rest. A negotiation was carried on between the Court of Directors, and the Board of Control. Finally on the 2d of March, it was announced at a General Court, that the Board of Control, and the Court of Directors, had agreed in the propriety of granting to Mr. Hastings an annuity of 4,000*l.* for twenty-eight years and a half, to commence from June 24th, 1785. Nothing as yet was determined respecting a re-imbursement of his law expenses, but, in order to relieve him from his present embarrassments, 50,000*l.* was lent to him, by the Company, without interest, for eighteen years.[1]



## APPENDIX.

*"Report from the Committee of the House of*
Commons appointed (viz. on the 5th of March 1794) to inspect the Lords' Journals in relation to their Proceedings on the trial of Warren Hastings, Esq. and to report what they find therein to the House; which Committee were the Managers appointed to make good the Articles of Impeachment against the said Warren Hastings, Esq, and who were afterwards (viz. on the 17th of March, 1794) instructed to report the several Matters which have

occurred since the Commencement of the said Prosecution, and which have, in their Opinion, contributed to the Duration thereof to the present Time, with their Observations thereupon."

A short account of the spirit of this document, and of the principal matters which it contains, is of high importance. It is a criticism not only upon this trial, but upon the law; a thing in this country, of great rarity, from a source of high authority. It would also be a thing of great utility, if it would show the people of the country, what they have been carefully disciplined not to believe, that no greater service can be rendered to the community than to expose the abuses of the law; without which the hope of its amendment is for ever excluded. The view is incomplete, and but superficial, which Mr. Burke, who was the author of the document, takes, even of that small portion of the mass of abuses, of which he had occasion to complain. He neither stretched his eye
to the whole of the subject, nor did he carry its vision to the bottom. He was afraid. He was not a man to explore a new and dangerous path without associates. Edmund Burke lived upon applause—upon the applause of the men who were able to set a fashion; and the applause of such men was not to be hoped for by him who should expose to the foundation the iniquities of the juridical system. In the case of public institutions, Mr. Burke had also worked himself into an artificial admiration of the bare fact of existence; especially ancient existence. Every thing was to be protected; not, because it was good, but, because it existed. Evil, to render itself an object of reverence in his eye, required only to be realized. Acutely sensible however to the spur of the occasion, he felt the abuses which crossed him in his path. These he has displayed with his usual felicity of language; and these, it is of importance with respect to the imitative herd of mankind to have stamped with the seal of his reprobation.



1. Under the first head of the report, an analysis was given of the duration of the trial, and of the causes to which that duration was owing. At that time the trial had occupied, though six years, only 118 days. Of these it appeared that in speeches, opening, and summing up, the managers consumed nineteen days; that in speeches, opening, and summing up, and his own addresses, the defendant and his counsel had consumed twenty-two days. In documentary and oral evidence fifty-one days were employed by the managers; and twenty-three on the part of the defendant. But, as the managers brought forward the case, they were under the necessity of adducing almost all the documents which bore upon the facts, and to interrogate almost all the witnesses from whom, on either side, any information could be derived. A great part of this evidence the defendant,
at the time of his defence, had only to apply. Lastly, and chiefly, the greater part of the long and harassing contentions about the admissibility of evidence, took place during the fifty-one days which are set down to the account of the managers, but of which the greater part was consumed on account of the defendant.



"This last cause of the number of sitting-days," said the report, "your Committee considers as far more important than all the rest.

"The questions upon the admissibility of evidence, the manner in which these questions were stated, and were decided; the modes of proceeding; the great uncertainty of the principle upon which evidence in that Court is to be admitted or rejected; all these appear to your Committee materially to affect the constitution of the House of Peers as a court of judicature, as well as its powers, and the purposes it was intended to answer in the state.

"The conservation of all other parts of the law; the whole indeed of the rights and liberties of the subject, ultimately depends upon the preservation of the law of parliament in its original force and authority.

"Your Committee had reason to entertain apprehensions, that certain proceedings in this trial may possibly limit and weaken the means of carrying on any future impeachment of the Commons."

In the House of Commons, on the 11th of May, 1790, Mr. Burke affirmed, that the Lords sat on the trial in Westminster Hall not more than three hours a day on an average. Suppose in this statement some exaggeration; four hours is doubtless a large allowance. The number of hours, then, consumed in the trial was 472. If the court had acted constantly, and ten hours a day, (a well constituted judicature, during the continuance of a trial, would not account ten hours an excess) the trial of Warren Hastings, which lasted eight years, and occupied 145 days, might with all the technical obstructions have been begun, carried through all its stages, and finished, in little more than sixty days, or about two calendar months. When the defendant, therefore, and his counsel, took advantage of the disgraceful catalogue of years, to cast odium upon the managers, they were the cause of injustice. It is worthy at the same time of being observed, that it was the length of the trial of which he affected so bitterly to complain, and the horrid expense with which law proceedings are in this country attended, which by converting suspicion, and, in many cases indignation, into pity, rendered the termination of the trial so favorable to Mr. Hastings; which, if his acquittal, from the lips of his judges, would at any time have been equally sure, rendered; most undoubtedly, his acquittal, at the great tribunal of public opinion, much more complete; and which was the sole cause of the gratuities with which he was afterwards treated.



II. The relation of the ordinary, the law judges, to the court of parliament, the committee remarked upon, as a thing of great importance to fix and to understand. They had found their interference peculiarly hostile to all those ends of justice which the technical rules of procedure are calculated to obstruct. It was, therefore, the committee declared, agreeable to them, to find, upon inquiry, that the judges were nothing but servants; "that they neither had, nor of right ought to have, a deliberative voice, either actually, or virtually, in the judgments given in the High Court of Parliament;" and that their answers to questions are no further a guide to that court than it pleases to make them.

III. The committee set forward a principle which, in the capacity of managers, they had frequently urged in Westminster Hall; that the Lords were not

bound by the Roman law, or that of any of the inferior courts in Westminster Hall; but only by the law of parliament. That they were not bound by the Roman, or English technical law, it might be very wise to maintain. But where was that law of parliament of which the committee spoke? It had no existence, any where; it was a mere fiction; spoken of, indeed, but never seen.—This is one of those important facts, its ignorance of which exposed the mind of Mr. Burke to much of the perplexity, confusion, and embarrassment, which it experienced upon this subject; and to much of the weakness and inconsistency, of which the lawyers were disposed to take a prompt and unsparing advantage. It was one of the grand foundations, too, of that imperfection of the House of Lords, as a criminal tribunal, whence those evils resulted, with complaints of which the nation was filled.

IV. The committee were not satisfied with showing, that the formalities in pleading, rigidly demanded in the ordinary courts of law, had been explicitly and solemnly determined to be unnecessary before the Lords; they were bold enough to proceed further in condemnation of the courts below, and to offer reasons for showing that some at least of the formalities of these courts were hostile, not conducive, to substantial justice.

It is necessary, for example, in an indictment, that a certain day be assigned for the commission of the fact. Yet on the trial it is sufficient to prove that it happened on any other day. In this, the committee said, there was "something ensnaring; the defendant having *notice* to answer for only one day, when the prosecutor has his choice of a number of days. They made also the following important remark, that the practice of the ordinary courts of law in England, is distinguished by "extreme rigour and exactness in the *formal* part of the proceeding, and extreme laxity in the *substantial* part:" That is to say, it is a practice well calculated for sacrificing the substance of justice, under the screen of attention to its forms.

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But here also Mr. Burke found himself weak; and so did his opponents find him: because he knew not the ground upon which he stood. He was afraid to do more than carp, as detached instances, at one or two formalities, which he had found, in the case before him, might be employed for the obstruction of justice. And the lawyers overwhelmed him with assumptions to which it was the habit of his mind to submit. Had he seen far enough into the subject, to be able to denounce every thing merely technical in judicial procedure, every thing which falls not under the description of a simple and rational instrument of simple and rational inquiry, as a contrivance set up to impede the course of justice, and existing only for pernicious ends; the lawyers would have found that they had nothing beside their common-place fallacies by which they could oppose him.

V. On the question of *publicity,* the managers spoke with the greatest emphasis. They divided the subject into two parts; that relating to the publicity of the judges' opinions; and that relating to publicity in general.

In taking the opinions of the judges in private, and defrauding the parties and the public of the benefit of their reasons, the committee complained, that the House of Lords had violated, at once, the obvious rules of natural justice, and the established law and usage of their own house. To show what was the law and usage of the High Court of Parliament a variety of precedents were adduced.

On the more general part of the question, it was the object of the committee to show, that the publicity of all the proceedings of the judges, and the statement of the reasons upon which all their determinations were founded, were so much the confirmed and undeviating practice in all other English courts of law, that "it seemed to be moulded in the essential frame and constitution of British judicature."



It was also their object to show, that this great principle was indispensably necessary, both for preserving the public liberties of the country, and for securing to the people the benefits of law.

"It was fortunate," they said, "for the constitution of this kingdom, that in the judicial proceedings in the case of ship-money, the judges did not then venture to depart from the ancient course. They gave, and they argued, their judgment, in open court. Their reasons were publicly given; and the reasons assigned for their judgment took away all its authority."

In regard to the benefits of law, they said; "To give judgment privately, is to put an end to Reports; and to put an end to Reports is to put an end to the law of England." This the committee made out, by showing, that in respect to law the people of England are in a most dreadful situation. For the greater part of that which they ought to possess in the state of precise and accurate law, they have nothing but notes, taken by any body, of what has been done, without any better kind of law, in this, and the other instance, in the several courts. It followed of course, that, if you have no law beside these notes, and yet destroy your notes, you destroy also the law. "Your Committee," said the report, "conceives, that the English jurisprudence has not any other sure foundation; nor consequently the lives and properties of the subject any secure hold; but in the maxims, rules, and principles, and juridical traditionary line of decisions, contained in the notes taken, and, from time to time, published, called Reports." After the word "published," the report says, "mostly under the sanction of the judges;" an expression that misleads, if it is understood to import any security taken by the judges, that they are correct: or even any knowledge the judges possess of what they are to contain.—Is not-this a shocking account of a state of law yet existing in a civilized country? It is here also fit, to insert a protest which was entered in the Journals of the Lords, against the innovation of secret deliberation and despotical mandates—mandates purely despotical, because mere expressions of arbitrary will.

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"DISSENTIENT. 1st. Because, by consulting the Judges out of court in the absence of the parties, and with shut doors, we have deviated from the most approved, and almost uninterrupted, practice of above a century and a half, and established a

precedent not only destructive of the justice due to the parties at our bar, but materially injurious to the rights of the community at large, who in cases of impeachments are more peculiarly interested that all proceedings of this High Court of Parliament should be open and exposed, like all other courts of justice, to public observation and comment, in order that no covert and private practices should defeat the great ends of public justice.

"2dly. Because, from private opinions of the Judges, upon private statements, which the parties have neither heard nor seen, grounds of a decision will be obtained, which must inevitably affect the cause at issue at our bar; this mode of proceeding seems to be a violation of the first principle of justice, inasmuch as we thereby force and confine the opinions of the Judges to our private statement; and through the medium of our subsequent decision we transfer the effect of those opinions to the parties, who have been deprived of the right and advantage of being heard, by such private, though unintended, transmutation of the point at issue.



"3dly. Because the prisoners who may hereafter have the misfortune to stand at our bar will be deprived of that consolation which the Lord High Steward Nottingham conveyed to the prisoner, Lord Cornwallis, viz. 'That the Lords have that tender regard of a prisoner at the bar, that they will not suffer a case to be put in his absence, lest it should prejudice him by being wrong stated.'

"4thly. Because unusual mystery and secrecy in our judicial proceedings must tend either to discredit the acquittal of the prisoner, or render the justice of his condemnation doubtful.

"(Signed) PORCHESTER,
SUFFOLK AND BERKSHIRE,
LOUGHBOROUGH."

VI. The committee next showed, by irresistible evidence, that the House of Lords, by the questions which they had transferred to the decision of the judges, had subverted the usage of parliament, violated some of the most important of the privileges of the Commons, betrayed and relinquished their own judicial trust, and broken down one of the strongest bulwarks of the constitution.

On all former occasions, the judges were consulted by the Lords, not on the individual circumstances of the individual cause; but on some general question, within which the circumstances of the individual case might fall, and the application of which to those circumstances the Lords reserved to themselves.

"In the present trial," says the report, "the judges appear to your Committee, not to have given their judgment on points of law, stated as such; but to have, in effect, tried the cause, in the whole course of it, with one instance to the contrary.—The Lords have stated no question of general law; no question on the construction of an act of parliament; no question concerning the practice of the courts

below. They put the whole gross case, and matter in question, with all its circumstances, to the judges. They have, *for the first time,* demanded of them what particular person, paper, or document, ought, or ought not, to be produced before them, by the managers for the Commons of Great Britain."

So much for the innovation: Now for the consequences of it.

"This mode strikes, as we apprehend, at the vital privileges of the House. For, with a single exception, the case being stated, the questions are raised directly, specifically, and by name, on these privileges; that is, What evidence is it competent for the managers of the House of Commons to produce.—We conceive, that it was not proper, nor justified by a single precedent, to refer to the judges of the inferior courts any question, and still less for them to decide in their answer, of what is, or is not competent for the House of Commons, or for any committee acting under their authority, to do, or not to do, in any instance, or respect whatsoever. This new and unheard of course can have no other effect than to subject to the discretion of the judges the law of parliament and the privileges of the House of Commons, and in a great measure the judicial privileges of the Peers themselves: any intermeddling in which, on their part, we conceive to be a dangerous and unwarrantable assumption of power."

Such were the effects upon the Privileges of the Lords, and the Commons. Let us next observe what they were upon objects of much greater importance.

"The operation of this method is, in substance, not only to make the judges masters of the whole
process and conduct of the trial; but, through that medium, to transfer to them the ultimate judgment of the cause itself and its merits.



"These essential innovations tend, as your Committee conceives, to make an entire alteration in the constitution and in the purposes of the High Court of Parliament, and even to reverse the ancient relations between the Lords and the Judges.

"It tends wholly to take away from the Commons the benefit of making good their case before the proper judges, and submits this high inquest to the inferior courts.

"Your Committee sees no reason why, on the same principles and precedents, the Lords may not terminate their proceedings in this and in all future trials, by sending the whole body of evidence taken before them, in the shape of a special verdict, to the Judges, and may not demand of them whether they ought, on the whole matter, to acquit or condemn the prisoner: Nor can we discover any cause that should hinder them from deciding on the accumulative body of the evidence, as hitherto they have done in its parts, and from dictating the existence or non-existence of a misdemeanour or other crime in the prisoner, as they think fit,—without any more reference to principle or precedent of law, than hitherto they have thought proper to apply in determining on the several parcels of this cause.

"Your Committee apprehends that very serious inconveniences and mischiefs may hereafter arise from a practice in the House of Lords, of considering itself as unable to act without the judges of the inferior courts, of implicitly following their dictates, of adhering with a literal precision to the very words of their responses, and putting them to decide on the competence of the managers for the Commons,—the competence of the evidence to be produced,—who are to be permitted to appear,—what questions are to be asked of witnesses, and indeed, parcel by parcel, of the whole of the gross case before them; as well as to determine upon the order, method, and process of every part of their proceedings. The judges of the inferior courts are by law rendered independent of the Crown. But this, instead of a benefit to the subject, would be a grievance, if no way was left of producing a responsibility. If the Lords cannot, or will not act without the Judges; and if (which God forbid!) the Commons should at any time find it hereafter necessary to impeach them before the Lords; this House would find the Lords disabled in their functions, fearful of giving any judgment on matter of law, or admitting any proof of fact without them; and having once assumed the rule of proceeding and practice below as their rule, they must at every instance resort, for their means of judging, to the authority of those whom they are appointed to judge."



On the side of judicature, then, the people were left without a remedy. The Lords, by nullifying themselves, took away every legal check upon the iniquity of judges, because the judges could only be tried before the Lords, and to be tried before the Lords was to be tried by themselves.

For the departure from the ancient practice of framing a general question, within which the particular point in doubt was comprehended, to the new and extraordinary practice of sending the particular point itself to the judges, before whom the cause and its evidence was not brought, two possible causes are assignable. First; Talent, and the exercise of talent, were necessary to the framing of general questions; but talent was possibly scarce, and the labour of thought undoubtedly painful. Secondly; General rules, framed to embrace the particular instances, decided as they were by the judges, would, in many cases, not have borne to be expressed; their efficacy, in corrupting the administration of justice, would have been sufficiently visible, to excite the indignation of the world.



They would have been seen to be, what, by the committee, they were declared to be, "of a tendency to shut up for ever all the avenues to justice;" to operate as "a means of concealment;" "to render the process of judicature, not the terror, but the protection, of all the fraud and violence arising from the abuse of power;" and, united with "private, unargued judicial opinions, to introduce, by degrees, the miserable servitude which exists where the law is uncertain or unknown."

*"A miserable servitude exists wherever the law is uncertain or unknown."* Such was the opinion, solemnly pronounced, on a very important occasion, by the assemblage of great men by whom this trial of Warren Hastings was conducted. Does any man dispute its truth and importance? After this acknowledgment, did the managers reflect

how dreadfully uncertain law must be, in that country where it has nothing for its foundation, but the notes taken by casual individuals, of the incidents which happen in this and that individual case? Did they reflect, to how dreadful a degree law must be unknown, in that country, in which it is so voluminous and obscure, that the longest life of the most ingenious lawyer, according to the lawyers themselves, is not sufficient to learn completely even one of its parts. It is necessary to add, how great a portion of this *miserable servitude* is, therefore, the curse and the disgrace of the country, among the legislators of which these managers themselves were found?



VII. The committee made a dissertation of considerable value upon the rules of evidence, or rather the rules for exclusion of evidence. Even here, however, the author of the report saw his way but obscurely. He perceived distinctly, that every one of the rules of exclusion, which had been brought to bear against himself, was mischievous, and opposed to the course of justice in that particular application of it. But he did not ascend to the principle of exclusion itself; and perceive that generically it was pregnant with nothing but mischief. The mind of Mr. Burke was not a generalizing mind. It rested upon individual cases; had little native propensity to ascend any higher; and seldom did so, unless when impelled by unusual circumstances.

The committee begin with stating to the House of Commons, and to the world, a most important fact. They had been informed, before the trial began, that use would be made of the rules of evidence to obstruct them. That is to say, the knowledge existed, and was capable of being turned to practical account, that the laws of evidence were useful to protect a criminal; because it was not yet known whether Hastings was criminal or not criminal; but it was perfectly known, it seems, that, in either case, the laws of evidence would be effectual to obstruct his prosecutors. And, happily, the power of obstructing justice, which English law thus puts into the hands of her professors, received a memorable and flagrant illustration, on the trial of Warren Hastings.

The committee first observe, that if the rules for excluding evidence were of advantage in questions which related to men of our own country, and to private transactions, they were altogether inapplicable, in questions, which related "to a people separated from Great Britain by a very great part of the globe, separated by manners, by principles of religion, and by inveterate habits as strong as nature itself, still more than by the circumstance of local distance;" and questions which related to men, "who in the perpetration and concealment of offences, have had the advantage of all the means and powers given to government for the detection and punishment of guilt, and for the protection of the people."



The author of the report lays down the principle of evidence, with more than his usual comprehensiveness, in the following words: "Your committee conceives, that the trial of a cause is not in the arguments or disputations of the prosecutors and the counsel, but in the *evidence;* and that to *refuse* evidence, is to refuse to hear the cause: Nothing, therefore, but the most clear and weighty reasons ought to preclude its

production." Yet, after laying down this important proposition, the author seems to have known little of its value; for he makes hardly any use of it, but goes immediately to challenge his adversary, on the score of precedent and practice; though he had made the committee expressly declare, that where not "founded on the immutable principles of substantial justice, no practice, in any court, high, or low, is proper, or fit to be maintained."

The committee proceeded to lay before the House and the world, the result of a careful research, which they professed to have made into the subject of *legal technicalities,* or "those supposed strict and inflexible rules of proceeding and of evidence, which appeared to them," as they affirmed, "destructive of all the means and ends of justice;" a declaration more firmly grounded than even they were aware; and of which their country has not yet been wise enough to profit.



They gave an account of the doctrine of evidence, as it had been manifested in the proceedings of the high court of parliament, as it existed in the civil or Roman, and as it existed in English law. The inference presented was, that on the trial of Mr. Hastings, the Lords, in the leading-strings of the judges, went beyond the law of parliament, beyond the civil, and beyond even the English law, in their rejections of evidence.

Reflecting upon the history of English law, which for a series of years had been relaxing the ceremonial of barbarous times, and always most rapidly in the hands of its most enlightened professors, the committee presented a most important historical and philosophical fact; That an overlaboured devotion to forms, at the expense of substance, is the bent of a rude age; and of a rude mind, in all ages.

The committee, having produced a number of the most remarkable instances they could find, in which the judges had violated the formalities of law in order to preserve the substance of justice, exhibited the following brilliant eulogium on the courts of law: "It is with great satisfaction your committee has found, that the reproach of *disgraceful subtleties,* of inferior rules of evidence which prevent the discovery of truth, of forms and modes of proceeding which stand in the way of that justice, the forwarding of which is the sole rational object of their invention, cannot fairly be imputed to the common law of England, or to the ordinary practice of the courts below."

This was to draw a general rule from the induction of a small and insufficient number of particulars, agreeably to the mental habit of Edmund Burke. He had exhibited a certain number of instances, in which the formalities of law had been made to yield to the claims of justice. He might have exhibited a much greater number, in which the claims of justice had been made to yield to the formalities of law. Mr. Burke seems to have been perfectly ignorant of a great and pervading principle of English law, which may be called *the principle of duplicity.* On occasions, so numerous as to extend over a great part of the whole field of law, English judges are provided with *two* grounds, on which they may erect their

decisions; two *opposite* grounds, by means of which they may, upon the same question, make choice of any one of two opposite decisions which they please; and still be in the right. They may follow the rule of rational justice, and the genuine merits of the case, without regard to the formalities of law: In that instance, they are clothed with the praise of liberality. They may adhere to the formalities, and disregard the substance of the case: In that instance they are decorated with the praise of a zeal for the law, for that steadiness and fixity in the rules of law on which the usefulness of them mainly depends. This power of deciding, either on one side or another, just as they please, is arbitrary power; and, as far as it extends, renders the Judges completely, and uncontrolably, despotic. They may do whatever they please. They may favour justice, if they have an inclination for justice. They may violate justice, if they have any end to serve by the violation. In the one case they are safe, on pretence of justice: in the other they are safe, on pretence of law.

VIII. After some general observations on the nature and importance of circumstantial evidence, the committee stated that the Lords had, on this occasion, pursued a course, not only unsupported by any practice of their predecessors, and in hostility with the practice of the Courts below; but a course which appeared to the committee "totally abhorrent from the genius of circumstantial evidence, and mischievously subversive of its use."



"As proof by circumstantial evidence rarely, if ever," says the report, "depends upon one fact only, but is collected from the number and accumulation of circumstances concurrent in one point; we do not find an instance until this trial of Warren Hastings, Esq. (which has produced many novelties) that attempts have been made by any court to call on the prosecutor for an account of the purpose for which he means to produce each particle of this circumstantial evidence, to take up the circumstances one by one, to prejudge the efficacy of each matter separately in proving the point; and thus to break to pieces and garble those facts, upon the multitude of which, their combination, and the relation of all their component parts to each other and to the culprit, the whole force and virtue of this evidence depends. To do any thing which can destroy this collective effect, is to deny circumstantial evidence."

The following was another pertinent remark. "Your committee cannot but express their surprise at the particular period of the present trial when the attempts to which we have alluded first began to be made. We did not find any serious resistance on this head, till we came to make good our charges of secret crimes; crimes of a class and description, in the proof of which all Judges of all countries have found it necessary to relax almost all their rules of competency; such crimes as peculation, pecuniary frauds, extortion, and bribery."

IX. The committee complained that the Lords had made it a ground of exclusion, if a question was put on the cross-examination, not on the examination in chief; or if an article of evidence was tendered on the reply, not in the first stage of the prosecution. They entered into a long argument to show, that this conduct, as it was unfavourable to

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the discovery of truth and correct decision; so it was unsupported by any thing in the law or practice of the courts.

X. The committee, last of all, commented upon the defence set up for this rejection of evidence; that it corresponded with the practice of the Judges in trying offences under commissions of oyer and terminer. They made a distinction between common jurymen, bound to give their verdict at one sitting, and the peers of parliament, possessing all the time for deliberation which the case might require. They allowed, with flagrant inconsistency, that exclusion might be very wise and good, when it was common jurymen who were to decide upon the case; contended that it was very noxious when the Lords of Parliament were to decide; as if common jurymen were capable of deciding accurately and justly upon the merits of a case, with evidence not complete; the Lords of Parliament were not capable! As if the way to prevent ignorance from deciding wrong was to withhold information! As if a man with imperfect eyes were expected to find his way best in the dark! Assuredly, if an ignorant man is called upon to make a decision, the way to obtain a correct one is not to deprive him of information on the subject, but to give him all the information in your power, and instruct him, as completely as you can, what degree of influence each article of information intrinsically possesses towards proving the matter in dispute.

This unprecedented exposure of abuses in the law, and of the advantage made of those abuses, by the professors of the law, excited the highest indignation among those professors. Lord Thurlow, at the head of them in point of weight, and almost at the head of them also in impetuosity of temper, broke out, on an early occasion, with the flames which were kindled within his breast.



In a debate which took place in the House of Peers, on Thursday, May 22, on the bill for allowing government to take up and confine for a limited time persons suspected of treasonable or seditious practices, Lord Thurlow in his speech mentioned “a pamphlet which his Lordship said was published by one Debrett in Piccadilly, and which had that day been put into his hands, reflecting highly upon the Judges and many Members of that House: it was disgraceful and indecent; such as he thought never ought to pass *unpunished.* He considered that vilifying and *misrepresenting* the conduct of Judges and Magistrates, entrusted with the administration of justice and the laws of the country, *was a crime* of a very heinous nature, most destructive in its consequences, because it tended to lower them in the opinion of those who ought to feel a proper reverence and respect for their high and important stations; and when it was stated to the ignorant and wicked, that their Judges and Magistrates were ignorant and corrupt, it tended to lessen their respect for, and obedience to, the laws of their country, because they were taught to think ill of those who administered them.”

We may here observe one of the most remarkable of the expedients of the lawyers. What they have laboured from an early date to create and establish in the minds of their countrymen is—a belief, that it is criminal ever to express blame of them or their system. This endeavour has hardly been less diligent than it has been successful. The belief has grown into one of the most rooted principles in the minds of

the more opulent classes of Englishmen. That it is one of the most pernious prejudices is indisputable. For it is obvious, that it confers upon the lawyers, as far it goes, a complete and absolute license to make the system of which they are the organs, and upon which all the happiness of society depends, as favourable to their own interests, at the expense of those of the community, as ever they please. It is, therefore, a belief artificially created by the lawyers, for the protection of their own abuses; and will never be allowed to retain a place in the mind of any enlightened and disinterested man. The grand remedy for the *defects* of government is, to let in upon them publicity and censure. The grand remedy for the misconduct of the *members* of government is, to let in upon it publicity and censure. There are no abuses in the exposure of which society is more interested than those of the law. There is no misconduct in the exposure of which it is more interested than that of the lawyers.

The first thing observable in the speech of this great lawyer is the *fiction,* under which he speaks of the report of a committee of the House of Commons. It was a *pamphlet* published by one Debrett. The regulations of parliament required, that notice should not be taken in one of the Houses, of any thing done in the other. The speech of the great lawyer, then, was a flagrant violation of that rule; for the whole purport of it was to arraign the *matter* of the writing, which was the production of the House of Commons, not the mere act of *publication,* in which alone Debrett was concerned. A rule that can be set aside by a fiction, that is, by a declaration more or less false, adapted to the purpose, is not a rule that is good for much, as it will never be in substance regarded when any one has a motive for breaking it.

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The vindictive Judge here speaks of two things, *vilifying,* and *misrepresenting.* If he meant to say, that the report of the committee of the House of Commons had misrepresented any thing done by the Judges, of either of the two descriptions, concerned in the trial of Mr. Hastings; it is not true. He could not have mentioned a single fact which was not justly stated; nor a single censure, with respect to which, the fact against which it was pointed, and the reasons for which it was applied, were not both of them distinctly assigned. Nothing could be farther from misrepresentation than this.

Further, the offended Judge speaks of *two* things, vilifying, and misrepresenting, as if they were one and the same thing; and thereby creates a deceitful, and mischievous confusion. *Misrepresenting,* which is conveying a false conception of another man, is always bad. It may or it may not imply guilt, according to the state of the mind from which it issued. But all means should be employed both to prevent its existence, and to provide a remedy for its effects. *Vilification* is a very different thing; and is subject to very different laws. Vilification, as distinct from misrepresentation, is the conveying a true character of a bad man. The case is not easy to be conceived, in which that is not good for society. There can be no case, in which to publish the true character of a bad ruler is not good for society. There can be no case, in which to publish the true character of a bad *Judge* is not pre-eminently beneficial to society.

Observe the slight of hand, with which the artificer endeavours to pass his counterfeit coin. *Vilification,* and *misrepresentation,* are both spoken of, as the same thing. Misrepresentation is unquestionably bad; and vilification being shuffled in, under the same cover, is spoken of as bad also. And then comes the doctrine, delightful to the lawyer, that to speak with censure of the dignitaries of the law, on any occasion, or in any shape, is the height of criminality; and that "to reflect," as they call it, upon the Judges, that is, to make just remarks upon ill behaviour, "ought never to pass *unpunished.*" It is very natural for Judges to preach punishment for all "reflection" upon Judges. But what is the consequence with respect to the unhappy community? To ensure to the Judges a power of gratifying and aggrandizing themselves at their expense: the power, in short, of making and keeping the law, an instrument, to any extent which they please, not of justice, but oppression.



Hear the plea of the lawyer, in behalf of his mischievous claim. To make known, says he, the offences of great men of the law would "diminish respect for, and obedience to the laws." That is to say: When laws and the administration of them are made good, they will not be respected: When they are bad, if you only say nothing about their badness, and allow the lawyers to praise the badness as if it were goodness, you will then have perfect respect and obedience. Who but those who have rendered up their understandings to the will of the deceivers, can believe this wretched misrepresentation of the human mind? It requires pains and trouble, cunningly and perseveringly applied, to make people in love with that which hurts them; leave them only to the operation of nature, and that which does them good will of itself engage their affections. If half the pains were taken to make the people see the excellence of good laws, that have been always taken to prevent them from seeing the wickedness of bad laws, an obedience such as the world has never yet beheld, and never can behold, till that righteous course is adopted, would be the consequence, ensured, with the certainty of the laws of nature.[1]

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# CHAP III.

*Arrangement about troops and money with the* Nabob of Oude—The Guntoor Circar obtained from the Nizam, and a new arrangement made with that Prince—Aspect which that arrangement bore to Tippoo Saib—Dispute of Tippoo with the Rajah of Travancore—Tippoo attacks the lines of Travancore—The English prepare for war—Form an alliance with the Nizam, and with the Mahrattas—Plan of the Campaign—General Meadows takes possession of Coimbetore, and establishes a chain of depots to the bottom of the Gujelhutty Pass—Tippoo descends by the Gujelhutty Pass—And compels the English General to return for the Defence of Carnatic—End of the campaign, and arrival of Lord Cornwallis at Madras—Operations in Malabar—A new arrangement with Mahomed Ali, respecting the revenues of Carnatic.



Lord Cornwallis took in his hand the reins of the Indian government in the month of September, 1786; and was guided by a pretty extensive code of instructions, carried out from the joint manufacture of the Board of Control and the Court of Directors.

Of the two grand divisions into which the measures of this Governor-General are distinguished; those which regarded the interior management of the empire, and those which regarded its external relations; the one constitutes a subject distinct from the other; and we shall consult utility, by reserving the attempts which he made to improve the state of the government, till after the narrative is presented of the transactions which took place between him and the neighbouring powers.



The state of the connection with the Nabob of Oude was the object which first solicited the attention of Lord Cornwallis. The preceding Governor-General and Council had pledged themselves to Mr. Hastings for the support of that arrangement which was one of the last measures of his administration. But no sooner had Lord Cornwallis arrived in India, than the Nabob proposed to come even in person to Calcutta, and pressed in the most earnest manner for leave to send Hyder Beg Khan his minister. The object was, to represent as insupportable the weight of the burthen which was still imposed upon his country: and to entreat that the temporary brigade, now called the Futty Gur brigade, should, agreeably to the contract which Mr. Hastings had formed, but which had never been observed, now be withdrawn.

To Lord Cornwallis, it appeared, however, by no means safe, to entrust the defence of the Nabob's dominions to the stipulated amount of the Company's troops, a single brigade at Cawnpore. In the minute which he recorded upon this occasion, he represented the discipline of the Nabob's own troops as too imperfect to be depended upon, even for the obedience of his subjects; who were retained in submission solely by their dread of the Company's arms; He described the character of the Nabob as a pure compound of negligence and profusion: And though, at that time, Oude was

threatened with no particular danger; and the expense attending the continuance of the brigade at Futty Ghur exceeded the sum which he was entitled to exact of the Nabob; he adhered to the resolution that the troops should not be removed.

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In the pecuniary burthen, however, he admitted some alteration. It appeared that, during the nine preceding years, the Nabob had paid to the Company, under different titles, at the rate of eighty-four lacs of rupees per amnum; though by the treaty of 1775, he had bound himself to the annual payment of only 31,21,000, and by the treaty of 1781, to that of 34,20,000 rupees.

It was agreed that fifty lacs should be the annual payment of the Nabob; and that this should embrace every possible claim. The Governor-General declared that this was sufficient to indemnify the Company for all the expense which it was necessary for them to incur in consequence of their connection with the Vizir. In other words, he declared that, for the nine preceding years, unjustifiable extortion, to the amount of thirty-four lacs per annum, had been practised on that dependant prince. The relation now established between the Nabob of Oude and the Honourable Company was described by the Governor-General in the following words: "We undertake the defence of his country: In return, he agrees to defray the real expenses incurred by an engagement of so much value to himself: and the internal administration of his affairs is left to his exclusive management."[1]

Among the instructions with which Lord Cornwallis was furnished for his government in India, he carried out with him explicit orders to demand from the Nizam the surrender of the circar of Guntoor. Bazalut Jung had died in 1782; but Nizam Ali
retained possession of the circar; and the English had withheld the payment of the peshcush. Upon the arrival of Lord Cornwallis in India, he was deterred from obeying immediately the peremptory orders of his European masters, with regard to the surrender of Guntoor, on account of the advantage which it appeared that a dispute with the Nizam might lend to the ambition of Tippoo, and the apprehension which was entertained of a rupture with France. In the year 1788, however, the prospect of uninterrupted peace with France, the great addition to the English military strength expected in the course of the season, and the general position of the other powers in India, presented the appearance of as favourable an opportunity for making the demand, as any which was regarded as sufficiently probable to form a rational basis of action. Immediately after the return of Tippoo from the siege of Mangalore, and the conclusion of his treaty with the English in 1784, he set up against the Nizam a demand for Beejapore. About the same time a dispute arose between Tippoo and the Poona ministers, respecting a part of those acquisitions from the Mahratta territory, which had been made by Hyder, during the Peshwaship of Ragoba. These circumstances, together with the jealousy, if not the fears, which the power and character of Tippoo inspired into these neighbouring chiefs, produced a connection between them, in consequence of which a junction was formed between a Poona and Hyderabad army, in the beginning of the year 1786. The terms of reprobation in which Englishmen in India were accustomed to speak of the peace of 1784, led the Poona ministers, according to the opinion of

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Colonel Wilks, to expect that the English would take part in this confederacy against Mysore; and he is not well pleased with Lord Cornwallis, who lost no time in letting them know, that no project of an alliance, or any other measure of an aggressive nature, would be entertained by his nation. After a year of warring, attended by no considerable result, Tippoo and his enemies were both weary of the contest. A peace was concluded, on terms not very favourable to the Sultan, who was alarmed at the progressive accumulation of the instruments of war in the hands of the English; and desirous of an interval to settle his dominions on the coast of Malabar. In these circumstances, Lord Cornwallis was under no apprehension of a union between Tippoo and the Mahrattas: He thought it by no means probable, that, without the prospect of alliance with the French, he would provoke the dangers of an English war: And he concluded with some assurance that, with the support of Tippoo alone, the Nizam would not hazard the dangers of resistance. Still, though not probable, it was by no means impossible, that a connection subsisted, or might in consequence of this requisition be formed, between the Nizam and Tippoo; which, "no doubt," said the Governor-General, "would bring on a war, calamitous to the Carnatic, and distressing to the Company's affairs." Yet if ever the claim upon the Guntoor circar was to be enforced, the time was now arrived; and with regard to the result, should war ensue, it was, in the opinion of this ruler, impossible that for one moment a doubt could be entertained.[1]



The resolution being taken, the execution was skilfully planned. Captain Kennaway, a gentleman whose address was supposed well calculated to soften what might appear offensive in his commission, was sent to the court of the Nizam, instructed to employ conciliatory language, and to show the utmost liberality, in regard to every other point respecting which adjustment was required. No intimation was to be given to the Nizam of the proposed demand, till after the arrival of Captain Kennaway at his court. At the same time, instructions were sent to the residents at the several durbars, of the Peshwa, Scindia, and the Rajah of Berar, to give to these powers a full explanation of the proceeding, before intelligence of it could reach them from any other source. The government of Madras, under specious pretences, conveyed a body of troops to the neighbourhood of the circar; and held themselves in readiness to seize the territory before any other power could interpose, either with arms or remonstrance.



Captain Kennaway was yet on his journey to Hyderabad, when the following letter from the Governor-General, dated 3d of July, 1788, went after him by dispatch: "Sir—I have this instant received advice from Sir Archibald Campbell, that the Rajah of Chericka has actually committed hostilities on the Company's possessions at Tellicherry by order from Tippoo. Sir Archibald appears likewise to be decidedly of opinion, that Tippoo will immediately attack the Rajah of Travancore. This may, however, I think be doubtful. Unless this alarm should be blown over, previous to your arrival at Hyderabad, of which you cannot fail of having certain information, you will of course recollect that part of your instructions, and, instead of declaring the real object of your mission, confine yourself to the general expressions of friendship, and assurances of our earnest desire to cultivate a good understanding between the two governments."

The situation of the Nizam was such, that he regarded himself as having more to hope, and less to apprehend, from a connection with the English, than with either of the other powers which bordered upon his dominions. Greatly inferior to either the Mahrattas or Tippoo, he was ever in dread of being swallowed up by the one or the other of these formidable neighbours, and was no doubt protected from that destiny by the assistance which, in case of an attack from the one, he was more than likely to receive from the other. An alliance with the one of those powers threatened hostility with the other. An alliance with the English, though disagreeable to both, would not, he concluded, be sufficient, with pretensions irreconcileable as theirs, to unite them for his destruction; while the effect of it would be to lessen his dependance upon both. Under the influence of those views; possibly, too, attaching no great value to the possession of Guntoor, which, under the bad management of his renters, had yielded little revenue, the Nizam manifested an unexpected readiness to comply with the Company's demands; and, without even waiting for a decision upon the other points which were to be adjusted between them, he surrendered the circar in September, 1788. The settlement of the arrears of the peshcush, which the Company had forborne to pay; and the set-off which was constituted by the revenue of the Guntoor circar, from the time of the death of Bazalut Jung, occasioned some difficulty and delay. To remove these difficulties, but more with a view to prevail upon the Governor-General to form with him at least a defensive alliance, which would raise him above his fears from Tippoo and the Mahrattas, he sent his confidential minister to Calcutta. A few amicable conferences sufficed to produce an adjustment of the pecuniary claims. But with regard to the formation of new and more comprehensive ties between the two governments, the English ruler was restrained, by two powerful considerations. In the first place, they were forbidden by the act of parliament. And in the next place, they could not fail to excite the jealousy and displeasure of the Mahrattas, the friendship of whom he was desirous to cultivate.[1]



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The expedient, which suggested itself to the British Indian government, as happily calculated to answer all purposes, was, To profess the continued existence of the old treaty of 1768, in which both the Mysorean and Mahratta governments, as well as the English at home, had so long acquiesced; and to give to the clauses such an extent of meaning as would satisfy the inevitable demands of the Nizam. To the clause in that treaty, by which it was stipulated that English troops, to the amount of two battalions of sepoys, and six pieces of cannon, manned by Europeans, should be lent to the Nabob, were annexed the words, "whenever the necessity of the Company's affairs would permit." It was now agreed that these words[2] should mean, Whenever the Nizam should think proper to apply for them; under one limitation, that they should not be employed against the Company's allies, among whom were enumerated the Mahratta chiefs, the Nabobs of Oude and Arcot, and the Rajahs of Travancore and Tanjore. Of the treaty of 1768, one memorable article related to the transfer to the Company of the Carnatic Balaghaut; an article which, if the ancient treaty were binding, still continued in force. The propositions of the Nizam, that measures should now be taken for carrying this

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engagement into effect, the Governor-General was obliged to elude, by observing that the lapse of time by the alteration of circumstances, had not left that part of the agreement on the same foundation on which it originally stood; and that the English were bound in a treaty of peace with the prince whose territory it actually went to dismember: "but," said his Lordship, "should it hereafter happen that the Company should obtain possession of the country mentioned in these articles with your Highness's assistance, they will strictly perform the stipulations in favour of your Highness and the Mahrattas."[1]

"The desire of not offending," says Sir John Malcolm, "against the letter of the act of parliament, would appear on this occasion to have led to a trespass on its spirit. Two treaties had been concluded, subsequently to the treaty of 1768, between Hyder Ali Khan and the British government: And the latter state had concluded a treaty of peace with his son Tippoo Sultaun in 1784; by which it had fully recognised his right of sovereignty to the territories which he possessed. And assuredly under such circumstances
the revival with any modification of an offensive alliance (for such the treaty of 1768 undoubtedly was) could not but alarm that Prince."



Sir John Malcolm proceeds; "Nor was that alarm likely to be dispelled, by that qualification in the engagement which provided that no immediate operation should be undertaken against his dominions, as the expression by which that qualification was followed, showed, that the eventual execution of those articles, which went to divest him of his territories, was not deemed an improbable or at least an impossible occurrence by the contracting powers. Another part of this engagement which appeared calculated to excite apprehension in the mind of Tippoo was, the stipulations which regarded the employment of the subsidiary force granted to the Nizam; which was made discretional, with the exception of not acting against some specified Prince and chiefs, among whom he was not included."[1]

Sir John Malcolm wrote under the strongest impression of the hostile designs of Tippoo, and of the wisdom and virtue of Lord Cornwallis, yet he makes the following severe reflection, "that the liberal construction of the restrictions of the act of parliament had, upon this occasion, the effect of making the Governor-General pursue a course, which was, perhaps, not only questionable in point of faith; but which must have been more offensive to Tippoo Sultaun, and more calculated to produce a war with that Prince, than the avowed contract of a defensive engagement,
framed for the express and legitimate purpose of limiting his inordinate ambition."[1]

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The Rajah of Cherika was a petty prince on the Malabar coast, in whose territory was situated the Company's factory at Tellicherry. This prince, with his neighbours, had been subdued by Hyder Ali, and remained a tributary under Tippoo his son. A friendly connexion had long subsisted between the English and the Rajahs of Cherika, whom the English were in the habit of accommodating with loans of money and military stores. In 1765, the debt had accumulated to a considerable sum; and the Rajah assigned to the Company a territory called Rhandaterrah for security and

payment. Among other transactions with the Rajah, the English farmed of him, in 1761, the customs of the port of Tellicherry, for which they agreed to pay at the rate of 4,200 rupees per annum. Since 1765, accounts had not been adjusted, but the Rajah had received additional supplies both of money and stores. About the beginning of the year 1786, the Rajah sent a body of men, drove away the English guard, consisting of a serjeant and eight or ten sepoys, and took possession of Rhandaterrah. The government of Bombay directed the chief and factors of Tellicherry to make out the Rajah's account, whence it appeared that he was still to a large amount in debt to the Company; and to represent the outrage of which he had been guilty to his master Tippoo; but not by force to attempt the recovery of Rhandaterrah, lest it should bring on a renewal of the war. The Rajah, under frivolous pretences, evaded acknowledgement of the account; Tippoo returned for answer that he had commanded the district to be restored; the Rajah disavowed the receipt of any such injunction; and produced a letter from Tippoo which merely commanded him to settle his accounts. The affair remained in suspense till 1788. Early in that year Tippoo descended the Ghauts, at the head of an army, for the ostensible purpose of taking cognizance of his dominions on the coast. Before his much from Calicut towards Palacatcherry on the 8th of May, he addressed a letter to the English chief at Tellicherry, stating it as the information of the Rajah of Cherika, that he had paid his debt to the English, and was entitled to the restitution of his country: upon which the Sultan recommended a settlement of accounts. A letter was soon after received from the Rajah, in which he stated the amount for twenty-seven years of rent due on the customs of the port, without making any mention of the much larger sums which the Company charged to his account; and he demanded the immediate payment of a lack of rupees. It was this which alarmed the Governor-General during the journey of his negociator to Hyderabad; as the apprehension was, that the Rajah was instigated by Tippoo; might proceed to hostilities; and involve the government in war.



The territory of the Rajah of Travancore commences near the island of Vipeen, at the mouth of the Chinnamangalum river, about twenty miles to the north of Cochin. From this point it extends to the southern extremity of India, bounded on the west by the sea, and on the east by the celebrated chain of mountains which terminate near the southern cape. The situation of this Prince made a connexion between him and the English of importance to both: He was placed at so great a distance, that he had little to apprehend from the encroachments of the Company: His country, which was only separated from their province of Tinivelly by the ridge of mountains, formed a barrier to the invasion of an enemy into that province, and through that province into Carnatic itself: The support of the Company was necessary to preserve the Rajah against the designs of such powerful and rapacious neighbours as Hyder Ali and his son: The productiveness of his dominions enabled him to contribute considerably to the military resources of the English: And, in the last war with Hyder, his co-operation had been sufficiently extensive, to entitle him to be inserted in the Treaty with Tippoo, under the character of an ally.



The descent of Tippoo, with an army, into the western country, filled the Rajah with apprehensions. He was the only prey on that side of the Ghants, opposite to the

dominions of Tippoo, which remained undevoured; and the only obstruction to the extension of his dominions from the Mahratta frontier to Cape Comorin; an extension, attended with the highly coveted advantage of placing him in contract with Tinivelly, the most distant, and most defenceless part of the English possessions in Coromandel. The occurrences which took place between Tippoo and the Rajah of Cochin, added greatly to the terror and alarms of the King of Travancore.

There had been a period at which the Rajah of Calicut, known by the name of the Zamorin, had endeavoured to subdue the Cochin Rajah. At that time the Cochin Rajah had received assistance from the Rajah of Travancore. The Cochin Rajah had continued to need support; and the predecessor of the reigning Prince had made over to his benefactor, the

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Rajah of Travancore, under the title of compensation for expense, two small districts on the northern side of Travancore. Another motive may be supposed to have contributed to this territorial arrangement. Hyder Ali had at the time commenced his inroads on the coast of Malabar; and alarmed the Rajahs for their safety. As a means of defence, the Rajah of Travancore projected a great wall or barrier, on his northern frontier, to the formation of which the districts in question were of peculiar importance. Though part of the territory of the King of Cochin lay north of the projected line of defence, yet a considerable part, including his capital, was blended with Travancore on the opposite side, and would receive protection by it against the designs of Hyder, no less than the dominions of the Travancore Rajah themselves. The works were constructed about twentyfive years previous to the period at which this narrative has arrived. They consisted of a ditch about sixteen feet broad and twenty deep, a strong bamboo hedge, a slight parapet, and good rampart, with bastions on rising grounds, which almost flanked one another. They commenced at the sea, on the island of Vipeen, and extended eastwards, about thirty miles, to the Anamalaiah, or Elephant mountains, a part of the great Indian chain. On the north they were assailable only by regular approaches; but in the case of such an enemy as Tippoo, rather provoked attack, than afforded any permanent protection.

Some time after the erection of the lines, Hyder, who was extending his conquests over the Malabar Rajahs, carried his arms against the territory of the King of Cochin, at least the part which was without the wall of Travancore; and the King, rather than lose that part of his dominions, consented to become the tributary of Hyder.

The Rajah of Cochin waited upon Tippoo, in 1778,

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at Palacatcherry, whither he had proceeded after leaving Calicut. Upon his return, this Rajah reported the substance of his conference with Tippoo to the Rajah of Travancore. Tippoo questioned him why his visit had not been earlier; when something useful might have been effected; but now the rainy season was at hand. Tippoo asked, if the delay had been occasioned by the Rajah of Travancore. He told the Rajah that he should demand back those distriots of Cochin, which had been given to the Rajah of Travancore, and that he might receive the aid of the Mysore troops to enforce the claim. It was doubtful to the Rajah of Travancore whether the report of the King of Cochin was deceitful or true; but it indicated in either case the hostile designs of Tippoo.

The Rajah made known his fears to the government of Madras, and requested a company of sepoys, with an English officer, as a demonstration to the Sultan of the assistance which he might expect to receive. Sir Archibald Campbell, who then presided over the Councils of Madras, not only complied with the Rajah's demand, but desired his permission to canton some battalions of the Company's troops, along the strong grounds behind the wall. For this service, two battalions of sepoys, with their proportion of artillery, were soon after sent from Bombay.

The arrival of the rainy season prevented active operations during the remainder of the year 1788, but in the month of May of the following year, Tippoo again descended to the coast, and began with summoning the fort of Cranganore. This, and another place, named Jaycotah,[1] belonged to the Dutch, and were maintained as a species of outwork to their grand settlement at Cochin. They were situated close upon the wall of Travancore, at its maritime extremity, and regarded by the Rajah as of the utmost importance for the defence of the lines. He prepared himself to join with the Dutch in defending them; he represented to the English not only that Cranganore and Jeycotah were the very key to his country, but that he was bound in a defensive treaty with the Dutch; he therefore made earnest application to the English government to grant him that assistance which the present exigency appeared to require.



Mr. Holland, who was now placed at the head of the Madras government, happened to be very pacifically inclined. He informed the Rajah, that, except for the immediate protection of his own dominions, he could not receive assistance from the English; and enjoined him, in a particular manner, to abstain from every act which could raise the jealousy of Tippoo, or afford him a pretext for invading Travancore.

Though Tippoo made several demonstrations, and went so far as to bring heavy guns from Palacatcherry, as if for the reduction of Cranganore, he retired before the middle of May, without commencing the attack; and placed his troops at Palacatcherry and Coimbetore. It was confidently expected, that he would return, at the end of the monsoon; and that his first operations would be against the possessions of the Dutch. Were these in his hands, Travancore would be an easy conquest; and, in the opinion of the Company's resident it would even be difficult, if not impossible, for the English detachment to retreat.

In the mean time intelligence was received from the Commandant at Tellicherry, that, during the whole of the rains, that settlement had been environed by the troops of Tippoo, and shut up as in a state of rigorous blockade; that a chain of posts had been established surrounding the place, some of them so near as to be within musket shot of the lines; that his troops had strict orders, which they rigidly obeyed, to prevent the admission of every article of supply; that his boats were as vigilant for the same purpose by sea, as the troops were by land; and that the necessaries of life had, in consequence, risen to an exorbitant price.

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The assurance, conveyed from the Company's governor at Madras, that the English would interfere in the defence of no territory but that which immediately belonged to the Rajah himself, suggested to the Rajah and the Dutch an expedient for realizing the condition on which was made to depend the assistance which they required. A negotiation, which was said to have been pending for two years, was concluded in the beginning of August, for rendering Cranganore and Jeycotah, part of the dominions of the Rajah; that is, by purchase from the Dutch. Of this transaction, however, the government of Madras disapproved; and they dispatched a peremptory command to the Rajah, that he should annul the contract, and restore the places to the Dutch.

Tippoo affirmed, that the Dutch had built the fort of Cranganore upon ground which belonged to his tributary and subject, the Rajah of Cochin; that the Dutch had even paid rent for that ground, in the same manner as the ryots; and that the purchase and sale of it was the purchase and sale of a part of the kingdom of Mysore.

The Rajah asserted the falsehood of the allegations of Tippoo; and remonstrated against the orders which he had received from Madras. The resident and he concurred in representing, and produced documents from the Dutch which proved; that Cochin was one
of the early conquests of the Portuguese, and their capital in that part of India; that Cranganore and Jaycotah were their dependencies; that the Rajahs of Cochin paid them tribute; that in the year 1654, the Dutch were at war with the Portuguese, and attacked their settlement of Cochin; that they expelled the Portuguese entirely from that part of India, and seized their possessions; that they held no lands of the Rajah of Cochin, whom they rather considered as dependent upon them; that the Rajah of Cochin had not been a tributary of the Mysore chiefs for more than about twelve years; and considered himself as such for that territory only, for which he paid choute; the territory, namely, which was situated without the wall of Travancore.



On the 23d of September the Governor-General made answer to the representations which had been transmitted to him by the Governor in Council of Madras: That, without a hope of assistance from the French, which Tippoo at this time could not entertain, he would not, it was probable, desire to draw upon himself the resentment of the Company; that Tippoo was aware, and had indeed been expressly informed, of the certainty with which an attack upon the Travancore Rajah, included in the late treaty as an ally of the English, would be followed by war; that the character at the same time of that violent Prince rendered calculation upon his conduct from the rules of prudence somewhat precarious; and that provision should be made, not only for securing the dominions of the Company and their allies, but for obtaining ample satisfaction, in case of any injury which they might be made to sustain. He, therefore, directed that the best mode of assembling the army, and of opposing resistance to an enemy, should be concerted with the commanding officer; that from the moment Tippoo should invade any part of the
territory of the Rajah of Travancore or Nabob of Arcot, he should be considered as in a state of war; that all payments to the private creditors of the Nabob of Arcot should in that case be suspended; and that even the advances for providing the Company's investment

should be withheld. It was well for Lord Cornwallis, that he possessed an influence, which enabled him to take such a licence with impunity. The creditors of the Nabob were, as appeared by important consequences, favourites with the Board of Control. And a rich investment, which filled the coffers of the India House, was the principal source of delight to the Court of Directors. A man of less authority would not have dared to offer disappointment to such commanding inclinations. And perhaps it required the brilliant success which crowned the operations of Lord Cornwallis to exempt even his audacity from disagreeable consequences. The efforts made by Mr. Hastings, to prevent a failure in the article of investments, produced the principal errors of his administration, and the great misfortunes of his life.

The Governor-General concluded his letter with the following words; “We sincerely hope and believe that the case will not happen: But should the Carnatic unfortunately be involved in war, you may, in addition to all the means that are in your own power to command, be assured that this government will make the utmost exertions to give you effectual assistance, and to terminate, as speedily as possible, a contest that cannot, even if attended with the utmost success, prove advantageous to our affairs in this country.”

In the representation first transmitted to Bengal, regarding the transfer of Jaycotah and Cranganore,
it appeared as if they did belong to the dependant of Tippoo, and had been alienated without his consent. In this view of the circumstances Lord Cornwallis condemned the transaction; and confirmed the injunction which had been given by the government of Madras. When it was affirmed, that neither Tippoo, nor his tributary, had any title to the territory, that it had for centuries been the independent possession of Europeans, and more than a hundred years ago had been taken in lawful war from the Portuguese by the Dutch, he thought proper to suspend his decision. He directed that a proposition should be transmitted to Tippoo for a mutual appointment of commissioners to try the point in dispute; and proposed to agree that if the ground was proved to belong to the Rajah of Cochin, the transfer should be annulled; if it was proved to belong to the Dutch, the transaction should be confirmed.



Towards the end of October the army of Tippoo was known to be encamped in the neighbourhood of Palgaut; and the Rajah was confirmed in his expectation of an attack. On the 14th of December Tippoo arrived at a place about twenty-five miles distant from the boundary of Travancore, and the ravages of his cavalry were carried within a mile of the wall. On the following day a vakeel, a sort of character in which the capacities of the messenger and negotiator were compounded, arrived from the camp of the Sultan, bearing a letter to the Rajah. It contained the annunciation of Tippoo’s demands; That, as the Rajah had given protection within his dominions to certain Rajahs, and other refractory subjects of the Mysore government, he should deliver them up, and in future abstain from similar offences; 2. That as the Dutch had sold to him that which was not theirs to sell, he should withdraw his troops from Cranganore; 3. That he should demolish that part of his lines
which crossed the territory of Cochin, because it belonged to the kingdom of Mysore. The Rajah replied; 1. That the Rajahs of

whose protection the Sultan complained had obtained an asylum in his country, because they were his relations, at the distance of many years; that no objection to their residence had ever been taken before; that to prove his amicable disposition, they should nevertheless be removed; and that no refractory subject of the Mysore government had ever, with his knowledge, been harboured in Travancore; 2. That the fort and territory which he had purchased from the Dutch belonged to the Dutch, and was in no respect the property of the dependant of Tippoo; 3. That the ground on which he had erected his lines was ceded to him in full sovereignty by the Rajah of Cochin before that Rajah became tributary to the sovereign of Mysore; and that the lines, existing at the time when he was included in the late treaty between the English and the Sultan, were sanctioned by the silence of that important deed.

On the 24th of December Tippoo encamped at not more than four miles distance from the lines; began to erect batteries on the 25th; early in the morning of the 29th turned by surprise the right flank of the lines, where no passage was supposed to exist; and introduced a portion of his army within the wall. Before he could reach the gate which he intended to open, and at which he expected to admit the rest of his army, his troops were thrown into confusion by some slight resistance, and fled in disorder, with a heavy slaughter, across the ditch. Tippoo himself was present at the attack, and, not without personal danger, made his escape.



Intelligence of these events was received by the Supreme Government from Madras on the 26th of January; and on the morrow instructions were dispatched to that Presidency. The Governor-General expressed his expectation that the Madras rulers had considered Tippoo as at war, from the first moment when they heard of the attack; that they had diligently executed the measures which he had formerly prescribed; and in particular, that all payments to the Nabob's creditors, and all disbursements on the score of investment, had immediately ceased. He added, that his intention was to employ all the resources which were within his reach "to exact a full reparation from Tippoo for this wanton and unprovoked violation of treaty;" that for this purpose endeavours should be employed to procure the assistance both of the Mahrattas and of the Nizam; that instructions should be dispatched to the government of Bombay to attack his possessions on the coast of Malabar; and that in every part of India the army should be increased.

The instructions to the government of Madras were dated on the 27th of January; those to the resident at the Court of the Nizam were dated on the 28th. The actual commencement of hostilities relieved Cornwallis from all restraint with regard to new connexions; and it was now his part to solicit from the Nizam an alliance, which, a few months before, that Prince would have received as the greatest of favours. The resident was instructed to expose in the strongest colours the faithless and rapacious character of Tippoo; to raise in the minds of the Nizam and his ministers as high a conception as possible of the advantages of an intimate connexion with the English; to promise him a full participation in the fruits of victory, and a mutual guarantee of their respective dominions, against the ambition and hatred of Tippoo.

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The chief difficulty in this negotiation arose from the violent apprehensions of the Nizam with respect to the Mahrattas. To such a degree was he impressed with an opinion of the villainy of that nation, and of their determination to rob him of his dominions, whenever an opportunity should occur, that he desired the English resident to inform him, if the Peshwa should invade his kingdom, while his army was absent, co-operating with the English, what measures, in that case, the English government would pursue: and he displayed intense reluctance to spare any portion of his forces from his own defence, without an article for the unlimited guarantee of his country. But the Governor-General, who was anxious for the alliance of the Mahrattas, and reckoned them "the people whose friendship was of by far the greatest value,"1 in the contest with Tippoo, was careful not to give umbrage to the Poonah rulers, by appearing to raise a barrier against their ambitious designs.

The instructions to the resident at Poonah were of the same description; and dated the preceding day. The relation with the Mahrattas, from the conclusion of the treaty of Salbhye, had been that of general amity; which the Poonah government, with some eagerness and some address, had endeavoured to improve into an engagement for mutual protection against Tippoo. The restrictions, however, imposed by act of parliament, had prevented the Governor-General from acceding to their desire; and of that policy he now expressed his opinion. "Some considerable advantages," he said, "have no doubt been
experienced by the system of neutrality which the legislature required of the governments in this country: But it has, at the same time, been attended with the unavoidable inconvenience of our being constantly exposed to the necessity of commencing a war, without having previously received the assistance of efficient allies."1



The offer of a defensive alliance against Tippoo was now made to the Mahrattas; and they had the advantage of holding themselves up as the party who bestowed the favour, which, a twelvemonth before, they would have been well contented to appear as the party who received. The Indian desire, to make the most of every circumstance in a bargain, and to sell every favour at the highest price, made them higgle and wrangle for advantages, and protract the negotiation to a considerable length.

A treaty, however, with the Nizam, and another with the Mahrattas, of which the conditions were nearly the same, were signed, the former on the 4th day of July, the latter on the 1st of June. A triple league was formed, to punish Tippoo for the treachery, of which he was declared to have been guilty to all the contracting parties: The Nizam and Peshwa bound themselves to prosecute vigorously the war with a potent and well appointed army: The Peshwa received the option of being joined, during the war, by an English force equal to that which served with the Nizam: And the parties jointly engaged, never to make peace, except with mutual consent; to make an equal partition of conquests; and to resist and punish by their combined forces any injury to any of them which Tippoo thereafter might accomplish or attempt.

It was declared by the Governor-General to both
the parties with whom he was endeavouring to contract, that the objects were four, at which he should aim by the war: To exact

from the enemy indemnification for the expense or loss imposed upon the Company by the war: To make him restore to the Nizam and Peshwa, if they should take part in the conflict, whatever he or his father might have taken from those powers: To wrest from him all that he possessed of the Carnatic Payen Ghaut: And, in consequence of the barbarity which he had exercised on the Nairs of Malabar, to set them free from his dominion.[1]

The gratification of their resentment for the losses inflicted on them by Tippoo and his father; the removal of the terrors with which they were haunted by his ambition and power; the prospect of recovering what they had lost, and of elevating themselves upon his ruin, were powerful aids toward obtaining the alliance of the Nizam and Mahrattas.

While the mind of the Governor-General was thus intensely engaged in preparing the means of war upon the largest scale, a very different spirit prevailed at Madras; and, on the 8th of February, he dispatched to that Presidency a letter of complaint and crimination. He charged the President and Council with neglect of duty, and disobedience of orders, in not having made the prescribed provision of draught cattle for the army; in not having suspended the business of the Company's investment;[2] and, after they had received an explicit declaration from the Governor-General in Council of his determination to protect the Rajah of Travancore in his purchase of Cranganore and Jaycotah if those places belonged not to the Rajah of Cochin but the Dutch, in their having, in their correspondence with Tippoo and even with the Rajah of Travancore and the English resident in his camp, withheld that declaration, and thereby "discouraged a faithful ally in the defence of his country against an enemy, who was within a few miles of his frontiers, and with the insolence and violence of whose character they had long been fully acquainted."



To his early decision against the purchase of the two forts, Governor Hollond adhered: On the allegation of the Rajah that Sir Archibald Campbell encouraged the purchase, he had replied;[1] "As you received early information of Governor Campbell's departure, it was not acting a friendly part to prosecute negotiations of so much importance without communicating their commencement and progress to me, upon my advising you of my succession to the government:" Even after the right of the Dutch appeared to be decidedly proved, still he maintained that the bargain was an offence against Tippoo, not to be justified by the law of nations: because with equal propriety might the Dutch make sale to the French of Sadras and Pulicate, within a few miles of Fort St. George: And lastly, he denied that the importance of the places in question was an adequate compensation for the evils of war.

To these reasonings the Governor-General made the following reply: "In your letter, dated 3d of January, you thought proper to lay down principles, as being, in your opinion, founded on the law of nations, respecting the Rajah and the Dutch, which militate against the spirit of our orders, and which we conceive it was not regularly within your province to discuss, as you are not responsible for the measure directed."

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In as far as the government of Madras acted upon their own notions of justice or policy in disobedience to the express orders of those whose commands they had undertaken to obey, they were guilty of a most serious offence; but in laying their opinions and reasons before the governing authority, they practised a virtue, from which the governing authority might derive essential advantage, and merited no insolence of reply.

To their reasoning, at the same time, very strong objections applied. In the two cases, that of Cranganore and Jaycotah, and that of Pulicate and Sadras, the circumstance which constituted the material part of the question, that, on which its decision, if founded on rational principles, would depend, was perfectly reversed. Pulicate and Sadras could not be held by the French, without essentially impairing the security of Madras: Cranganore and Jaycotah were of no importance to the security of Tippoo; and were evidently desired by him, as a means of aggression against the Rajah of Travancore. With regard to the value of the places in question, the value, as it had at an early period been, by the Governor-General in Council, declared to the government of Madras, "could not, however great, be opposed to the serious consequences of war; but a tame submission to insult or injury, he was equally convinced, would, in its effects, prove the most fatal policy." This was the question, and the only question; not whether Cranganore and Jaycotah were a compensation for the consequences of war. Scarcely any single injury can ever approach to an equivalent for the expense, which is but a small part of the evils, of war; and it is then only when there is a decided probability that the permission of one injury will draw on a second, and after the second, a third, and so on, that the advantages of war can be an equivalent for its evils, and recourse to it the dictate of wisdom. At the moment of action, this is often a question not easy to decide; because there is seldom a rule to guide, and the party who has power in his hand, is prone to over-rate the probabilities of that repetition of injury which forbearance may produce. Whether the forbearance of the English would, on the present occasion, have produced the repetition of injury, it is even now impossible with any assurance to pronounce. But the probabilities were so great, that either the decision of the Governor-General was right, or his error excusable.



After the repulse of Tippoo, on the 29th of December, from the rampart of Travancore, he disavowed the outrage; described it as the unauthorized act of his troops, who had been accidentally provoked to hostility by the people of the Rajah; gave assurance that his affections were pacific, and that he had no intention to invade the ancient territories of Travancore; but he repeated his claims, on the score of protection afforded to his refractory subjects, the purchase of Cranganore and Jaycotah, and the erection of works upon the territory of his dependant, the Rajah of Cochin.

The persuasion that peace might be preserved with Tippoo, continued in the Madras government as long as Mr. Hollond remained at its head. On the 12th of February, having learned that General Medows, who commanded the Bombay army, was appointed to succeed him, he transmitted by letter to the Governor-General his intention of departing immediately

for Europe; and omitted not the opportunity of repeating his conviction, that Tippoo "had no intention to break with the Company, and would be disposed to enter into negotiation for the adjustment of the points in dispute."

In a letter, dated on the 7th of February, in answer to the proposition respecting the examination by commissioners, Tippoo wrote, that since he had examined in person the foundation of the claims, there was nothing which remained for commissioners to perform; but if it were the wish of the English, they might send "one or two trusty persons to the presence, where, having arrived, they might settle the business;" that he wrote from regard to the ties of friendship which subsisted between him and the Engglish, "otherwise the taking of the lines would not be a work of much difficulty or time."

To descend to the measure of sending commissioners to the presence of Tippoo, appeared to the Madras government to import a loss of dignity in the eyes of the Princes of Hindustan; and before intelligence of this proposition, the Governor-General had communicated his sentiments to General Medows, in the following words: "Good policy, as well as a regard to our reputation in this country, requires, that we should not only exact severe reparation from Tippoo; but also, that we should take this opportunity to reduce the power of a Prince, who avows upon every occasion so rancorous an enmity to our nation—At present we have every prospect of aid from the country powers, whilst he can expect no assistance from France. And if he is suffered to retain his present importance, and to insult and bully all his neighbours, until the French are again in a condition to support him, it would almost certainly leave the seeds of a future dangerous war."[1] In the letter which made answer to that in which the proposal of Tippoo was transmitted to the Governor-General, a hope was expressed that the government of Madras had been exerting themselves to the utmost in the business of the war. They were told, that the attack on the lines of Travancore left no further room for deliberation; and that the Company's government could not with honour commence a negotiation with Tippoo, till he offered reparation for such an outrage, much less send commissioners to his presence. Instructed to make no relaxation, while answering his letters, in the vigour of their military operations; they were ordered to inform him, that Cranganore and Jaycotah belonged incontestably to the Dutch; that, as the lines of the Rajah were in his possession at the period of the late treaty, his right was thereby recognized; and that the violation of them could not be regarded as accidental, since it was ascertained that the Sultan was upon the spot, and conducted the attack in person.[2]

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On the 2d of March, a skirmish happened, between the troops of the Sultan, and a party of the Rajah's people sent to clear away a jungle which stood in front of the lines. On the 6th, Tippoo began to fire on the wall, and completed the erection of five batteries on the 10th. A considerable time was spent in making such an opening in the lines as appeared to him to make it expedient to venture the assault. At last, on the 7th of May, he advanced to the breach with his whole army; when the troops of the Rajah were struck with apprehension, and fled in all

directions. Having rendered himself master of the lines, he appeared immediately before Cranganore; of which he soon obtained possession. All the northern quarter of Travancore was now seized by the conqueror, who rased the lines, and spread desolation over the country. The necessity, however, of defending his own dominions soon recalled him from his prey. On the 24th of May, he hurried back to his capital, attended by a small body of troops.1

Though he had received a letter from General Medows, dated the 7th of April, declaring, that all his complaints against the Rajah of Travancore were unfounded, that his first attack on the lines was a breach of the treaty, and together with his renewal of hostilities, left no room for deliberation, calling for action rather than words; he wrote again, under date the 22d of May, professing his desire of amity, lamenting the misunderstandings which had occasioned the assemblage of the respective armies, and offering to send a person of dignity to Madras, who might give and receive explanations on the subjects of dispute, and "remove the dust by which the upright mind of the General had been obscured." To this, the following was the answer returned. "I received yours, and I understand its contents. You are a great Prince, and, but for your cruelty to your prisoners, I should add an enlightened one. The English, equally incapable of offering an insult, as of submitting to one, have always looked upon war as declared, from the moment you attacked their ally, the king of Travancore. God does not always give the battle to the strong, nor the race to the swift, but generally success to those whose cause is just.—Upon that we depend."

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For conducting the operations of the campaign, it was planned; that General Medows, with the principal part of the Carnatic army, should take possession of the Coimbetore country, and endeavour, through the Gujelhutty pass, to penetrate into the heart of Mysore; that General Abercromby, with the army of Bombay, should reduce the territory of Tippoo on the coast of Malabar, and effect a junction with Medows if events should render it desirable; and that Colonel Kelly should remain, for the security of Carnatic, with a small army before the passes which led most directly from Mysore.

From the plain of Trichinopoly, where the army had assembled, the General marched on the 15th of June. It was of great importance that Coimbetore, formerly a Rajahship of considerable extent and opulence, should be occupied; both as depriving Tippoo of one principal source of his supplies; and as affording resources to the English army for the remainder of the campaign. It was also necessary, for the subsequent operations against Mysore, that a chain of posts should be established from the Coromandel coast to the foot of the pass; and Tanjore, Trichinopoly, Caroor, Erroad, and Sattimungul, were the places of which, for that purpose, selection was made. Having entered the enemy's country, and taken possession of Caroor, the General halted for eighteen days, while he collected provisions and formed a magazine. From Caroor he marched to Daraporam, which he took without opposition, and made a depot. Leaving there a considerable garrison, and all his superfluous baggage, he pushed on to the city of Coimbetore, which he found evacuated.

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No enemy had as yet appeared, except some bodies of irregular cavalry, who had made attempts to harass the march. On the day after the army arrived at Coimbetore, the presence was announced of one of Tippoo's ablest captains, with 3,000 horse, at the distance of about forty miles. A detachment was sent with directions to surprise them, but returned with only a few prisoners. At the same time, another detachment was employed in the capture of Erroad, which yielded after a trifling resistance.

Dindigul, and Palacatcherry, though not in the adopted line of communication, were fortresses of too much importance to be left with safety in the enemy's hands. A strong detachment, under Colonel Stuart, proceeded to the attack of Dindigul. The garrison were summoned, with a declaration, that, if they surrendered, private property should be respected, if they persisted in a fruitless defence, they should be all put to the sword. The Governor returned the summons by the messenger who brought it: "Inform your commander," said he, verbally, "that I cannot account to my master for the surrender of such a fort as Dindigul: If, therefore, a second messenger comes with a similar errand, I will blow him back again to his comrades, from one of my guns." Batteries were erected; and after a heavy cannonade of two days, an assault was projected on the following night. The breach was imperfect, but ammunition expended. The troops advanced to the attack with their usual gallantry, and made great and persevering efforts to penetrate. The strength, however, of the fortification was still so great, and the defence so vigorously maintained, that they were compelled to retire. It was matter of surprise to the assailants, to behold at day-break the flag of surrender displayed on the breach. The garrison, afraid to abide the effects of another assault, had deserted their commander during the night. The same detachment proceeded to the fort of Palacatcherry, which yielded after a short and feeble resistance. And Colonel Floyd was sent against Sattimungul, which he surprised and took without bloodshed.



The first important section of the operations of the campaign was thus completed with happy expedition and ease. The line of communication was established; an enemy's country was obtained for the supply of the troops; and nothing remained but to ascend the Gujelhutty pass, and make Tippoo contend for his throne in the centre of his dominions.

The army was at this time separated into three divisions of nearly equal strength; one with General Medows, whose head quarters were at Coimbetore; one with General Floyd, distant about sixty miles, at the advanced post of Sattimungul, near the bottom of the Gujelhutty pass; and the other with Colonel Stuart at Palacatcherry, about thirty miles in the rear; constituting between the advanced and ultimate positions of the army a distance of ninety miles.

On the 13th of September, in the morning, a reconnoitring party, sent from the camp of Colonel Floyd, toward the mouth of the pass, was encountered by a body of the enemy; and after a little time the whole army of the Sultan commenced an attack upon the English detachment. The commander was able to choose a position which induced Tippoo to confine his operations to a distant cannonade; which he continued,

however, during the whole of the day, and with considerable execution. The descent of Tippoo,
by the very pass through which the English meant to ascend, has been represented as a perfect surprise, according to the usual want of intelligence in the English camp. Colonel Wilks, however, affirms; that Floyd had early intelligence of the movements of the Sultan; that he forwarded the intelligence to General Medows, with a suggestion, considering the dispersed situation of the army, of the propriety of falling back; that his intelligence was not credited; and that he had orders to remain.



A council of war having determined on retreat, the troops had crossed the river in basket boats, and were on the march next morning by eight o'clock, leaving the provisions collected in Sattimungul, and three pieces of cannon, behind. Tippoo found considerable difficulty in getting his army ready for pursuit, and marched at last with only a part of it. Two o'clock arrived before he could bring his infantry into action. He then meditated a decisive blow; but met with great obstructions from the strong hedges with which the ground was enclosed; and, being at last alarmed, by the report that General Medows was at hand, a report of which the English commander dexterously availed himself, he drew off, on the approach of night.

During the action, Colonel Floyd received a dispatch, in which he was told that General Medows on the 14th would march for Velladi. This was not on the direct road from Coimbetore to Sattimungul, nor that in which Floyd was retreating, and from the place at which he had arrived, to Velladi, as twenty miles. The only chance however for saving the army, was, to force the junction. He began his march at two o'clock in the morning, and without seeing the enemy, reached Velladi at eight
at night, when the troops had been without provisions, and literally fasting, for three days. The General had already passed ten miles in advance of Velladi. He was immediately apprised of the state of the detachment, and next morning retraced his steps. The army then marched back to Coimbetore, where they were joined by the division of Colonel Stuart from Palacatcherry.



The Sultan, disappointed in his expectation of cutting off the dispersed divisions of the English army in detail, now turned his operations against the chain of their depots. This is described by Colonel Wilks as very imperfect. "Caroor," he says," "could scarcely be deemed a good depot; Erroad was better qualified to contain than protect stores; and Sattimungul was ill adapted to either purpose." Erroad, from which, in contemplation of what happened, the greater part of the garrison had been withdrawn, capitulated as soon as the enemy appeared: After emptying the storehouses of Erroad, the Sultan marched in a line directly south, and was followed by the English army, which left Coimbetore on the 29th of September, and in six marches arrived at Erroad. On the day on which the English left Erroad, the Sultan proposed to encamp in a situation about sixteen miles distant, whence he could march, either upon a convoy that was advancing from Caroor, or upon Daraporam, or upon Coimbetore, according to the direction which the English might take. The English army came up; and he increased his distance by a nocturnal march. General Medows waited to protect his convoy from Caroor; and the Sultan marched towards Coimbetore. He knew that the

field hospital, valuable stores, and the battering train, were left with a very feeble garrison; but after performing a march in that direction, his intelligence, which never failed him, announced the
important fact, that Colonel Hartley had just ascended from the Malabar coast, and reinforced Coimbetore. One point of his plan yet remained; he marched rapidly toward the south; found Daraporam miserably provided for defence; carried his approaches to the ditch; and on the 8th of October entered the place by capitulation.



The English General, alarmed by the danger which had threatened the loss of Coimbetore, returned in haste to that grand depot; which he resolved to render as strong as circumstances would admit.

While he was employed in strengthening Coimbetore, an object of great importance engaged the attention of Tippoo. Colonel Kelly, the officer who commanded the corps of defence before the passes which led more immediately to Carnatic from Mysore, died, and was succeeded by Colonel Maxwell, toward the end of September. On the 24th of October, in obedience to orders received from General Medows, this corps invaded Baramahl. Of this the Sultan was not long without intelligence. Leaving about one fourth of his army to watch the motions of General Medows, he marched with the remainder in great haste toward Baramahl. On the 9th of November, several bodies of his light cavalry reached Colonel Maxwell's ground. On the 11th, the Colonel's cavalry, one regiment, allowed themselves, inveigled in pursuit in a defile, to be attacked by a great superiority of force, and were driven back with considerable loss. The Sultan appeared with his whole army on the 12th; and if he had not been baffled by the superior skill of Maxwell, who chose his ground, and made his dispositions, in such a manner, as allowed not the Sultan an opportunity of attacking him, except with the greatest disadvantage,
this movement of Tippoo would have been celebrated as a specimen of generalship, not easy to be matched.



After his operations for strengthening Coimbetore, General Medows put the army in motion, to look for the enemy in the direction of Erroad; which he approached on the 2d of November. A strong corps, sent out under Colonel Floyd, to force an extensive reconnoissance, at last ascertained that the Sultan's whole army had crossed the river several days before, and gone to the northward. The English army crossed, not without difficulty; and began to follow on the 10th. On the 14th they encamped at the southern extremity of the pass of Tapoor. Next day they cleared the pass; and on reaching the ground intended for their encampment on the northern face of the hills, discovered the flags and tents of an army, on the plain, at about six miles distance, below. Nearly three weeks had elapsed since they had direct intelligence from Colonel Maxwell; they had performed an anxious and laborious march; they hailed with delight the sight of their comrades, and the prospect of a speedy conjunction; and three signal guns were fired to announce their approach. It was the Sultan, who had so completely eluded their observation, and whom they now had in their view.

During three days he had endeavoured, with all his art, to obtain an opportunity of attacking Colonel Maxwell; and had withdrawn, the preceding evening, with a

supposition that General Medows would require another day to clear the pass. He immediately removed to a greater distance up the Palicode valley; and General Medows proceeded fifteen miles next morning in the direction of Caveripatam; where the important junction with Maxwell was effected on the following day.

After the disruption of their chain of posts, and the defeat of their original plan for invading Mysore, it



was not easy for the Sultan to divine what scheme of hostilities the English would afterwards pursue. Concluding, however, that whither he should go, they would follow, he resolved upon carrying the war into their own country, and in such a manner, if possible, as would afford him the means of recovering the places he had lost. Both armies intended to double back by the pass of Tapoor. Both armies arrived at the head of the pass at the same time. Yet the Sultan, only sending back his baggage, and rear guard, contrived to pass through before the English without loss; and never halted till he was opposite the weak but important depot of Trichinopoly. The English General reached the banks of the Cavery, opposite Caroor, on the 27th of November, and was talking of a plan for calling Tippoo from Carnatic, by ascending the Caveripatam pass, taking post at the head of the Gujelhutty, opening that of Tambercherry, and preserving his communication with Coimbetore, Palacatcherry, and the other coast, on the execution of which plan he expected to enter by the 8th of December; when he was summoned to the defence of Trichinopoly, by intelligence of what the Sultan had performed.

The English General arrived at Trichinopoly on the 14th of December, where the swelling of the river had contributed to prevent the Sultan from effecting any thing by surprise, and confined his mischief to the plunder of the island of Seringham. On the approach of the English army he proceeded with his usualdevastations, latterly exchanged for contributions, northward, through the heart of Coromandel, and approached Tiagar. It was commanded by an officer, Captain Flint, who had already distinguished himself in the wars of Carnatic and Mysore; and the efforts

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of Tippoo, who had no time for tedious operations, were defeated. He was more successful, however, at Trinomalee and Permacoil; from which he proceeded to the neighbourhood of Pondicherry, where he had some communication with the French governor, and engaged a French gentleman to go upon a mission for 6,000 French troops to the King of France. The King of France, it is said, out of compunction, which he strongly expressed, for having aided the Americans in resisting the crown of England, declined compliance; and amused himself “with the shabby finery of Tippoo’s presents to himself and the Queen.”

The English army followed that of the Sultan as far as Trinomalee. Lord Cornwallis had arrived at Madras on the 12th of December, and directed General Medows to return to the Presidency. From Trinomalee, therefore, the army turned off to Arnee, where the guns and heavy stores were deposited under Colonel Musgrave, the second in command; and the remainder of the army reached the encampment at Vellout, eighteen miles from Madras, on the 27th of January.

On the Malabar side, Colonel Hartley was left, after the Madras troops were withdrawn, with one European regiment and two battalions of sepoys. Happily the General left by Tippoo gave him the opportunity of a pitched battle on the 10th of December, and being routed escaped with the public treasure up the Tambercherry pass.

General Abercromby, the Governor of Bombay, had not been able to take the field till late in the season. He arrived at Tellicherry with a respectable force a few days preceding the battle of Hartley; and on the 14th, appeared before Cannanore, which after a very short resistance made an unconditional surrender. As the population was thoroughly disaffected to the government of Mysore, and none of the forts was strong, the task of the English army was little more than that of over-running the country; and in the space of a few weeks every place which belonged to Tippoo in Malabar was subdued, and the whole province placed in possession of the English.[1]



During this campaign the Governor-General had been engaged in a transaction of considerable importance with the Nabob of Arcot. When Sir Archibald Campbell arrived at Madras, after the Carnatic revenues, which had been placed under British management by Lord Macartney, had been restored to the Nabob, one of the principal services which he was called upon to perform, was, that of effecting a new arrangement with the said master of those revenues. By the memorable arrangement of the Board of Control, the creditors of the Nabob were to receive annually twelve lacs of pagodas. The expense at which the President in Council estimated the peace establishment was twenty-one lacs. It was, therefore, his proposal, that the Nabob, the English Presidency, and the Rajah of Tanjore, should each contribute to this expense, in exact proportion to the gross amount of their several and respective revenues. According to this principle, the contingent of the Nabob towards the peace establishment would have amounted to ten and a half lacs of pagodas. But upon a very pathetic remonstrance, setting forth his inability to sustain so vast a burthen, the President was induced to admit an abatement of a lac and a half; and upon this agreement, of nine lacs to the state, and twelve to the creditors, an instrument, which they called a treaty, was signed on the 24th of February, 1787.

For punctuality of payment, it was arranged, that the following securities should be taken. In case of failure or delay in the contribution for the season of peace, certain districts were named, the aumildars and collectors of which were to make their payments, not to the Nabob, but to receivers appointed by the Company. For securing payment of the four fifths of the revenues which were to be received by the Company in the season of war, the government of Madras might appoint one or more inspectors of accounts to examine the receipts of the districts; and on failure of payment, they might appoint receivers to obtain the money from the aumildars, in the same manner for the whole country, as had been stipulated in the case of certain districts, on failure of the payment of the subsidy during peace.

Sir Archibald took to himself a high degree of credit for this arrangement. In his letter to the Court of Directors in which he announced the completion of it, a letter bearing date the very day on which the treaty was signed, he first announces the pecuniary

terms, and thus proceeds: “The care I have taken in securing to the Company the punctual payment of the several sums agreed upon, will be sufficiently illustrated by the treaty itself, which I have the honour to inclose. It is therefore only necessary to observe, that this, as well as all the other objects, recommended to me by the Court of Directors, have been minutely attended to in this treaty. The power of the purse and sword is now completely secured
to the Company; without lessening the consequence of the Nabob: and I pledge myself that these powers, so long as I have the honour to preside in this government, will be exerted with discretion, and to the utmost of my abilities, to secure the interests, and promote the honour and prosperity, of the India Company. If the articles of this treaty appear satisfactory to you; if they produce, as I trust they will, solid and lasting advantages to the India Company, by the very respectable addition of five lacs of pagodas to their annual receipts, while the Nabob of the Carnatic is happy and pleased with the arrangement, I shall think my labours well bestowed, and feel that I am fully rewarded for all the fatigue and anxiety of mind I have undergone, preparatory to, and during the whole of this negotiation, which I can with truth say has greatly exceeded any description that I can possibly convey.”



Hardly was Sir Archibald more pleased with himself, than he was with the Nabob. “I should not,” he says, “discharge my duty to the Honourable Company, were I not to recommend the present state of the Nabob’s finances to your most serious consideration. The voluntary grant of so large a proportion of his revenues to the public and private creditors of his Highness, does, in my opinion, infinite honour, and marks his real character. But it ought to be considered, that this grant was made at a time when he thought his proportion for the defence of the Carnatic would not exceed the sum of four lacs of pagodas annually. His contribution for this defence is now extended to nine lacs; and I can easily perceive, that although he has cheerfully agreed to pay for that purpose five lacs of pagodas more than he expected, yet it is from a conviction
that such a contribution is indispensable for the general security; and that this venerable Prince would rather subject himself and family to the feelings of difficulty and distress, than be thought backward for a single moment, in contributing most liberally to any arrangement which might tend effectually to the defence and prosperity of the Carnatic. I have narrowly watched the Nabob’s conduct and sentiments since my arrival in this country, and I am ready to declare, that I do not think it possible that any Prince or person on earth can be more sincerely attached to the prosperity of the Honourable Company than his Highness, or that any one has a higher claim to their favour and liberality.”[1]



Of this arrangement in general, the Directors expressed great approbation. Injustice, however, they remarked had been done to the Rajah of Tanjore, and undue favour shown to the Nabob, in one particular: For as the Rajah paid an annual tribute to the Nabob, and this had not been deducted from the estimate of the Rajah’s revenues, and added to that of the revenues of the Nabob, a burthen of 50,000 pagodas annually, more than his due, had thus been laid upon the one; a burthen of 50,000 pagodas, which he ought to bear, had been thus removed from the other. With regard to the

abatement which, on the score of inability, had been allowed to the Nabob, in the proportional payments, the Directors expressed a wish, that the indulgence had rather been shown by diminishing the payments exacted for the creditors than by reducing the annual subsidy. They directed, accordingly, that the payment of ten lacs and a half on that account should still be required, together with the above-mentioned 50,000 pagodas which had
been wrongfully charged to the Rajah of Tanjore. The regular contingent of the Nabob was therefore established at the sum of eleven lacs; but, in consideration of his poverty, something less would be accepted for a few years.



Before the proposal for a new arrangement in conformity to these conditions of the Directors was communicated to the Nabob, his payments had, as usual, fallen in arrear; and in an answer to the importunities of Governor Hollond, he thus expressed himself: “The treaty that was entered into, in the government of Sir Archibald Campbell, I was induced to accede to, in the fullest hopes that I should obtain possession of Tanjore. I have exerted myself beyond my ability; and exercised every kind of hardship and oppression over the ryots, in collecting money to pay the Company; though in doing this I suffer all those pangs which a father feels when he is obliged to oppress and injure his own son. Such is the impoverished state of the country, that it is by no means equal to the burden; and I most sincerely, and with great truth do declare, that I am necessitated to draw the very blood of my ryots to pay my present heavy instalment to the Company.” He not only remonstrated with the utmost vehemence against the additional payments which the Directors commanded to be imposed upon him; but he earnestly prayed for relief, even from those which by the treaty with Sir Archibald Campbell he had engaged himself to sustain. Nor was it till a period subsequent to the arrival of General Medows, that his consent to the new burthens was obtained.[1]

While the Nabob was pressed on this important
subject, he had recourse to an expedient which succeeded so well when employed with Mr. Hastings. He lodged an accusation against the Governor of Madras: and sent a letter privately to the Governor-General through a subaltern in the Company’s army. The grounds of the accusation the Governor-General directed to be examined by a committee. In regard to the private letter and its bearer, he adopted a line of conduct differing widely from that which on a similar occasion had been pursued by Mr. Hastings. “If I had not,” said he, in his answer to the Nabob, “believed that the conduct of Lieutenant Cochrane proceeded only from inadvertency, I should have been highly displeased with him for presuming to undertake the delivery of a letter to me of such serious import from your Highness, without the knowledge or sanction of the Madras government; which I am sure, upon a little reflection, your Highness must agree with me, in thinking the only regular and proper channel of communication between us.”[1]



When the war broke out, the demands of the English for money became more urgent; the backwardness of the Nabob in his payments continued the same. “After a most attentive consideration of the subject,” say the President and Council of Madras, in their political letter dated the 16th of September, 1790, “we resolved to submit to the

supreme government the correspondence which had taken place between our President and the Nabob; and to point out to his Lordship in Council the impolicy of depending for our principal resources, at a time when the greatest exertions were necessary, and pecuniary supplies were of the utmost importance, upon the operations and management of the Nabob's government,



of which the system was perhaps as defective and insufficient as any upon earth. And we did not hesitate to declare it as our unqualified opinion, that this government ought, during the war, to take the Nabob's country under their own management, as affording the only means by which the resources to be derived from it could be realized, and the fidelity and attachment of the polygars and tributaries secured, which is of the utmost importance to the successful operations of the war. In the event of his Lordship's agreeing with us in opinion, and instructing us to act in conformity, we submitted to him the necessity of our adopting the measure in so comprehensive a manner, as to preclude any kind of interference on the part of the Nabob, while the country might be under our management; and stating that, if this were not done, the expected advantages could not be derived."

Instead of nine lacs, which it had been found impossible to make the Nabob pay during peace, fourfifths of his whole revenues were payable to the Company during war. But, whereas Sir Archibald Campbell had boasted to the Directors, that the arrangements, which he had made, "secured the punctual payment of the sums agreed upon;" the President and Council of Madras affirmed that they were totally inadequate to the securing of payment; and pointing out, what was a strange defect in practical policy, "It might," they say, "have been expected, that the securities for the performance of the war stipulations, which are of such importance, would have been made stronger than those which are provided in the event of failures on the part of his Highness in time of peace: But they are, in fact, less efficient; and the process prescribed for failures



in time of war is so tedious and complicated, that it can scarce be said to deserve the name of any security or provision whatever." "As to the appointment," they said, "of inspectors of accounts, provided for in the treaty of Sir Archibald Campbell, we think they are so little calculated to have any good effect, that we are not disposed to put the Company to expense on this account; being convinced that, in this country, no power, excepting the one which governs, can obtain a true state of Cutcherry accounts."[1]

The Governor-General lost no time in expressing his full conviction of the necessity of assuming the government of the country; but recommended that the acquiescence of the Nabob should, if possible, be obtained. The most vehement opposition which it was within the power of the Nabob to make, the Nabob on this occasion displayed. "We cannot say," replied the Madras Council, "that the event has surprised us;—for, when it is considered, how many people, attached to the Durbar, are interested in the Nabob's retaining the management of his country in his hands, it will not be a matter of wonder that every effort should be made to prevent his again ceding what in a former instance he had much difficulty in recovering.—We are convinced he will never make a voluntary assignment of his country."[2]

On the 21st of June, the Supreme Government, declaring their "perfect persuasion of the impossibility of obtaining in future the stipulated proportion of the Nabob's revenues, through the medium of his own managers, which also precluded all hopes of being able, by those means, to recover the immense amount of his balance; authorized and directed the Governor and Council of Madras, to take effectual measures to put the Company into immediate possession of the management of his Highness's revenues and country; in order that the total amount of the collections might be applied with fidelity and economy, in the proportions that had been already settled, to defray the exigencies of the war, and to support his Highness's own family and dignity." Tanjore was included in the same arrangement.1



The Letter of the Governor-General and Council was continued in the following words: "We sincerely lament, that your endeavours to prevail upon the Nabob, by argument and persuasion, to sacrifice his ideas and private feelings, respecting his own personal dignity and importance, to the real and substantial good of his subjects—and for that purpose to make a voluntary surrender2 to the Company of the management of his country, during the continuance of the present war, have proved so fruitless and ineffectual. We trust, however, that before long, his Highness will be fully sensible of the interested and criminal motives of the advisers, by whom he has been influenced to resist your solicitations; and that he will soon see, that, whilst his people will be treated with justice and humanity, a liberal fund will be secured for the maintenance of his own family and dignity, and that the remainder of the revenues will be secured from the hands of extortioners and usurers, and honourably applied to the defence and protection of his subjects and dominions."1



In reporting upon these transactions to the Court of Directors, the Governor-General drew a picture of the government and circumstances of the Nabob, which is too material to this part of the history, not to be inserted in its original shape. "I was impelled," says he, "to the determination of assuming the revenues of Carnatic, by the strongest considerations of humanity, justice, and public necessity. The flagrant failure, on the part of the Nabob, in the performance of the stipulations of the treaty with the Company, ought long ago to have awakened the government of Fort St. George to a sense of their public duty; and would, in strictness, at any time, have merited the serious interference of this government. But, at a dangerous juncture, when the resources of Bengal are totally inadequate alone to support the expense of the war into which we have been forced, by one of the most inveterate enemies of his Highness's family, and of the British name, I could not for a moment hesitate in discharging what clearly appeared to me to be the duty of my station—by taking the only measures that could be effectual for securing the proportional assistance, to which we are entitled, from the funds of the Carnatic.—I must likewise observe, that, by executing this resolution, I have every reason to believe, that whilst we provide for the general safety, we, at the same time, greatly promote the interests of humanity. For, by the concurrent accounts that I have received from many quarters, I am perfectly convinced, that, from the Nabob's being unacquainted with the details of business, and, either from an indifference to the distresses of his subjects, or from a total

incapacity to superintend and control the conduct of his renters and managers, the most insatiable extortions, and cruel oppressions, are no where in India more openly and generally committed, with impunity, upon the mass of the miserable inhabitants, than by his Highness's officers in the internal management of his country. And it will, therefore, not only be felt as a relief, by the body of the people, to be put under the authority of the Company's servants; but we shall probably be able, by mild and just treatment, to conciliate, on this critical occasion, the attachment of the southern Polygars, who, from being harassed by the unreasonable exactions of the Nabob's renters, have almost always been ripe for disturbance and revolt. I trust, likewise, that, in addition to the other advantages that may be expected from the measure of taking the management of the Carnatic into your own hands, it may tend to break off a connexion between the Durbar and many of your servants—from which nothing but the most baneful effects can result, both to your own and his Highness's interests.—The relation between his Highness and the Company's government; the delusive schemes, into which he has at different times been drawn by the acts of intriguing and interested men, to seek for support in England, against regulations and orders, no less calculated for *his* real good, than for the advantage of the Company; and the ease which Europeans of all descriptions have found, by the vicinity of his residence to Madras, in carrying on an intercourse with him, in defiance of all your prohibitions, have thrown out temptations that have proved irresistible to several of your servants and other persons, not only recently, but during a long period of years, to engage in unjustifiable and usurious transactions with the Durbar. And I believe I may venture to assure you, that it is to these causes, so highly injurious to the Company's interests, and so disgraceful to the national character,[1] that the present state of disorder and ruin, in his Highness's affairs, is principally to be attributed.—It will required much mature consideration to devise means that will be effectual to prevent a repetition of these evils; and, indeed, I must freely own, that I could not venture to propose any plan, on the success of which I could have a firm reliance, unless the Nabob could be induced, by a large annual revenue, to surrender the management of his country for a long term of years to the Company."[1]



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For the details of management, the same regulations were adopted which had been devised by Lord Macartney; and the highest testimony was now borne to the wisdom of the plan which he established, and which the Board of Control had overturned. General Medows, as early as the 31st of March, was not restrained from declaring, in his letter of that date to the Court of Directors, "His Highness, the Nabob, is so backward in his payments, and oppressive to his Polygars, whom at this time it is so necessary to have on our side, that I conceive it will be absolutely necessary, upon his first material delay of payment, to take the management of his country into your own hands; a measure, in spite of the opposition made to it, so advantageous to you, the country, and even his Highness himself, when so wisely projected, and ably executed, by Lord Macartney."[2]

This important arrangement was followed by the complete approbation of the Directors,[3] who expressed themselves, even upon the first assignment, procured by

Lord Macartney, in the following terms: “If the absolute necessity of recurring to the measure in question were not, in our opinion, to be completely justified upon its own merits, we might recall to our recollection the circumstances of a former period. At the commencement of the preceding war, the Nabob agreed to appropriate the whole of his revenues for its support, and the Company appointed superintendants, or receivers, to collect and receive all the rents, &c. from the Nabob’s aumildars. But, whether it arose from the bad system of management in general, or from this double system in particular; or whether there was a predominant influence in the Nabob’s Durbar, inimical to the interests of the Company—all of which were repeatedly suggested—the measure did not afford any relief to the Company’s finances in the prosecution of the war. Nor, till the country was absolutely made over by a deed of assignment, in December, 1781, did the Company receive a thousand pagodas into their treasure.”[1]



Not in exact conformity with the character which had been given of him by Sir Archibald Campbell, the Nabob now practised all the arts which, in the case of Lord Macartney, had been employed to defeat the purposes of the assignment. This time, however, they were practised with inferior success, because they were not, as when employed against Lord Macartney, supported by the superior powers. Even in this case, the Nabob had the boldness to circulate instructions to his aumils, or revenue agents in the country, calculated to prevent co-operation with the English government. The remarks of the Directors upon these proceedings of his are necessary to be known. “Having signified our approbation of the determination of the Bengal government, authorizing you to assume the management of the Nabob’s revenues during the continuance of the war, and which seems to have been carried into effect with as much delicacy towards the Nabob, as a circumstance so totally against his inclination would admit of; we are sorry to remark on the nature and tendency of the Nabob’s orders to his aumildars. Surely his Highness must have forgot, for a moment, the nature of his connexion with the Company; and that he is entirely indebted to their support for the preservation of his country. If the Nabob’s professions and actions had not been very much at variance, with what reason could Lieutenant Boisdaun, commanding at Nellore, complain, that the Nabob’s managers seemed rather the enemies of the detachment than their friends. We likewise have the mortification to find that his Highness’s phousdar and aumildar, at Nellore, absolutely refused to submit to the Company’s authority; a resistance, which, say the Board of Revenue, might be expected from the nature of the Nabob’s circular orders. We find also that the collector at Trichinopoly was encountering many difficulties, in establishing the Company’s authority in the different districts, from the opposition of an armed force; and that so very industrious have the Nabob’s sons been in throwing obstacles in the way, that not an account was to be found in any of the village Cutcheries, nor any public servant who could give the smallest information; and that they have been particularly active in disposing of all the grain in the country. We likewise observe, in the intelligence from Tanjore, that the Rajah had been recently alienating several villages, and that the repairs of tanks and water-courses had been neglected, that the Company’s collectors might not be able to produce much

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income. Such friends and allies can be looked upon as little better than open and declared enemies. And such a conduct on their part is an ill return for the protection that has been constantly afforded them by the British nation."[1]



The opposition which the English encountered on the part of the people themselves was naturally created by the course which the English pursued. They professed, that they were to retain the government of the country, only during the war. After one or two years, the business and the power would again be consigned to the Nabob; when those who during that interval had acted agreeably to his inclinations would be favoured; those who had conformed to the inclinations of the English would be oppressed. The English collections, therefore, continued far below the amount to which a permanent arrangement might have been expected to bring them.

Hypocrisy was the cause which produced the difficulties resulting to the English from their connexion with the Nabob. They desired to hold him up to the world, as an independent Prince, their ally, when it was necessary they should act as his lord and master. If they succeeded in persuading no other person that he was an independent Prince, they succeeded in persuading himself. And very naturally, on every occasion, he opposed the most strenuous resistance, to every scheme of theirs which had the appearance of invading his authority. If the defence of the country rested with the English; and if they found that to govern it through the agency of the Nabob deprived them of its resources, and above all inflicted the most grievous oppression upon the inhabitants; results, the whole of which might have been easily foreseen, without waiting for the bitter fruits of a long experience; they ought from the beginning, if the real substance, not the false colours of the case, are taken for the ground of our decision, to have made the Nabob in appearance, what he had always been in reality, a pensioner of the Company. What may be said in defence of the Company is, that parliament scanned their actions with so much ignorance, as to make them often afraid to pursue their own views of utility, and rather take another course, which would save them from the hostile operation of vulgar prejudices.

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# CHAP IV.

*Cornwallis takes the Command—Second Campaign begins—Siege of Bangalore—March to Seringapatam—Operations of the Bombay Army—Battle at Arikera between Cornwallis and Tippoo—Army in Distress for Bullocks and Provisions—Obliged to return—Operations of the Mahratta Contingent—Negotiations with Tippoo—Debate in the House of Commons on the War with Tippoo—Preparations for a third Campaign—Reduction of the Fortresses which commanded the Passes into Carnatic, and threatened the Communications—Operations of the Nizam's Army, and of the Mahratta Contingent, in the Interval between the first and second March upon Seringapatam—Operations of the Bombay Army—Operations of Tippoo—March to Seringapatam—Entrenched Camp of the Enemy stormed before Seringapatam—Preparations for the Siege—Negotiations—Peace—Subsequent Arrangements.*

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When the breach with Tippoo first appeared inevitable, the Governor-General formed the design of proceeding to the coast, and of taking upon himself the conduct of the war. He resigned that intention, upon learning that General Medows was appointed Governor of Fort St. George. But he resumed it, when the success of the first campaign fell short of his hopes; and on the 17th of November, wrote to the Court of Directors, that, notwithstanding the good conduct, both of the General and of the troops,

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yet, by the irruption of Tippoo into Coimbetore, by the loss of stores and magazines, and by the check given to Colonel Floyd, enough had been effected to impress unfavourably the country powers, and create a danger lest the Mahrattas and the Nizam should incline to a separate peace: That his purpose, therefore, was, to place himself at the head of the army, not with the overweening conceit that he would act more skillfully than General Medows, but from the supposition, that, holding the higher situation in the government, he could act with the greater weight, and at any rate convince the native powers, by his appearance in the field, of the serious determination with which the East India Company had engaged in the war.

The routes to the centre of Tippoo's dominions, that by one of the southern passes, and that by the line of Velore, Amboor, and Bangalore, presented a choice of difficulties: as the route by the southern passes, gave a line of operation, from Madras, the grand source of supply, both very long, and, owing to the weakness of several of the posts, very difficult to defend; and that, in the direction of Velore, afforded little in the way of supply for the wants of the army, and demanded the preliminary operation of the siege of Bangalore, one of the strongest places in Mysore, distant ninety miles from Amboor, the nearest depot of the besieging army. The issue of the preceding campaign contributed probably to determine Lord Cornwallis in the choice of the latter.

Tippoo, summoned from his negotiations in the neighbourhood of Pondicherry, by intelligence of the march of Lord Cornwallis toward Velore, on the 5th of February, ascended rapidly by the passes of Changama and Policode; and was ready to meet the English army in its attempt to penetrate by any of the usual and easiest of the passes. Contriving the appearances of a march toward Amboor, which completely imposed upon the Sultan, Lord Cornwallis turned suddenly to the north, and was at the head of the pass of Mooglee, before it was in the power of the enemy to offer any obstruction to his march. The English army began to move from the head of the pass on the 21st of February; and it was the 4th of March before the cavalry of the enemy appeared in considerable force. A mind like that of the Sultan was not very capable of entertaining more than one object at a time. All his military operations were suspended while he was preparing at Pondicherry the means of assistance from the French. When he was frustrated in his hopes of resisting the English in the pass, by their ascent at Mooglee, he was wholly engrossed by the thought of his Harem, left at Bangalore. Dispositions might have been made, to impede his enemy in front, and harass them in the rear, in every possible route. The Sultan, on the other hand, chose to go, in person, at the head of his army, to remove his women and valuables from Bangalore, a service which might have been performed by any of his officers with 500 men; and he allowed the English General to arrive within ten miles of his object, before he had occasion to fire a gun. An intended assault on the baggage on the morning of the 5th was frustrated by a skilful movement of the General; and in the evening the English took up their position before Bangalore, without any loss of stores and only five casualties, after a day's exertion of the whole army of Tippoo.



Next day, as the cavalry, commanded by Colonel Floyd, and a brigade of infantry, were performing in the afternoon an observation to the south-west of the fort, they unexpectedly approached the line of encampment, which the Sultan had marked out, and which his army, by a circuitous and undiscovered march, were just beginning to enter. A body of about 1,000 horse, all who were not foraging, ordered to check the approach of the English, were the only part of the enemy yet seen by Colonel Floyd; and he moved against them with his cavalry, leaving the infantry in a swampy hollow, with orders there to wait his return. The retreat of Tippoo's horse discovered the rear of his infantry with baggage and guns; the temptation was great; the orders against an enterprise were forgotten; the flying enemy left their guns; the ground became irregular and strong; several charges had been made successfully on the right and the left, when Colonel Floyd advancing to dislodge the largest body of the enemy, received a musket ball, and fell. Though he was not mortally wounded, a retreat commenced; orders could not be distinctly communicated; great confusion ensued; but the infantry, which had been left under Major Gowdie, advanced with their guns to an eminence which commanded the line of retreat, and after allowing the cavalry to pass, opened a fire upon the enemy which soon cleared the field. The danger was over, when Lord Cornwallis arrived with a division of the army to the support of the fugitives.



The Pettah, a considerable town surrounded by a wall and a ditch, was assaulted on the 7th. "Two ladders," says Colonel Wilks, "would probably have saved many lives,

but there was not one in camp; and after a long delay in making a practicable opening in the gate, which the troops bore with the greatest steadiness and patience, the place was at length carried." The Sultan, the very same day, made a powerful effort for its recovery. A part of his army endeavoured to gain the attention of the English by a feint to turn their right, while the main body, by a concealed movement, entered the Pettah. Cornwallis had understood the stratagem, and reinforced the Pettah. So long as the struggle was confined to firing, the superiority was on the side of the Sultan; but when the British troops had recourse to the bayonet, they pressed the enemy from one place to another, and after a contest of some duration, drove them out of the town, with a loss of upwards of two thousand men.[1] The siege had continued till the 20th of March, the besiegers incessantly threatened by the whole of the enemy's force, the place not only not invested, but relieved at pleasure with fresh troops; when the Sultan, perceiving that operations were approaching to maturity for the assault, placed his guns, during a fog, on the 21st, in a situation of some strength, whence he could enfilade and destroy the whole of the trenches, and open sap. The English General struck his camp as soon as he perceived this alarming design, and endeavoured to deter the enemy by threatening a general attack. The guns were removed, but carried back in the evening. And this with other causes determined the English General to overlook all the impediments which yet remained to be removed, and to give the assault on that very night. The intention was concealed from his own army till the last moment; and only communicated to the senior officer of artillery, who employed the intermediate space in perfecting, as far as possible, the breach, and taking off the defences of all the works which commanded it. The ladders were nearly planted before the garrison took the alarm. However carefully the intention of assaulting had been concealed, it was not unknown to the Sultan, who, at night-fall, moved his whole army within a mile and a half of the Mysore gate, warned the garrison of the impending trial, and appointed two heavy corps to fall upon both flanks of the assailants; though such effectual precautions were employed to protect them as frustrated all his designs. The serious struggle had just begun in the breach, when a narrow circuitous way was discovered, which led a few men to the rampart. They waited coolly till joined by a sufficient number of their comrades to enable them to charge with the bayonet. Till the Kelledar fell, the garrison maintained a vigorous resistance. The English, as they penetrated, proceeded by alternate companies to the right and left, every where overcoming a respectable opposition, till they met at the opposite gate. The fury which almost always animates soldiers in a storm, when their own safety depends upon the terror they inspire, led to a deplorable carnage. The enemy crowding to escape had choked up the gate: and the bodies of upwards of one thousand men were buried after the assault. The Sultan, when advertised of the attack, sent a large column to reinforce the garrison, which was approaching the Mysore gate, at the moment when the invaders had met above it from the right and the left. A few shots from the ramparts apprized them of the catastrophe; and the Sultan, who had shown great timidity during the siege, and availed himself very feebly of his means to annoy the besiegers, and waste their time, remained in a sort of torpid astonishment till the dawn, when he returned to his camp.


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Nothing but the blunders of Tippoo appears to have prevented this enterprise from failing. And to the evil consequences of that failure, the limit is not easy to assign. "The forage and grain found in the Petta," says Colonel Wilks, "had long been consumed; the neighbouring villages had all been effectually destroyed: and the resource of digging for the roots of grass within the limits of the piquets had been so exhausted, that scarcely a fiber remained. The draught and carriage cattle were daily dying by hundreds at their piquets; and those intended for food scarcely furnished the unwholesome means of satisfying hunger. Grain, and every other necessary, including ammunition, were at the lowest ebb."

Such were the circumstances of the British army. "Of raising the siege," says Colonel Wilks, "the most favourable result would have been, the loss of the whole battering train; and a retreat upon the depots of Coromandel, pressed by all the energy with which such an event could have inspired the Sultan's army."

On the 28th, Lord Cornwallis was able to move from Bangalore, and proceeded in a northern direction, "the cattle reduced to skeletons, and scarcely able to move their own weight." The intention of this movement was to effect a junction with the corps of cavalry destined for him by the Nizam, his ally. The English and the Sultan crossed each other on the march, when the Sultan declined a reencounter. The forts of Deonhully and Little Balipoor surrendered to Cornwallis without opposition as he passed; and he was joined by the polygars, who paid dearly afterwards to the Sultan for their fault. Intelligence again deserted the English army. After a march of about seventy miles, notwithstanding, in their situation, the unspeakable importance of time, they came to a stand, not knowing what to do; and halted for five days. False information at last induced the General, in despair of meeting the Nizam's cavalry, to terminate his movement in that direction, and proceed southwards, to meet a convoy advancing by the pass of Amboor. After marching a day in this retrograde direction, he received fresh information, which induced him to trace back his steps; and in two days more he was met by his ally. The force of this ally was nominally 15,000, in reality 10,000 well-mounted horsemen, who were expected to render good service, in performing the duties of light troops, and extending the command of the army over the resources of the country. The hope of any assistance from them, whatsoever, was almost immediately found to be perfectly groundless. "They soon," says Colonel Wilks, "showed themselves unequal to the protection of their own foragers on ordinary occasions; and, after the lapse of a few days, from leaving Bangalore, they never stirred beyond the English piquets, consuming forage and grain, and augmenting distress of every kind, without the slightest return of even apparent utility."



All the means procurable, for the siege of Seringapatam, were now prepared at Bangalore. By the beginning of May, the equipments of the army, except in the article of cattle, were reckoned complete; and beside the motives of economy, and other local advantages attending the termination of the war, Lord Cornwallis, we are informed, was stimulated by a consideration of the French revolution, to a degree of precipitation, of which, in other circumstances, he

might not have approved. The apprehensions and jealousy of the Sultan, and some discoveries at this time of treachery, fired him to various acts of cruelty. Before the departure of Lord Cornwallis from Bangalore, he had taken a strong position on the main road to his capital. To avoid this position, and also a road on which the forage had been carefully destroyed, the English General took the route of Caunkanhully; but the Sultan soon found the means of rendering this, also, a march through a desert.

On the 13th of May, the English army reached Arikera, about nine miles from Seringapatam; the failure of the cattle increasing every day, and the followers of the camp already in the greatest distress for grain, of which a quantity had been destroyed from want of ability to carry it on.

It had been planned that General Abercromby, with the Bombay army, should ascend the Ghauts from Malabar, and penetrate to the centre of the Sultan's dominions, in co-operation with the main army from the east. With infinite labour, that army had constructed roads, and carried a battering train, with a large supply of provisions and stores, over fifty miles of stupendous mountains; "every separate gun being hoisted over a succession of ascents by ropes and tackle." They had reached Poodicherrum by the first of March. But as Lord Cornwallis was not yet ready to advance, he transmitted instructions to that General to halt; and only after he returned to Bangalore, with the cavalry of the Nizam, sent him orders to advance to Periapatam, a place distant about three marches from Seringapatam.

When the army, led by the Governor-General, arrived at Arikera, the river was already so full, as to render impracticable, or at any rate dangerous, his original plan of crossing at that place. Communication, however, was necessary with the army of Abercromby; and he resolved to march to the ford of Caniambaddy, eight miles above Seringapatam. The Sultan, in the mean time, not daring to leave his capital to strike a blow at the army descending from the west, and ashamed to let it be invested without a struggle, had mustered resolution for a battle. On the same day on which the English army arrived at Arikera, the enemy took up a strong position about six miles in their front. As the ground for the direct approach of the English army was unfavourable, being a narrow broken space between the river and a ridge of hills, the commander resolved, by a march, which he learned was practicable, to cross, during the night, the ridge of hills on the enemy's right, to turn his left flank before day-light, and gaining his rear, cut off the retreat of the main body of his army to Seringapatam. A dreadful storm disconcerted this well-concerted enterprise; by rendering it impossible for the corps to find their way, and proceed in the dark. Lord Cornwallis, however, halting till dawn, resolved to persevere, as he could not repeat his stratagem, after the enemy was apprised; and expected some advantage, by forcing him to an action on other ground than that which he had deliberately chosen.

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"Tippoo Sultaun did not decline the meeting; and the praise," (says Colonel Wilks, who appears to have little pleasure in praising the Sultan, but great in imputing to him all the bad qualities which belong to the most despicable, as well as the most odious, of the human race) "cannot, in justice, be denied to him on this occasion, of seeing his

ground, and executing his movements, with a degree of promptitude and judgment, which would have been creditable to any officer." The loss of the English was chiefly sustained during the time necessary to form under the guns of the enemy. For after they were in a condition to advance, the troops of Tippoo did not long maintain their ground; and were pursued till they found refuge under the works of Seringapatam.



So ill were the arrangements of the English taken for procuring intelligence, and so well those of Tippoo for intercepting it, that no information was possessed of General Abercromby, to open communication with whom, it was now resolved to march to Caniambaddy. In this march, lengthened by a circuit to twenty miles, three days were consumed; exhibiting to the enemy, in the battering train, and almost every public cart in the army, dragged by the troops, "conclusive evidence," says Colonel Wilks, "of the utter failure of all the equipments of the English army." Not only were food and carriage wanting; but fatigue, with the rains, which were now almost incessant, and defective, unwholesome food, had filled the camp with disease, in which, in addition to other horrors, the small-pox raged with uncommon violence.

Such, in the mind of Lord Cornwallis, was the state of the faculties on which foresight depends, that, after he had brought the army to the extreme point of its line of operations, on the day after his arrival at Caniambaddy, when the official reports of the morning were presented to him, and not before, did he discover, that all this fatigue, all this misery, all this loss of lives, and all this enormous expense, were to no purpose; that he could not attempt a single operation, that he must destroy the whole of the battering train and heavy equipments, and lose no time in endeavouring, by retreat, to save, if it yet were possible, the army from destruction.

To General Abercromby, of whom as yet no intelligence was obtained, orders were written to return to Malabar. On the same day the appearance of considerable bodies of troops marching, as toward General Abercromby, from Seringapatam, so greatly alarmed the Governor-General, that he sent three brigades across the river, merely to attract the enemy's attention; though it was not improbable that the river would fill, and, precluding return, place them in a situation from which they could hardly expect to escape.

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General Abercromby received, not without surprise, the orders to return. They were followed by a similar destruction of the heavy guns and equipments, as that which took place in the army of Cornwallis; except that a part of the guns were buried at the head of the pass. Almost all the cattle lost their lives, and the men their health, in performing back a long and unprovided march at a dreadful season. And the cost of this expedition, in men, in money, and in labour, was added to the loss occasioned by the fruitless march of the army from the east.

On the 26th of May, the army commenced its melancholy return. Before the first six miles were accomplished, a party of horse unexpectedly rode in upon the baggage flank. They were taken for enemies; but proved to be Mahrattas, from whom was

received the joyful intelligence of the near approach of two armies, led by two of the Poonah Chiefs, Hurry Punt, and Purseram Bhow.

The tardy arrival of the Mahrattas has been accused, as the cause of the disaster sustained by the British army, and of their disappointment in respect to the capture of Seringapatam. How far it was in the power of the General to have provided himself better with bullocks and provisions, we are without the means of accurate knowledge. That no dependance ought to have been placed upon the punctuality of the Mahrattas, it would be extraordinary indeed if there was not, at that time, sufficient experience in his camp to give him full information. Of the campaign of this portion of the confederate force a very brief account must suffice.



The detachment of the British troops, for whose service with the Mahrattas an agreement had been made in the recent treaty, left Bombay on the 20th of May, 1790; disembarked in the Jaigur river; ascended the Ghauts by the Ambah pass; and joined the army of Purseram Bhow, consisting of about 20,000 horse, and 10,000 foot, near the town of Coompta, about fifty miles from the pass, on the 26th of June. They proceeded without resistance till they arrived at Darwar, one of the great barriers of Tippoo's northern frontier, situated some miles south of the river Malpurba, and from Goa eastward about seventy miles. The Mahrattas took ground before the place on the 18th of September; and it was not till the 3d of April, after a wretched siege of twenty-nine weeks, that it surrendered upon capitulation. The Mahrattas, when battering in breach, aim at no particular spot, but fire at random all over the wall. "From their method of proceeding," says Lieutenant Moore, who was an indignant witness of so much loss of time, "we are convinced they would not, with twenty guns against the present garrison, approach and breach Darwar in seven years. A gun is loaded, and the whole of the people in the battery sit down, talk, and smoke for half an hour, when it is fired, and if it knocks up a great dust, it is thought sufficient; it is reloaded, and the parties resume their smoking and conversation. During two hours in the middle of the day, generally from one to three, a gun is seldom fired on either side, that time being, as it would appear, by mutual consent set apart for meals. In the night the fire from guns is slackened, but musquetry is increased on both sides, and shells are sparingly thrown into the fort with tolerable precision."

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The same intelligent officer makes the following remarks. "March the 1st.—Our line is more sickly than it has hitherto been; many officers are ill: and among them our Colonel; whose situation is peculiarly cruel, being the only Company's officer, commanding in the field, set down before a fort of this importance, without a single requisite for reducing it, and subject to the delays, and irksome frivolity, of our tardy allies.—Too much confidence seems to have been placed in their promises of supplies: And it should be a caution, how, again, the success and credit of the British arms is suffered to depend upon the punctuality of a country power.—If any can be at all trusted, it certainly is the Mahrattas: But, even with them, it seems a matter of little moment to what extent their promises are made. And although, at the time, they may have no intention of breaking them, it is to be understood that failure is no discredit:

Nor must punctuality be expected any further than their own views are forwarded by observing it."

"March the 13th.—We were this morning," continues Mr. Moore, much surprised to hear of the death of our much respected Colonel; for none but the medical gentlemen had any idea of its being so near. Actuated by the ardour of a soldier, his enterprising spirit could not brook the procrastination to which he was obliged to submit; and, losing, with the unsuccessful attempt of the 7th of February, all expectation of an honourable conquest of the fort, he had from that time been on the decline. No event could have been more acute to his detachment, for with them he was universally beloved; nor could the Bombay army, of which he was at the head, have sustained a severer loss."[1] Colonel Frederick, such was the name of this meritorious officer, was succeeded by Major Sartorius, in the command of the detachment; and by Captain Little, when that officer returned to Bombay, after the surrender of Darwar.



The original garrison was estimated at 10,000 men; but from the numbers which were sent away after the Pettah was taken, and the desertions and casualties during the siege, it was at last reduced to 3,000. To have placed Darwar in blockade, nothing less than an army would have sufficed; and the capture was necessary to secure the Mahratta communications. Had it fallen earlier, the Mahratta army would have been employed in ravaging Tippoo's dominions, and cutting off supplies from the country to the north.

The Bhow's army, after leaving Darwar, proceeded by easy marches to the Toombudra, and had subdued the little resistance opposed to them at all the forts which protected the possessions of Tippoo north of that river, early in May. Lord Cornwallis had written to Poona that he expected to be joined by this chief at Seringapatam. And as soon as the Bhow obtained intelligence of the arrival of the English at Seringapatam, he proceeded towards them with all the expedition in his power. As he approached, he was joined by Hurry Punt, who had advanced by a more easterly route through Gooty, Raidroog, and Sera, recovering, in that direction, the conquests made upon the Mahrattas by Hyder and his son; and on the 28th of May, the interview between them and the British commander took place. At this period the army of the Bhow was estimated at 20,000, that of Hurry Punt at 12,000, horse and foot.[1]



But the Mahrattas, now when they had arrived, were unable to keep the field, or at least persuaded Lord Cornwallis that they were unable, unless they received from the English pecuniary support. He agreed to advance to them a loan of twelve lacks of rupees; and in order to obtain the money had recourse to one of those bold expedients which would have proved the ruin of any of his less protected predecessors. From his camp, near Ootradroog, on the 21st of June, he wrote to the Governor and Council of Madras, to take the treasure out of the China ships, and, coining it into rupees, to send it to him with the utmost possible dispatch.[2]

Tippoo announced to his own people the battle on the 15th as a victory, the effect of which had been to make the English destroy their battering train, and force them to retreat, and on the 26th, he ordered a salute to be fired from the fort. In the mean time, certain communications had taken place between him and Lord Cornwallis on the subject of peace. So early as the 18th of February a letter from the Sultan, dated the 13th, was received at Muglee, proposing to send or receive an ambassador. Lord Cornwallis replied on the 23d, that as the infraction of the treaty was on the part of the Sultan, it was necessary to know whether he was prepared to make reparation. On the 3d of March an answer arrived, in which the



Sultan endeavoured to show, that the conduct of the Rajah of Travancore justified the attack upon his lines; at the same time disclaiming all idea of insult to the British government; and expressing a wish for negotiation. To this he received no reply. On the 27th of March the Sultan dispatched another letter, offering directly to send an ambassador. Lord Cornwallis declined receiving an ambassador, on the ground of his not as yet having with him any persons qualified to treat on the part of his allies; but if the Sultan would send his propositions in writing, he would transmit them to those allies, and return an answer. On the 17th of May, when Lord Cornwallis released the wounded prisoners after the action of Arikera, Tippoo renewed the proposal of negotiation. Lord Cornwallis, having persons now with him, on the part of the Mahrattas and the Nizam, answered, on the 19th, that if the Sultan would state his propositions in writing, commissioners might be chosen to meet; and that he would consent to a cessation of hostilities, if it were the Sultan's desire. On the 24th, when Lord Cornwallis was at Caniambaddy, had destroyed his battering train, and sent three brigrades across the river, Tippoo answered. He took no notice of the proposition for a cessation of hostilities, and only urged anew the propriety of mutually appointing confidential persons to discuss. Lord Cornwallis now departed from the point of written propositions, on which he had hitherto insisted, as an indispensable preliminary, and proposed that the allies should send deputies to Bangalore. On the 27th, when this letter was not yet answered, and the army, now joined by the Mahrattas, was advancing in view of Seringapatam, a present of fruit was sent to Lord Cornwallis, accompanied by a letter from the Sultan's secretary to the Persian interpreter. This was regarded as a contrivance to sow jealousy between the English and



their allies: and the present was returned.[1] On the 29th, Tippoo replied; and after some prolix and vague explanations, recommended that Lord Cornwallis should return to the frontier, and then act as his last letter proposed.

With the Mahratta army, provisions and draught cattle arrived; though these allies, knowing well the situation of the English army, would part with nothing at a moderate price. The loss, however, of the battering train, the return of General Abercromby, and the state of the season, forbidding the siege of Seringapatam; the combined army, having resolved upon falling back to Bangalore, proceeded on the 6th of June, in a northern direction, to Naugmungul, and thence eastward to the river Madoor, which they crossed on the 19th of the same month. While encamped on the eastern bank of this river, a detachment of the English army went forward to summon and threaten Hoolydroog; a hill fort, six miles east from the pass of the river, too strong to have

been taken, had the courage of the garrison allowed them to defend it; but they dreaded resistance of European soldiers, and agreed to surrender, upon condition of security to themselves and their private property. A provision was found in it of sheep, cattle, and grain;
a seasonable relief to the army; and the fort was destroyed, as neither the English nor the Mahrattas thought it worth retaining. The fortresses of Ootradroog, and Savendroog, were likewise summoned during the march; but without effect; and in present circumstances, it was not expedient to attempt their reduction.



The combined army arrived in the neighbourhood of Bangalore early in July; and were exhilarated by several articles of agreeable intelligence.

To supply the demand of the army for draught bullocks and rice, the following were the plans which, upon the discovery of that deficiency which occasioned the retreat, were adopted. The trade of corn in India is carried on in a mode peculiar to that country. The merchants in corn are a particular caste denoted by the term Brinjarries. They traverse the country, conveying the grain, often from the greatest distances, in large bodies which resemble the march of an army. They encamp with regularity, never lodging in houses; are strongly armed; and ready to fight no contemptible battle in their own defence. The practice comes down from a remote antiquity; and marks that unsettled and barbarous state of society, when merchants are obliged to depend upon themselves for the means of their defence. The experienced utility of their services has procured them considerable privileges. They are regarded as neutral in all wars; they enjoy a right of transit through all countries; and the armies, which spare nothing else, act under a species of obligation, seldom violated, of respecting the property of the Brinjarries. One of the officers of the Company, Captain Alexander Read, well acquainted with the language and customs of the natives, suggested to the Commander in Chief the expedient of availing himself of the extensive resources of the Brinjarries. It was resolved, in consequence, that
encouragement should be held out to them, to resort with their cargoes to the English camp. Captain Read was employed to circulate intelligence; and before the arrival of the army he had collected more than ten thousand bullock loads of grain.

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For the supply of bullocks, nearly forty thousand of which had been lost in the last campaign, Lord Cornwallis, beside the contractors, employed agents to purchase them on the part of the government, and directed the same to be done at Madras. As a relief to the exigencies of this department, he also made an agreement with the officers, to carry and provide their own tents for a monthly allowance, during the remainder of the war, and a similar arrangement with the officers commanding battalions of sepoys, for the tents of their corps, and the carriage of their ammunition and stores. Upon the arrival of the army at Bangalore, it was found that success had attended those exertions; and that 100 elephants from Bengal had arrived at Velore.

The army had the further satisfaction of learning that Gunjcotah, which had been for some time besieged by the Nizam's troops, including the British detachment, had surrendered on the 12th of June; and had given a valuable country to that ally.

The intelligence also from Europe was exhilarating, to an army keen for the continuance of the war. On the 22d of December, 1790, Mr. Hippesly, in the House of Commons, had called in question the justice and policy of the war: had affirmed that the Rajah of Travancore was the aggressor, by his lines on the Cochin territory, and his purchase from the Dutch; that the Mahrattas were the people from whom in India the greatest danger impended over the interests of England, and that the Mysore sovereign was
valuable as a balancing power; that the resources and genius of Tippoo rendered a war against him an undertaking of no common difficulty and hazard; and that the finances of the Company, feeble and exhausted as they were acknowledged to be, could ill endure the burthen of an expensive war. Mr. Francis and Mr. Fox repeated and enforced the same considerations.



On the 28th of February, Mr. Hippesly renewed the discussion, when the alliance concluded with the Nizam and Mahrattas afforded a new topic. He complained that, in those treaties, though made ostensibly on account of the attack on Travancore, the Rajah was not mentioned. The cause however of the Rajah was included in that of the English; and the interposition of such a people as the Mahrattas and the Nizam, in any shape, between the English and their allies, was incapable on almost any occasion of conducing to good, far from incapable on many occasions of conducting to evil.

Mr. Fox assailed the alliance in a tone of vehement reprobation. He denounced it a plundering confederacy for the purpose of extirpating a lawful Prince. He said, that when the progress of civilization had rendered men ashamed of offensive alliances in Europe, we had signalized our virtue by renewing them in India. He described the family compact of the House of Bourbon, as the last of those odious leagues which had disgraced the policy of civilized Europe. As soon as a better order of things in France arose, it dissolved, he said, that wretched engagement, and put an end, he hoped for ever, to those expedients of wicked governments in a barbarous age.

In reply to these accusations, circumstances were presented to show; that the war in the first place was defensive; in the next place necessary to deter an insatiable enemy from perpetual encroachments;
and lastly politic, as affording every prospect of a favourable termination. And on the 22d of March, Mr. Dundas moved three resolutions, which passed without a division, declaring that
Tippoo had broken the treaty by his attack on the lines of Travancore, and that Lord Cornwallis deserved approbation, as well for his determination to prosecute the war, as well for his determination to prosecute the war, as for the treaties he had formed with the Nizam and Mahrattas. The favour manifested to the war in England, was by no means confined to empty praise. The Company resolved to send out 500,000*l.* in specie: An augmentation was voted to the establishment of the King's regiments in India: Another detachment of the royal artillery was destined for the same service; The Company exterted themselves to send out recruits: And all these reinforcements and supplies, the General was given to understand he might receive by the ships of the season.

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It was necessary for the facility of subsistence, and certain preparatory operations, that the allied armies should separate during the inactive season. The Bhow, with the detachment of Captain Little, shaped his course toward Sera. The greater part of the Nizam's horse went to join the rest of the Nizam's army Hurry Punt, with the English remained at Bangalore. Tippoo, it was supposed, would not dare to make an advance against any of these detached armies, for fear of being intercepted in his retreat.

The Policade pass afforded the easiest communication with Carnatic; and one of the most commodious issues for the sudden incursions of the enemy. It was commanded by several forts, of which Oossoor and Rayacottah were the chief. With four heavy iron guns, which had not been carried to Seringapatam, and four iron twelve-pounders, which had been kept



for field service, when the heavier guns were destroyed, the army on the 15th of July began to move towards Oossoor. Tippoo had lately made exertions to improve the defences of this important place; fortunately they were not so far advanced as to render it tenable in the opinion of its defenders; and upon the approach of the English they made a precipitate retreat. From Oossoor, left with a strong garrison, a brigade of the army under Major Gowdie, proceeded against Rayacottah; which consisted of two forts, one at the bottom, the other at the top of a stupendous rock. They carried the first by assault; and, pursuing the fugitives, got possession of two walls, which formed a rampart between the higher and lower fort. The place, if well defended, was too strong by nature to be reduced; and Major Gowdie had instructions to return, if it was not surrendered upon the first attack. As the lodgement, however which he had effected on the hill, covered the troops from the fire of the upper fort; and he believed the enemy intimidated, he begged permission to persevere. The daring conduct of the assailants, with aid from the main army soon produced the desired effect upon the mind of the Kelledar; and on condition of security to private property, and leave to reside with his family in Carnatic, he surrendered this "lofty and spacious fort, so strong and complete, in all respects, that it ought to have yielded only to famine and a tedious blockade."[1] The rest of the forts by which the pass was defended, either obeyed the summons, or made but a feeble resistance. The convoy which had reached Amboor, on its way from Madras, received directions to proceed by the newly opened route, and the army remained in the neighbourhood of Oossoor to cover its march. One hundred elephants, all



loaded with treasure, marching two a breast, with the British standard displayed; 6000 bullocks with rice, 100 carts, with arrack, and several hundreds of coolies, with other supplies, entered the camp on the 10th of August: a convoy to which nothing similar had ever joined a British army on Indian ground.

While the army remained at Oossoor, a vakeel, commissioned to treat with all the allies conjointly, was sent by Tippoo. Lord Cornwallis consented, it seems, to receive him, "at the warm instances of Hurry Punt;" little expecting that Tippoo would yet submit to the terms he was disposed to require, but desirous of avoiding every appearance, which might be thought to indicate a disinclination to peace. Upon a point of form, the ambassador being commissioned to treat only with principals, and Lord Cornwallis declining to treat with an agent, and upon the surmise that the object

of Tippoo was intrigue, and the consumption of time, the messenger was sent back to his master without being permitted to enter the camp.[1]

Between Bangalore and Goorumconda lay some hill forts, which interrupted the communication with the Nizam's army, and rendered it difficult to receive supplies from the country to the north. The brigade of Major Gowdie was again in requisition. The only fortress which made any considerable resistance was Nundydroog, before which the Major arrived on the 22d of September with a force, consisting of one regiment of Europeans, six battalions of sepoys, six battering guns, and four mortars. The fort was situated on the summit of a mountain, about one thousand seven hundred feet in height, of which threefourths of the circumference was absolutely inaccessible, and the only part which could be ascended was guarded by two excellent walls, and by an outwork which covered the gate-way and yielded a flank fire. A road was cut, and the guns dragged with infinite difficulty to the top of an adjacent hill; but there, after a battery was erected, the guns were found to be too distant even to take off the defences of the fort. No alternative remained, but either to work up the face of the principal hill, or lose the advantage of the impression struck on the minds of the enemy's garrisons, who believed that no strength, either of nature or of art, was sufficient to protect them against an English attack. The exertions demanded were excessive. Without the strength and sagacity of the elephants, the steepness of the ascent would have rendered it impossible to carry up the guns. Fortunately the shot of the fort, from a height so nearly perpendicular, seldom took effect; but the men were severely galled by the ginjall, a species of wall pieces, which threw with precision, to a great distance, a ball of considerable size.



Batteries were erected after a labour of fourteen days; and in a short time two breaches were effected, one on the re-entering angle of the outwork, the other in the curtain of the outer wall; while the inner wall, at the distance of eighty yards, could not be reached by the shot. The Governor still refused to surrender, and the British commander made an offer, which it is pleasing to record, to send out the women, and other persons not bearing arms, that they might not suffer in the storm. The breaches being reported practicable to the Commander-in-Chief, he detached the flank companies of the 36th and 71st regiments to lead the assault; and General Medows, who, though superseded in the chief command, had seconded every operation of the war with an ardour and fidelity which did him the highest honour, offered to conduct the perilous enterprize. It was determined to storm the breaches, to attempt the inner wall by escalade, and, if this should fall, to make a lodgement behind a cavalier between the walls, and thence proceed by regular attack. A trench which had been dug within a hundred yards of the wall was formed into an advanced parallel, and the flank companies were lodged in it before day break. At midnight, the orders were given, when the men moved out from the right and left of the parallel, and rushed to the assault.[1]



The fort was instantly illuminated with blue lights; a heavy fire was opened; and large stones were rolled down the hill. The fire was ill-directed; but the stones rushing down the precipice were exceedingly formidable, and had considerable effect. Both

the breaches were quickly mounted; and the storming party penetrated with such rapidity, that time was not allowed for barricading completely the gate of the inner wall, and, after some difficulty, it was fortunately opened. The meritorious exertions of Captain Robertson, who led the grenadier companies to the breach in the curtain, prevented the carnage which so often attends the capture of places by assault; and of the whole garrison, about forty only were killed and wounded. The storming party had two men killed and twenty-eight wounded, the latter chiefly by the stones descending the hill.



By this time the ships of the season had brought out the expected reinforcements, money and military stores, with 300 troops from St. Helena, who coming a shorter voyage, and seasoned to a warm climate, arrived in perfect health: The powers of the several Presidencies had been strained to the utmost to make provision for the war: The preparations were upon a great scale; and now in a high state of perfection. From Nundrydoog the army moved toward the passes, for the protection of the convoys proceeding from Madras; while a detachment, commanded by Col. Maxwell, was sent to clear the Baramhal valley, in which, and the adjoining districts, a party of the enemy were effecting depredations.

The principal protection of this predatory party was Penagra, a strong mud fort at the south end of the valley. By forced marches the detachment arrived before it on the 31st of October. A flag of truce, sent to summon, was invited to advance, by signs from the wall, and then repeatedly fired upon. The wall was scaled; and the enemy hung out the flag for quarter in the middle of the assault. It was too late: the troops had closed with them; and out of 300 men who composed the garrison, 150 were slain. Of the captors, seven alone were slightly wounded.

The detachment returned, and encamped within a few miles of Kistnaghery. This was another of those stupendous rocks, or rather insulated mountains, which form the strong holds of India, and one which yielded to few of them in natural strength. Although it was not supposed that the reduction of the upper fort was an undertaking to which the detachment was equal, it was of importance, in order, as much as possible, to cut off whatever afforded cover to the predatory incursions of the enemy, to destroy the Pettah, and the works, at the bottom of the hill. They were attacked under cover of the night; and the troops escalading the walls, got possession of them without much resistance. The ardour of the assailants made them conceive the hope of entering the upper fort with the fugitives. They rushed up with such rapidity, that, notwithstanding the length and steepness of the ascent, the enemy had barely time to shut the gate; a standard of the regulars was taken on the very steps of the gateway; and had the ladders been up at this critical moment, it is probable that the walls would have been escaladed. The enemy had time to begin their operation of rolling down enormous stones, which, descending in vast quantities, crushed, at once, the ladders and the men. During two hours the strongest exertions were made, to get the ladders up the small part of the road which was most exposed to the stones. But a clear moon-light discovered every motion; and, when most of the ladders were broken, and the troops

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had severely suffered, Colonel Maxwell was compelled to put an end to the attempt. After this, having reduced several petty forts, he rejoined the army.

Between Bangalore and Seringapatam, lies a track of hills, thickly covered with wood, extending from the vicinity of Bangalore to the river Madoor. This difficult country, which of itself formed a strong barrier to the capital of Mysore, was studded with forts, of which some, particularly Savendroog, was of extraordinary strength. It offered such advantages to the enemy, for interrupting the communication with Bangalore, when the army should advance to Seringapatam, that the Brinjarries, who engaged for large quantities of grain at Bangalore, would not undertake to supply it beyond Savendroog, if that fortress remained in the enemy's hands. Lord Cornwallis was now provided with his battering train; and resolved, while delayed by the Mahrattas, and waiting for the last of the convoys, to make an effort to gain possession of this important, but formidable post.



It is a vast mountain of rock, computed to rise above half a mile in perpendicular height, from a base of eight or ten miles in circumference, surrounded by a close forest, or jungle, several miles in depth, having its natural impenetrability heightened by thickets of planted bamboos. A narrow path, cut through the jungle, in a winding direction, and defended by barriers, served as the only approach to the fort: The natural strength of the mountain had been increased by enormous walls, and barriers, which defended every accessible point: And to these advantages was added the division of the mountain, by a great chasm, into two parts at the top, on each of which was erected a citadel; the one affording a secure retreat, though the other were taken; and by that means doubling the labour of reduction.

Lieutenant Colonel Stuart, employed during the first campaign in reducing Dindegul and Palacatcherry, was destined to command at the siege of Savendroog. On the 10th of December, he encamped within three miles of that side of the rock from which it was proposed to carry on the attack; while the Commander-in-Chief made that disposition of the rest of the army, which seemed best adapted to cover the besiegers, and secure the convoy.

The first labour was immense, that of cutting a way through the powerful jungle, and transporting heavy guns over the rocks and hills which intervened.

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The closeness of the surrounding hills and woods had rendered this fortress as remarkable for its noxious atmosphere as its strength. Its name signified literally the rock of death. And the Sultan congratulated his army upon the siege; at which one half, he said, of the English army would be destroyed by sickness, the other by the sword. The confidence of the garrison in the strength of the place had this good effect, that it made them regard the approach of the besiegers as of little importance; and they were allowed to erect their batteries without any further opposition than the fire of the fort.

Within three days after the opening of the batteries the breach was practicable. The jungle was now of advantage; for growing close up to the very wall the troops were

able to scramble up unseen by the crevices and rugged parts of the rock, and made a lodgment within twenty yards of the breach. The 21st of December was the day chosen for the assault; and Lord Cornwallis and General Medows arrived to witness the terrible scene. The grenadiers of the 52d, and flank companies of the 76th regiment, led by Captain Gage, were to gain the eastern summit; Captain Monson, with the light company of the 52d, was to scour the works on the western; the flank companies of the 71st, under Captains Lindsay and Robertson, were to engage whatever works or parties might be found in the chasm between; the 52d and 72d regiments to follow the flank companies; and parties, under Colonel Baird and Major Petrie, were to proceed round the mountain, for the purpose of attracting the attention of the enemy, and preventing escape.



At an hour before noon, on a signal of two guns from the batteries, the flank companies advanced to the breach, and mounted, while the band of the 52d regiment played *Britons strike home.* The enemy who had descended for the defence of the breach, when they beheld the Europeans advancing, were seized with a panic; and Captain Gage had little difficulty in carrying the eastern top: The danger was, lest the flying enemy should gain the western summit, which, from the steepness of the approach, and the strength of the works, might require a repetition of the siege. To provide for this contingency, Captain Monson had directions, if he thought advancing imprudent, to effect a lodgment in some part of the hill from which the operations might be carried on. Fortunately the enemy impeded one another in the steep and narrow path up which they crowded to the citadel, while some shot, which opportunely fell among them from the batteries, increased their confusion. Captain Monson, with the light company of the 52d regiment, and a serjeant and twelve grenadiers of the 71st, pressed after the fugitives, and, so critical was the moment, that the serjeant of the 71st regiment shot, at a distance, the man who was closing the first of the gates. All the other barriers the English entered along with the enemy, about 100 of whom were killed on the western hill, and several fell down the precipices endeavouring to escape. The prisoners taken were few. The garrison, they said, had consisted of 1,500 men, but a great part of them had deserted during the siege. Of the English, only one private soldier was slightly wounded.

On the 23d of December, Colonel Stuart was again detached against Ootradroog. This was another fortress of thesamedescription, about twelve miles from Savendroog. It had been summoned, when the army retreated the preceding year from Seringapatam. But the Kelledar replied, “I have eaten Tippoo’s salt for twenty years, and will not give up my post, till you first take Seringapatam.” He was still so determined in his resistance, that he would admit of no communication, and fired on the flag. Next morning the lower fort was carried by escalade; when the Governor requested a parley. While this was taking place, the assailants imagined they saw the garrison moving, and treacherously pointing their guns; upon which they rushed to the assault. Some of the gateways they broke, others they escaladed. Though many parts of the road were so narrow and steep, that a few resolute men might have defended themselves against any attack, so great was the alarm of the enemy, that they fled wherever they saw a single European above the walls. At the last gate only, they fired

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a few shot, by which two soldiers were wounded. Masters of the summit, the assailants fell upon the garrison, of whom many, to avoid the bayonets, precipitated themselves from the rock. The Kelledar, with some others, was taken prisoner. He reported, that his garrison, on the arrival of the detachment, had mutinied; and that 400 had deserted during the night.

After the success of these hazardous enterprises, none of the inferior places had courage to resist; and the line of communication for the ultimate operations of the war was now rendered secure. The last great convoy from Madras, of which the fall of the rains, and the state of the roads, had rendered the progress very slow, arrived, on the 2d of January, at Bangalore. The Brinjarries had 50,000 bullocks, conducting grain to the army, even from the enemy's country itself, in quantities which no exertions of the public service could have matched. From the state of public credit, and the money sent out from England,



Lord Cornwallis had, what in no former war the Indian rulers had ever enjoyed, an overflowing treasury. At the same time it was ascertained that the treasury of the enemy was in a far different situation; for several of his principal Brinjarries brought their grain to the British camp, complaining that Tippoo was unable to pay them, and could give them nothing but ineffectual orders upon the collectors of his revenues.

Such were the proceedings of the army under Lord Cornwallis, during the season in which the main operations of the war were suspended. A short account is required of what, during the same time, was performed, by the other divisions of the confederate force.

By the army of the Nizam, only two objects had been effected during the war; the reduction of Gunjicottah, and that of Kopaul. Not one even of these places could have been taken without the British detachment; and the reduction of the latter might be regarded as more a consequence of the fall of Bangalore than of the operations of the siege. This army had been employed, since the month of August, in the attack of Goorumconda; but, depending on the Nizam's artillery, were not able to breach the lower fort, till the guns which had been employed at Nundydroog, and a supply of ammunition, were sent from Bangalore. With British guns, the British artillery-men completed a breach in two days; and prepared for the assault. As the small party of artillery-men were the only Europeans present, they gallantly offered, after breaching the place, to quit their guns, and lead the assault. The reduction of the lower fort had not long been effected, when a large reinforcement arrived from Hyderabad, under the Nizam's second son. The upper fort being regarded as too strong for assault, a body of troops

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was left to establish a blockade; while the main army, by concert with Lord Cornwallis, moved into the neighbourhood of Colar, to cover the convoy, which was proceeding from Madras with the last of the ammunition and stores for the siege of Seringapatam. This movement escaped not the attention of Tippoo; Hyder Saib, his eldest son, appeared suddenly before Goorumconda, with a flying party; and took the lower fort, with the whole of the detachment left for the blockade. This immediately recalled the main army, and exposed the convoy, which had ascended the Ghauts, and arrived at Vincatighery, to a

danger which would have been great, had the detachment with Hyder Saib been sufficiently strong. But he satisfied himself with throwing succour into Goorumconda; and carrying with him the families of some principal people, he returned to Seringapatam.

Purseram Bhow passed Serah, which had surrendered to Hurry Punt, on his march to the southward; and arrived, without any memorable event, in the neighbourhood of Chittledroog, early in September. This was the capital of a considerable Rajah, whose dominions Hyder added to his own about the year 1776. It was one of the strongest hill-forts in India, and said to be garrisoned by upwards of 10,000 men. The Bhow, who had no idea of gaining it by force, thought he might succeed by treachery, and endeavoured to seduce the commander, but in vain.

The Bhow seemed to have hardly any other object than to procure repose and refreshment to his army in the neighbourhood of Chittledroog, till after the beginning of December, when forage began to fail. A fertile country was intersected by the Toom, and
the Budra, which, by their junction, form the river, the name of which is also composed by the union of theirs. It was defended, however, by several forts. Hooly Honore, one of the most
important of them, situated at the conflux of the rivers, Captain Little, with his detachment, undertook to reduce. He took up his ground on the 19th of December; effected a breach the following day; and carried the place by storm in the night. After this, the smaller forts surrendered without opposition; and only Simoga remained.



Tippoo, at a preceding period of the season, had sent one of his generals, with a considerable army, to keep open his communication with the rich provinces of Bednore and Mangalore, almost the only part of his dominions which was not either in the possession of his enemies, or had sustained the ravages of the war. This officer had taken post near Simoga. But on the approach of the Mahrattas, he left his entrenchments, for a position in the woods, some miles to the westward, from which he purposed to act upon them during the siege.

It was of great importance to begin by dislodging this enemy. But all the difficulties and hazard of the attempt were by no means understood. His position was one of the strongest which the choice of circumstances could have given. His right was completely defended by the river Toom: his left by hills covered with jungle, which approached within a mile of the river; his rear was secured by an impenetrable jungle; and a deep ravine, having a jungle beyond it, protected his front. “The open space,” says Lieutenant Moore, “on which the enemy had pitched their camp, was not more than six hundred yards wide; and was, upon the whole, naturally, the strongest place we ever saw; nor can we form an idea of one more disadvantageous to an assault. Had their situation been accurately known, no one, but an officer who had the most unlimited confidence in his troops, could, in
prudence, have hazarded an attack.”



Of course the enterprise fell to the English. In such a position the Mahratta cavalry were unable to act; and a corps of infantry, who had advanced into the jungle, when

directed to a position where possibly they might have been of some use, declared they had no ammunition. Not only were the Mahrattas useless; “so far as we observed,” says Lieutenant Moore, “they were no trifling impediment.”

Leaving, by the Bhow’s desire, four guns with nine companies, to guard the camp, Captain Little, with the remainder of his detachment, less than 750 bayonets, and two guns, proceeded to the attack. About one o’clock they entered the jungle, tolerably open at first, but extremely thick as they approached the enemy; who opened upon them a heavy discharge of guns, musquetry, and rockets. Both officers of the 8th grenadiers fell; and Captain Little had some difficulty in supporting the Sepoys under their loss. The action continued doubtful a considerable time; for as only small and broken parties could pass the ravine, which was very deep, the English could not come to the decision of the bayonet. After the repulse of several parties, some of whom had penetrated into the camp, Captain Little rallied the grenadiers, and, putting himself at their head, carried the posts on the enemy’s right, when the rest of the line pressed onwards, and, in a short time, cleared the field. The English pursued, and captured the whole of the guns, ten in number; and during that time the Mahrattas plundered the camp with their usual skill. The amount of the enemy was not exactly ascertained.



By the account of the prisoners it exceeded 10,000 men. This is allowed to have been one of the most spirited and brilliant actions of the war. The men were under arms, and actively employed, without refreshment, for six and thirty hours. Though it was dark, when they returned to the camp, the Bhow sent to inform Captain Little, that he was coming to embrace him. The Captain excused himself on account of his fatigue and the lateness of the hour; but was not prevented, says Lieutemant Moore, from visiting his wounded officers. The Bhow was at head quarters by sun-rise the next morning, complimenting the detachment in the most flattering terms.

The siege of Simoga was now undertaken without fear of interruption. A battery of five guns was ready to open on the 2d of January, and by noon the next day had effected a breach nearly practicable; when the garrison, on condition of security to private property, offered to surrender. It may be remarked that they required the guarantee of the English detachment. Such is the depravity of Hindu morals, that it is no affront, either to a nation or an individual, to be charged with the want of faith; and the Bhow totally overlooked the opprobrium which the enemy scrupled not to cast upon him and his nation. The place was capable of a good defence; but the garrison were dispirited by the defeat of the protecting army, and the greater part of them had deserted.

The valuable country which the Bhow had thus conquered, and which he regarded as an accession to his own personal dominions, so raised his ambition, that he aspired to the conquest, or at any rate the plunder of Bednore. After remaining inactive in the neighbourhood of Simoga till the middle of January, he arrived by a few marches, through a country in



great part covered with jungle, at Futteh Pet, one of the great barriers of the province of Bednore; and passing this fortress, without any serious attempt upon it, he sent forward a

detachment, which began on the 28th to cannonade Bednore. It was recalled, however, the following day; when the army, to its great surprise, received orders to retreat. To stop the progress of the Mahrattas, Tippoo had detached an army, under one of his best generals, who had already advanced as far as Simoga and taken it. The Bhow was by no means desirous of meeting an equal enemy in a close country, in which cavalry could not advantageously act. He crossed the Toom near Simoga on the 10th of February, and the Budra the next day near Binkapoor: He obtained the fort of Adjampoor by capitulation on the 12th: And he joined the allies on the 10th of March, before Seringapatam.

Recovered in health, reinforced, and equipped, the Bombay army, under General Abercromby, left their cantonments in the neighbourhood of Tellicherry; assembled at Cannanore on the 23d of November; and on the 5th of December began their march for the Poodicherrum Ghaut. Vast labour was necessary to repair the road, which the torrents of the monsoon had destroyed. Three weeks, of constant exertion, barely sufficed to bring up the heavy guns; but on the 18th of January, the whole of the artillery, amounting to eighty-six carriages, of which eighteen were heavy, with the usual proportion of ammunition, and forty days' rice for the men, was at the top of the pass. Lord Cornwallis had depended upon the army of Purseram Bhow, with the three battalions of British Sepoys, under Captain Little, to cross the Cavery, and join Abercromby;



for the purpose of enabling him, to bring on his heavy artillery, to march without dread of Tippoo, and to complete the investment on the southern side of Seringapatam. Disappointed in this expectation, by the avaricious expedition of the Mahrattas to Bednore, he sent his orders to General Abercromby to place his artillery in a secure post at the top of the Ghauts, and hold his corps in readiness to move at the shortest notice, lightly equipped. Abercromby had already performed his first march from the top of the Ghauts, on the 22d of January, when these orders arrived; he had, therefore, to send back the heavy part of his guns, and encamped at the bottom of the Seedaseer Ghaut, to wait for future instructions.

During these proceedings of the confederate armies, the operations of Tippoo were but feeble; and betrayed the inferiority of his means. Toward the end of June, he sent a detachment, as well to attack Coimbetore, as to raise contributions and collect supplies in the province. Lieutenant Chalmers had been left in the command of the place; with a company of topasses, and a battalion of Travancore Sepoys, commanded by a French officer, named Migot de la Combe, in the service of the Rajah. The heavy guns, ammunition, and stores, had been removed from Coimbetore, as a place not sufficient to stand a siege, and placed in the fort of Palgaut, or Palacatcherry, where Major Cuppage, who was now the commanding officer in the province, established his head quarters. As it was convenient to retain Coimbetore for the fiscal business of the province, a few bad guns, not worth removing, and a small quantity of ammunition, were left in it; with directions to the commandant to fall back to Palacatcherry, if a powerful enemy should appear. The party who were now sent against Coimbetore appeared not to Lieutenant Chalmers sufficiently formidable to remove him from

his post. After a siege, however, of some duration, a breach was made, and on the 11th of July the enemy attempted to storm. It was with great difficulty that order was preserved among the Travancore troops; but the zeal of their French commander ably seconded the exertions of the Lieutenant, and the enemy were repulsed with great slaughter. Major Cuppage, who advanced with expedition from Palacatcherry, completed their discomfiture, taking the two guns with which they had breached the fort, and pursuing them till they crossed the Bowani.

At the time of this transaction the Sultan with his army had made a movement towards the north; with the intention as was at first supposed, of proceeding against Purseram Bhow in the province of Chittledroog. This alarmed Cornwallis so much, that he thought it necessary to make a few marches in the same direction, for the purpose of recalling the hostile army. But Tippoo, having covered a large convoy which he expected from Bednore; having routed, by a detachment, a corps of the army of Purseram Bhow, left by that chief, on his route to Sera, for the purpose of masking Mudgerry; and having terrified into flight the garrison thrown by the Mahrattas at the same time into Great Balipoor, returned to the neighbourhood of his capital. As soon as there, he dispatched Kummer u Deen Khan, his second in command, into Coimbetore. Beside the army which this General led into Coimbetore; a light party, chiefly horse, proceeded with him till after he descended the Gujelhutty pass, and then crossing the Cavery, proceeded through the Tapoor pass; and with great secrecy and dispatch conducted a new Kelledar with a reinforcement, to Kistnagherry; the only place of importance which Tippoo now possessed, between Bangalore and Carnatic. This service performed, they remained to ravage the country; and threatened interruption to the British convoys.

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The Khan arrived before Coimbetore, towards the end of October, with a force, of which the estimate, at 500 regular cavalry, 8,000 regular infantry, and fourteen pieces of cannon with a body of irregulars, both horse and foot, is probably overcharged. Lieutenant Chalmers, re-inforced by the two heavy guns which were taken from the enemy's routed detachment, and Lieutenant Nash, with a company of regular Sepoys from Palacatcherry, expected to hold the place till relieved by Major Cuppage. The want of ammunition was the chief defect, supplies of which the Major repeatedly sent by Sepoys, who contrived to enter during the night. On the 22d of October Cuppage marched from Palachatcherry with three battalions without guns. The enemy determined, with their superiority of number, to anticipate his approach; and met him at the distance of about six miles from Coimbetore. The Khan appeared to decline engaging; but made a dexterous movement to the right of the English detachment, and placed them in such a position that it was necessary for the commander either to force his way to Coimbetore, leaving the Khan behind him, and the road open to Palacatcherry, or to fall back for the security of that more important post, and leave Coimbetore to its fate. Thus outgeneraled, the British officer, considering, that if the enemy got possession of the strong and narrow defile which led to Palacatcherry, it might be no easy task to return; considering also that a large convoy from Madras, of bullocks for the use of the Bombay army, was now on its way, and might be taken by the enemy if they got between him and the pass; and not thinking himself sufficiently strong to spare a detachment

to take possession of the defile, when, allowing the enemy to pass, and following them close into the defile, he might have taken them between two fires, made up his mind to retreat. On seeing the English begin to recede, the enemy rapidly advanced to the attack; showers of rockets attempted to break the detachment; and the cavalry approached with boldness to the charge. They were received by the flank companies of the rear guard, and several times repulsed; when the Khan, unable to prevent the march of the column, proclaimed a victory and returned to Coimbetore. The ammunition of the place was nearly expended; a breach was made; and all hope of relief had expired. Lieutenant Chalmers capitulated on the 2d of November, on condition that private property should be secured, and the garrison sent to Palacatcherry, on their parole. The capitulation was violated. The garrison were detained as prisoners, till Tippoo was consulted; and he ordered them to Seringapatam.

It is worthy of mention that, about the middle of January, notwithstanding the powerful armies with which Carnatic was defended, and the enemy pressed in the very centre of his dominions, a party of horse suddenly appeared in the neighbourhood of Madras; and made some trifling depredations, but ventured not to remain beyond the space of a day. Madras was thrown into the most violent alarm; and the gentlemen of the settlement furnished horses to mount a party of troopers, who with another of infantry were sent to the Mount.

Tippoo, at this time, renewed his offer to send vakeels for the settlement of disputes; but his messengers were immediately sent back, with an answer that no embassy would be admitted, so long as the prisoners taken at Coimbetore were retained in breach of the capitulation.

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In the beginning of January the army was encamped in the neighbourhood of Ootradroog, and only waited for the arrival of the heavy cannon, and the junction of the Hyderabad army, to set forward on the grand design.[1] The Hyderabad army had not yet taken Goorumconda, and was obliged to leave the place with a party behind to retain the pettah and continue the blockade. On the 25th of January, when the Hyderabad army was approaching the British camp, the Governor-General went out to receive, in pomp, the Prince who was placed at its head.

As the great men of the East would hurt their dignity, if they did not exceed the time of their appointment by several hours, the British commander spent a tedious day in attendance, and only met with his Prince, as the evening approached.

Hoolydroog, ten miles in advance, had been re-occupied by the enemy; and as it was inaccessible to assault, and had been repaired with great diligence, it might have been expected, though small, to make a serious defence. But when the Kelledar was summoned by Colonel Maxwell, and was told, that the attack would instantly commence, he was so dismayed as to surrender without resistance.

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Before the march, the eastern chiefs were invited to an imposing spectacle, that of the British army in battle array; at which they gazed with childish, more than rational curiosity.

On the first of February the combined forces began to advance from Hoolydroog. The English army, as usual, moved off at break of day. A change, of sufficient importance to require a description, had been introduced into the order of the march. In former wars and at the beginning of the present, the army advanced in one column, with the battering train in the rear; which was apt to fall behind so far, that sometimes it reached not the ground of encampment before the following day. It was next tried in the centre of the column; but in that case it separated the wings and produced still greater delay. The succeeding experiment was, to march with it in front: an improvement; as it had the first of the road, and being parked on the leading flank, got earlier off the ground, and without interruption from the line. As the train however became enlarged, it occupied so great an extent of road as to draw out the line of march to a very inconvenient length; and the plan was then adopted of marching with it, on one road, and the troops and light guns on another road, on its flank. The success of this experiment suggested an additional improvement. After wheel-carriages became very numerous, and prolonged to an inconvenient length the line of the march, a third road was taken by vehicles of that description on the other flank of the train. The English army, according to this arrangement was seen in three columns; 1. The battering guns, tumbrels, and heavy carriages, on the great road, in the centre; 2. The line of infantry and field pieces, parallel to the first, at the distance of about one hundred yards, on the right flank, which was nearest to the enemy; and 3. On the left of the battering train, all the lighter part of the store-carts, with the baggage conveyances, and the followers of the camp. The line of march was, in this manner, shortened to one third of the space to which a single column would have drawn it out; and every part of the moving body was much nearer protection.[1]



The armies of the allies followed, at their usual hour, and in their usual confusion.

The last day's march, on the 5th of February, over the barren heights which lie to the north-east of Seringapatam, afforded the allies a view of the Mysorean capital, and the enemy encamped under its walls. They took up their ground, across the valley of Milgotah, at the distance of about six miles from the Sultan; a body of whose horse had hovered about the army from nearly the beginning of the march; but with little power of giving annoyance.

Separated from the chain of hills which the army had immediately crossed, there stood, at a little distance on the plain, a cluster of high rocks called the French rocks, with a large adjoining tank, or reservoir of water. The space between these rocks, and the hills, was occupied by the line of the British, fronting the Sultan; the hills affording protection on the left, and the French rocks affording not only protection on the right, but covering from the view of the enemy a part of the line which extended behind them. The reserve encamped about a mile in the

rear, facing outwards, with the stores and baggage in the interval between. The armies of the Hyderabad Prince and the Mahrattas, were somewhat further in the rear, the one on the right, the other on the left of the British reserve.

After his arrival before Seringapatam, Lord Cornwallis wrote immediately to General Abercromby, to march, and occupy as strong a position as he could find on the south side of a particular ford, which had been described as one of the best on the river, at a distance of nearly forty miles from the Sultan's capital. It was the intention of the English commander to employ the troops of the Nizam, along with the English battalions attached to it, in the service originally destined for Purseram Bhow, namely, that of forming a junction with General Abercromby, and completing the investment of Seringapatam: and the minister of the Nizam, who, under the nominal authority of the Prince, possessed in reality the whole command of the army, showed a real desire to second the wishes of Lord Cornwallis: on taking cognizance however of the state of this part of the confederate force, the Commander-in-Chief discovered, that the Hyderabad minister was so little qualified for the business he was sent to perform, that he could not, if removed from the English markets, and the northern communications, provide, even for a few days, supplies to his troops. Greatly displeased with Purseram Bhow, whose army was well qualified to have yielded assistance, either in completing the investment of the capital, or making head against the corps with which Tippoo might endeavour to interrupt the supplies of the besiegers, Lord Cornwallis wrote letters as well to Poonah to complain of his conduct, as to himself to accelerate his approach. As the armies of the Nizam and Hurry Punt could not act on detached service, they remained completely useless and unemployed.

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Seringapatam is situated on an island, formed by two branches of the Cavery, which, after separating to a distance of a mile and a half, again unite, about four miles below the place of their separation. Around Seringapatam ran the usual hedge, called the bound hedge, composed of the bamboos, and other strong and prickly shrubs of the country, forming a rampart of considerable strength. On the northern side, that on which the confederate army had taken up their ground, an oblong space of about three miles in length, and from half a mile to a mile in breadth, was enclosed between the hedge and the river. In this enclosure Tippoo was encamped. It contained the most commanding ground on that side of the fort; and was further guarded in front by a large tank or canal; by rice fields which it watered; and by the windings of a river called the Lockany, which crossed the line of the British camp, and intersected the intermediate valley by three streams, of which one fell into the Cavery near the eastern point of the island. To the natural strength of this position was added the assistance of six large redoubts erected on commanding ground; of which one, called the Mosque redoubt, situated at the western extremity, on an eminence somewhat advanced beyond the line of the rest, and in the corner of the bound hedge which was here carried out to surround it, was a post of great strength, and covered the left of the encampment. The mountainous range which protected the left of the British line, extended close to the river at the eastern end of the island; and by a hill called the Carrighaut, the fortifications of which had been lately improved, together with the

branch of the Lockany which entered the Cavery at its base, afforded strong protection to the right of the Sultan's encampment.

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In the western angle of the island was situated the strong fortress of Seringapatam. The eastern part was fortified towards the river by redoubts and batteries, connected by a strong entrenchment with a deep ditch. The fort and island therefore constituted a second line, which supported the defences of the first; and afforded a secure retreat, as from the outworks to the body of a place. Heavy cannon in the redoubts, and the field train disposed to the best advantage, to the amount of 100 pieces of artillery, defended the first line; and at least three times that number were employed in the fort and island. The Sultan's army was supposed, at a low estimation, to amount to 5,000 cavalry, and from forty to fifty thousand infantry. He commanded the centre and right of his line in person, and had his tent pitched near the most easterly of the six redoubts, which from that circumstance was called the Sultan's redoubt.

Tippoo, having abandoned the design of keeping the field against so powerful a combination of foes, had directed his attention to the fortification of this position, and the improvement of his defences in the island and fort. His plan of defence was founded on the hope of being able to protract the siege, till the want of supplies in a country already exhausted, or at any rate the recurrence of the monsoon, should compel his enemies to retreat. He was probably the more confirmed in the anticipation of this result, because it was the same expedient by which his father had baffled the potent combination by which he was attacked in 1767.

The British troops had just been dismissed from the parade, at six o'clock on the evening of the 6th,
when they were directed to fall in again with their arms and ammunition.

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Every thing was in its proper place at half an hour after eight o'clock, when the order was given to march. The evening was calm and serene; the moon shone bright; and the troops advanced in silence. The security of the northern supplies, and the difficulty of crossing the river with all the stores and heavy artillery, pointed out the necessity of dislodging the enemy. But his position, every where protected by the guns of the fort, or the batteries of the island, was so strong, that in an open attack in day light, the event was doubtful, the loss of a great number of the best soldiers of the army unavoidable. The night was therefore chosen, and an early night for the greater certainty of surprise. As guns could be of little service in the dark, and the state of the ground made it difficult to convey them, it was resolved that none should be employed.

The army was formed into three columns: The right column composed of two European, and five native battalions, under the command of General Medows: The centre column, of three European, and five native battalions, led by the Commander-in-Chief: And the left, of one battalion of European, with three of native troops, under the command of Colonel Maxwell.

According to the plan of attack, the centre column, under the Commander in Chief, was to penetrate the centre of the enemy's camp, while the columns on the right and the left were to take possession of the posts which defended the enemy's flanks: And the front divisions of all the three columns, after carrying what was immediately opposed to them, were to cross with the fugitives, and endeavour to get possession of the batteries on the island. So early an attack, before the junction of the Bombay army, and during the darkness of the night, was probably unexpected by Tippoo. The allies, to whom the plan of the attack was not communicated, till after the columns had marched, were in the greatest consternation. To attack with a handful of infantry, and without cannon, the whole of Tippoo's army in a fortified camp under the walls of his capital, appeared to them an extraordinary attempt. And their surprise was increased, when told that Lord Cornwallis in person commanded the division which was to penetrate the centre of the enemy's camp, and had gone to fight, as they expressed it, like a private soldier.



When the columns were on the march, the camp was struck, and the baggage packed; the corps of artillery, and the quarter and rear guards of the line, stood to their guns and arms; while the reserve, consisting of the cavalry and the 7th brigade, were drawn up in front of the camp, to act as occasion might require, or to pass a night of the keenest anxiety.

Between ten and eleven o'clock the centre column touched upon the enemy's grand guard, who were escorting a party of rocket men for the annoyance, during the night, of the English camp. The horsemen galloped back to the line; but the men with the rockets remained, and endeavoured by discharging them to harass the march. At the time when the rocketing began, the left division were ascending the Carighaut hill, which soon became illumined with the discharge of musquetry. The centre column (the men, as soon as discovered, lengthening the step, though silence was not broken by a single voice, and in one minute moving at double the former pace) gained the hedge, and entered the enemy's lines, about fifteen minutes after the return of the horsemen had communicated to the enemy the alarm. The right division, which had a more difficult march, and was misguided to a point more distant than was intended, entered the bound hedge about half past eleven, when the discharge of cannon and musquetry showed that the rest of the troops had every when closed with the enemy.



Of the centre column, 3,700 firelocks, the front corps had for its primary object to pass into the island with the fugitives: the corps in the centre was first to clear the right of the camp, and next, if possible, to gain the island; while that in the rear was to form a reserve under Lord Cornwallis, in a position where he might support the other two, and wait the co-operation of the columns on his right and left. The head of the column penetrated the hedge, under a heavy but ill directed fire, both of cannon and musquetry; and as it advanced, the enemy gave way. The leading companies, the Captains of which had been instructed to charge themselves, each particularly with the men of his own command, and, in getting to the fort, to regard the celerity more than the solidity of their movement, pushed their way directly to the river. Amid the entanglements of the rice fields, and the darkness and hurry of the night, the front

companies separated into two bodies. The party which first reached the ford, crossed without opposition under the very walls of the fort. Captain Lindsay pushed into the sortie in hopes of entering the gate with the fugitives; but it had been shut immediately before, and the bridge drawn up. The second party reached the same ford about five minutes after the first had gained the opposite side. The passage was now more difficult, for the ford was choked up by the crowds of the enemy pressing into the island. No resistance was, however, attempted, and though some guns were discharged from the fort, they were not directed to the ford. The first party marched across the island, and took post near the southern side. Colonel Knox who commanded the second, proceeded towards the eastern angle of the island, near which there was a pettah, or town, called Shaher Ganjam, with lines and batteries towards the river commanding the eastern ford. The pettah was hardly carried, when a firing began from the batteries on the river. It indicated that the troops on the left had penetrated the enemy's camp, and, it might be, were forcing their way into the island. The Colonel dispatched the greater part of his corps to take these batteries in reverse. As soon as the men came down upon them in the rear, where they were open, the enemy, who could not judge of their numbers, and trembled at the bayonet in European hands, abandoned the works and dispersed.



Beside these two parties, a third, consisting chiefly of the seven battalion companies of the fifty second regiment under Captain Hunter, came to the river soon after the party of Colonel Knox, but at a place about half way between the two fords, where they crossed, and took post in what was called the Rajah's garden. Ignorant that any other troops had passed into the island, Captain Hunter resolved to remain in the garden till a greater force should arrive, or circumstances recommend an enterprise. He soon, however, perceived that his post, being exposed to the guns of the fort, would not be tenable at break of day; and endeavoured, but in vain, to send intelligence of his situation to Lord Cornwallis. After he had been two hours in the garden, a part of the enemy brought two field-pieces to the opposite bank; when he plunged into the river to cross and attack them before the guns were unlimbered for action; succeeded, though not without loss from a heavy fire both of musquetry and cannon; passed through the enemy's camp without opposition; and joined Lord Cornwallis at a critical moment.

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Such were the operations of the front division of the centre column; and such was the first part of the operations on the island.

One of the native regiments of the first division lost its commander in passing the hedge, and fell into some disorder in taking ground to the right. The centre division hastened to its support, and thence proceeded to the left to attack the right wing of the enemy. On approaching the Sultan's redoubt, a large body of horse opposed themselves. Major Dalrymple formed the seventy-first regiment, and gave orders to fire one round, to load and shoulder. On the clearing up of the smoke, the horse were seen at a distance scattered over the field. The corps proceeded to attack the Sultan's redoubt; but on mounting the walls, and entering the embrasures, found it abandoned. Leaving two companies of the seventy-first regiment, a detachment of artillery, and

fifty sepoys for its defence, they advanced and completed the defeat of the enemy's right, which had been turned by the column of Maxwell.

The rear division Lord Cornwallis formed near the Sultan's redoubt, and waited, in anxious expectation, for the column of General Medows from the right. About two hours before day-light, he was joined by Captain Hunter, after his return from the island. The men had scarcely time to replace their cartridges, which had been damaged in the river, when a large body of troops, part of Tippoo's centre and left, who had recovered from the early panic of the night, made a disposition, and advanced with a considerable degree of order and resolution. The party, animated by the presence of the commander in chief, returned with coolness the fire of the enemy, and charged them with the bayonet on their approach. They returned several times, however, with great bravery, to the attack, and were not finally repulsed till the day was about to break. Cornwallis then ordered his men to retire towards the Carighaut hill, that they might not be exposed to the fire of the fort, or surrounded by the enemy at day light; and was met by General Medows, hastening to support him.[1]



It was the intention of the Commander-in-Chief, that the column of the right, 3,300 firelocks, under General Medows, should penetrate the line about half a mile east from the mosque redoubt, which was not intended to be attacked, as it was understood to be very strong, stood at a considerable distance from the enemy's front, and would not doubt be evacuated, if the rout of the army was completed. By a mistake of the guides,[2] the column was led to a point further west than that which was intended, and at no considerable distance from the formidable redoubt. On approaching the hedge, one battalion of the front division was desired to make a circuit to the right, to call the attention of the enemy, while the column penetrated, and having done so, left two battalions as a reserve, just within the hedge. Colonel Nesbit, who led the column, the station of the General being in the centre, agreeably to the orders of the Commander-in-Chief, finding no opposition, nor any camp, the extremity of which was at a considerable distance to the east, and perceiving one of the posts protecting the enemy's left which it was the business of the column to subdue, wheeled his division to the right, and ascended the hill of the redoubt. No opposition was made till the leading division crossed the canal, and was approaching the redoubt, when they were received by a heavy discharge of musquetry and grape. Part of the column rushed forward, gave the enemy their fire, and drove them from the covert way. But the inner works were strongly manned; many of the ladders were missing; and several ineffectual attempts were made to pass the ditch, before a path was fortunately discovered which led from the end of the mosque into the redoubt. The redoubt was carried after a severe conflict, in which its commandant, and nearly four hundred of the enemy, lost their lives; with eleven officers, and about eighty men, killed and wounded on the part of the assailants. Tippoo's European corps, commanded by Mon. Vigie, had been stationed in the angle of the hedge in front of the redoubt; but their attention was attracted by the party making the circuit without the hedge, till finding themselves surrounded, they broke, and made their escape.

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Leaving a force sufficient for the defence of the post, General Medows commanded the troops to be again formed in their original order; and was impatient to proceed to the real point of attack. Several other redoubts remained on the left of the enemy's position; but he held it more adviseable to leave them behind, than waste additional time. Before he was in a condition to march, the firing had ceased in every part of the line; and finding it very difficult, from swamps and ravines, to march within the hedge, he proceeded
to the outside, and marched along its front to the Carighaut Hill: where he had not long remained, when his attention was fixed by the firing of the attack upon the Commander-in-Chief.



The object of the left column of the British army, 1,700 firelocks, was, to clear the Carighaut Hill, to join in the attack upon the right of the enemy's encampment, and make their way into the island. The attack on the hill was so well conducted, and the surprise of the enemy so complete, that this post, strong as it was both by nature and art, made but a feeble resistance; the walls were instantly scaled; and the loss was inconsiderable. In descending, however, towards the camp, the column had to sustain the fire of the right of Tippoo's line; and were galled by a party who enjoyed the shelter of a watercourse at the bottom of the hill. They bore down every obstacle, and proceeded through the camp, till met by the centre division of the Commander-in-Chief. To pass into the island was the next exploit. A party plunged into the river opposite to the batteries, which, opening upon them, had called the attention of Colonel Knox, and they crossed with considerable difficulty, as the water was deep. Their cartridges were rendered useless; and they must have trusted to their bayonets to clear the batteries and lines, had not the enemy, at that critical period, been dislodged by Colonel Knox. The rest of the column moved higher up the river, in search of a better ford, and joined a part of the centre column, which was crossing, under the command of Colonel Stuart. These corps united at the eastern end of the island; and, towards morning, were joined by the party which first had entered the island, and taken post on the southern side. The separate position
of this corps, as well as that of the corps under Captain Hunter, in the Rajah's garden, had not been without their advantage; as they had distracted the enemy's attention, and checked him from reinforcing his positions on the river, or making a speedy effort to dislodge the assailants before they could establish themselves in force upon the island.



Such were the operations of the night. The Sultan had just finished his evening's repast, when the alarm was given. He mounted; and before he had time to receive intelligence of the nature and quality of the attack, not only perceived, by the mass of the fugitives, that the centre of his camp was entered, but discovered, by the light of the moon, an extended column passing through his camp, and pointing directly to the main ford. As this threatened his retreat, he went off with great celerity, and, having barely time to cross before the English, took his station on a part of the fort best calculated for the view, and there continued, issuing his commands till the morning. In the retreat a great number of his troops deserted. One corps, 10,000 strong, consisting of the persons whom he had forcibly removed from Coorg, wholly disappeared, having escaped to their native woods: And a number of Europeans, in his

service, from which he gave no allowance to depart, seized this opportunity of making their escape.

The day broke only to vary the features of the conflict. The most easterly of the six redoubts, the Sultan's; and the most westerly, the mosque redoubt, were taken; but the intervening four were in possession of the enemy. The scattered parties collected themselves. And the guns of the fort, which, during the night had been kept silent by order of the Sultan, lest they should persuade the troops in camp that the fort was attacked, and make them imitate the example of the deserters, were opened as soon as day-light
fully appeared, and fired upon the assailants wherever they could be reached.



The eastern fork of the two branches of the river which surround the island, Tippoo had occupied with a palace and gardens. The English took up a strong position in front of the gardens, completely across the island, where they commanded the ford to the Carighaut hill, and occupied the lines and batteries by which it was guarded. A little after day-light a body of the enemy's infantry approached under cover of old houses and walls. Their fire was but feebly returned; because the ammunition of the English troops had been nearly expended during the night, or damaged in the river. The Commander-in-Chief, who had taken his station upon the Carighaut Hill, whence every operation could be seen, immediately detached several corps to support them; and, upon the arrival of this reinforcement, the enemy withdrew, Colonel Maxwell, thinking that his services, no longer necessary in the island, might elsewere be useful, left the troops to the command of Colonel Stuart, and joined Cornwallis on the hill.

In the mean time the enemy were assembling from every quarter for an attack on the Sultan's redoubt, which it was deemed expedient to recover, before the serious attempt was made to dislodge the English from the island. This redoubt was nearly of the same size and construction with that which had been stormed by General Medows at the left of the enemy's position; it stood, however, within reach of the guns of the fort; and the gorge was left open to the fort and island, to keep it untenable by an enemy. The corps which had been left in it amounted to about 100 Europeans, and fifty Sepoys, with their officers. And as the army was kept at a distance by the cannon of the island, the fate of the post was left to the constancy of its defenders.



An attempt was made to shut up the gorge, by some broken litters, and the carriage of a gun. This was no sooner perceived by the fort, than it opened three guns on the gorge, and two field-pieces were advanced to certain rocks, which stood at a little distance from the redoubt, and sheltered the enemy. The slender barrier was soon destroyed, and the works considerably impaired, when the enemy advanced to the assault. They were repulsed with slaughter, and retired to their station behind the rocks. Considerable loss, however, was sustained in the redoubt. The commanding officer fell; and as the day was extremely sultry, the wounded men were dying for want of water, of which not a drop remained in the place. Great apprehensions, for a time, prevailed, of the failure of ammunition, with which the party had been scantily supplied. But happily, two of the bullocks that carried spare ammunition for the

regiments, were found astray in the ditch. Scarcely had the men filled their cartridge boxes, when a body of cavalry, at least two thousand strong, were seen advancing to the redoubt; of whom three or four hundred dismounted just without musket shot of the redoubt, and, drawing their sabres, rushed toward the gorge. The fire of the defenders was ready, given coolly, and brought down so many, that the rest fell into confusion, and retired. The lapse of an hour brought forward another attack. The troops which now advanced, supposed to be the remains of Lally's brigade, were headed by Europeans; and the English prepared themselves for a more dreadful contest than any which they had yet sustained. They were disappointed; for this party had advanced but a little way from the rocks, when, a few of them falling, they hesitated, got into disorder,
and went off.



This was the last of the enemy's attempts. The redoubt was a scene of carnage. Two officers, and nineteen privates, lay dead upon the ground: three officers, and twenty-two privates, grievously wounded, were perishing for assistance; and the rest were nearly exhausted with want and fatigue. About four in the afternoon, the fire from the rocks began to slacken, and the enemy withdrew.

The battle every where seemed now to be given up. The enemy, however, was only preparing for his attack on the troops in the island. A considerable force advanced, about five o'clock, which was without much difficulty repulsed. But the English received information, that a desperate attempt would be made to drive them from the island during the night. They made their dispositions for defence; and the troops lay upon their arms in anxious expectation of the assault; but the morning dawned without an alarm.

In the preceding evening, Lord Cornwallis issued, in the shape of general orders, a flattering compliment to the army; and seldom has a tribute of applause been more richly deserved. The plan of the attack has the character of good sense upon the face of it, and is stamped with the approbation of military men, while it is evident to all, that the conduct of the army in its execution, whether intellect or bravery be considered, was such as it would not be easy to surpass. The only point of failure regarded, as usual, the article of intelligence. The localities of the quarter against which General Medows was directed, were ill understood; and hence arose his defect of success.

The total of killed, wounded, and missing, according to the returns of the British army, was 535. The
loss of the enemy was estimated at 4000 slain; but the desertions were the principal cause of his diminution of force. His troops were withdrawn from the redoubts on the north side of the river, during the night of the 7th; and on the morning of the 8th, the remains of his army were collected, the infantry within the works of the fort, the cavalry and baggage on the south side of the river towards Mysore.



Arrangements were now made and executed for besieging the fort. Three European regiments, seven battalions of sepoys, and a captain's command of artillery, were

established in the island; and occupied the position taken originally by Colonel Stuart, in front of the Sultan's gardens. While the fort occupied the western extremity of the island, and with its works comprehended the space of a mile, the Sultan's new palace and gardens covered a similar extent at the eastern extremity. Previous to the war, the space between these gardens and the fort, was occupied by the houses and streets of the most flourishing capital at that time in the dominions of any native prince in India. With the exception of the pettah, or suburb, already mentioned, which constituted the eastern extremity of the town, the rest had all been destroyed, to make room for the batteries of the island, and to form an esplanade to the fort. The gardens in which the Sultan delighted, laid out in shady walks of large cypress trees, and enriched with all the vegetable treasures of the East, were cut to pieces, and destroyed, to furnish materials for the siege; while the gorgeous palace adjoining, was converted into an hospital for the sick.

On the evening of the 8th, Tippoo sent for Lieutenants Chalmers and Nash, whom he had retained in contempt of the capitulation of Coimbetore. They found him sitting under the fly of a small tent on the south glacis of the fort, very plainly dressed, and with a small number of attendants. He gave them presents, and charged them with letters to Lord Cornwallis, on the subject of peace, which he gave them assurance he had never ceased to desire. Contrary to the usual custom of Tippoo, their confinement had not been cruel.



At day-break on the 10th, the cavalry of Tippoo, who had crossed the river about six miles below the island, got round undiscovered to the rear of the left wing of the English camp, and advancing between the position of the English, and that of the Hyderabad army, were taken by the English picquets and rear guards for a part of the confederate troops. On passing the park of artillery, they asked some of the camp followers for the *Burra Saib,* or commander; who, supposing they meant the officer of artillery, pointed to his tent. They galloped towards it immediately, drawing their sabres; but receiving the fire of a party of sepoy draughts and recruits, who turned out with great alacrity, they dispersed, and, recrossing the hills, disappeared. The incident produced alarm in the British camp, as a blow struck at the life of the Commander-in-Chief, whose popularity was deservedly great.

Unable to accomplish his design of strengthening General Abercromby by the junction of the Mahratta or Hyderabad armies, Lord Cornwallis directed him to cross the river, and join the main army, on the northern side. He began his march on the 8th, sending back his sick to the hospitals at Poodicherrum, and leaving a detachment, strongly posted at the Seidaseer Ghaut. On the 11th, he crossed the Cavery at Eratore. A party of the enemy's horse, breaking in upon the baggage, as it was crossing a small river on the 13th, captured a part of it, and continued to infest the march for the remainder of the day. A still larger body appeared in front on the 14th, when the army was halted and formed for action: The supposed enemy was a strong detachment which Lord Cornwallis had sent to protect this army in its approach. On the 16th, without further interruption, it gave to the force before Seringapatam, an accession, fit for duty, of 2000 Europeans, and double that number of native troops.

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To this junction Tippoo intended a more serious opposition. He detached the whole of his cavalry on the evening of the 13th; but they sustained a rencounter with the protecting detachment, and were afraid to preceed.

The fort of Seringapatam is of a triangular shape, to correspond with the ground on which it stands; two sides, and those the longest, being in this manner, defended by a deep and broad river, and only one, that towards the island, without a natural obstacle to oppose an attack. This, of course, was the side which had received the strongest fortifications. This was covered with strong outworks, and two broad and massy ramparts, one a considerable distance within the other, having flank defences, a deep ditch, drawbridges, and every advantage of modern fortification. Upon a computation of all obstructions, it was resolved, notwithstanding the river, to carry on the English attack on the northern side.

About eight o'clock, on the evening of the 18th, a detachment, consisting of one European regiment and one battalion of sepoys, crossed the south branch of the river from the island, and making a circuit of several miles, over rice fields, and broken ground, approached the enemy's camp before midnight. The commanding officer halted, about a mile from the camp, sending forward the party destined for the attack. They entered the camp undiscovered; killed about a hundred troopers, and as many horses, with the bayonet, before the alarm became general; then fired several volleys to keep up the consternation, without losing a single man, without a man's having broken his rank to plunder, and without bringing in so much as a horse. The fort was immediately, on all sides, a blaze of light, as if expecting a general assault; but was afraid of firing, which might hurt its enemies less than its friends.



On the same evening, as soon as dark, the party which was destined to open the trenches marched to the chosen spot; and, before day-light, formed a nullah, which was situated within eight hundred yards of the fort, into a large parallel, having its left flank covered by a redoubt which they constructed, its right defended by a ravine. When Tippoo found that one of the most interesting operations of the siege had been performed without opposition, while his attention was successfully drawn off to another quarter, he opened every gun which could bear upon the works; sent parties of infantry across the river, to harass the troops in flank, and interrupt their proceedings; and attempted, but in vain, to cut off the stream of water which supplied the camp. On the 19th, the Bombay army, under General Abercromby, crossed the river; and though Tippoo went out to oppose them, at the head of his infantry, successfully invested the south side of the fort, and prepared to carry on the enfilade.

During the 19th, 20th, and 21st, traverses were finished, to connect the first parallel with a large redoubt in the rear; and on the night of the 21st, the line was marked out for the second parallel, two hundred yards in advance; from which, as the ground was favourable, no doubt was entertained that the fort could be breached.

The counsels of the British army went forward, as wisdom directs, to every contingency; and, even anticipating the case, that a brave and able prince, who had declared his resolution to perish in the breach, and was surrounded by a band of

followers, who, like himself, had every thing at stake, might, with the assistance of the rugged channel of a deep and rapid river, be able to defend his principal fortress against an assault, had made arrangements for completing the enterprise by the irsesistible operations of a blockade. The army of Purseram Bhow, with Captain Little's detachment, a force sufficient to complete the investment, was now daily expected: Major Cuppage,



from the Coimbetore country, with a brigade of 400 Europeans, and three battalions of sepoys, had ascended the Goojelhutty pass; and, without difficulty, would take the forts of Ardinelly and Mysore as he advanced: Large supplies collected in the southern countries were ready to ascend the Goojelhutty pass: General Abercromby had perfected a line of communication with the Malabar coast, whence supplies were constantly arriving: Arrangements were made for providing the Mahratta and Hyderabad armies from their own countries: And the Brinjarries maintained such abundance in the camp of Cornwallis, as had not been known since the commencement of the war.

On the morning of the 24th, orders were received by the troops in the trenches, to forbear working, and desist from hostilities. "The soldiers," says Major Dirom, "dejected to a degree not to be described, could with difficulty be restrained from continuing their work." The troops of Tippoo fired, both with cannon and musquetry, upon the British troops, for some time after they had ceased; a barbarous bravado, intended to show, that he was the last to resign the contest, and effected peace by the vigour of his defence. The general orders which were issued on the English side concluded with the following passage, not less honourable to the presiding counsels, than the most brilliant operations of the war. "Lord Cornwallis thinks it almost unnecessary to desire the army to advert, that moderation, in success, is no less expected from brave men, than gallantry in action; and he trusts, that the officers and soldiers in his army will not only be incapable of committing violence, in any intercourse that may happen between them and Tippoo's troops, but that they will even abstain from

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making use of any kind of insulting expression, towards an enemy now subdued and humbled."

Of the preliminary treaty which Tippoo was constrained to accept, the substantial conditions were, That he should cede one half of his territories to the allies; pay three crores and thirty lacks of rupees; and give up two of his three eldest sons, as hostages for the due execution of the treaty. Lord Cornwallis, though it required no little patience and discretion to manage his allies, had gained over them so great an ascendancy, by a condescending attention to their forms and prejudices, by the dazzling superiority of his power, and by firmness of decision in matters of importance, that they disturbed not the negotiation by urging any points of their own; and professing the fullest confidence in his discretion, declared their willingness, either to go on with the war, or conclude a peace, and to agree to any terms which should meet with his approbation.

The eldest of Tippoo's sons was about twenty years of age; and had at last taken a considerable share in the war. Of the next two, who were destined to become the hostages, one was about ten, the other eight. The uneasiness which parting with them

produced in the Seraglio, occasioned a delay which Cornwallis was too generous to resent: To satisfy the mind of the Sultan, he sent him information by his vakeels, that he would in person wait upon the Princes, as soon as they arrived at their tents, and beside their own attendants, would appoint a careful officer, with a battalion of Sepoys for their guard. Tippoo answered with like courtsey; "That he could by no means consent that his Lordship should have the trouble of waiting first upon his sons; that, having the most perfect reliance on the honour of Lord Cornwallis, it was his own particular desire and request, that he would allow them to be brought at once to his own tent, and delivered into his hands."



On the 26th, about noon, the Princes left the fort. It appeared to be manned for the occasion, and was crowded with people to see them depart. The Sultan himself was on the rampart above the gateway, the fort saluting as the princes went out.

On approaching the English camp, they were received by a salute of twenty-one guns from the park. At their own tents, they were met by Captain Kennaway, the English negotiator, with the vakeels of the Nizam and Mahrattas, and by them conducted to the Commander-in-Chief. They were each mounted on an elephant, richly caparisoned, and seated in a silver houdah. They were attended by their father's vakeels on elephants. The procession was led by several camel hircarrahs, and seven standard bearers, carrying small green flags, followed by 100 pikemen with spears inlaid with silver. Their guard of 200 of their father's Sepoys, and a party of horse, brought up their rear. As they drew near to head-quarters, the battalion of Sepoys intended for their English guard, formed an avenue to conduct them.

Lord Cornwallis, attended by his staff, and some of the principal officers of his army, received them as they dismounted from their elephants, at the door of his great tent; embraced them; led them in by the hand; and seated them, one on each side of himself; when he was thus addressed by the head vakeel: "These children were this morning the sons of the Sultan, my master; They now must look up to your Lordship as a father!" His Lordship assured, with earnestness, both the vakeels and the princes, that they should not feel the loss of a father's care. The faces of the children brightened up, and every spectator was moved. At this interview Lord Cornwallis presented each of them with a gold watch, which appeared to give them great satisfaction. Bred up, as usual with the children of the East, to imitate the reserve and politeness of age, and educated with infinite care, all were astonished to behold the propriety of their deportment. The next day Lord Cornwallis paid them a visit at their tents. They came out to receive him; when he embraced them, and led them as before, one in each hand into the tent. They were now more at their ease, and spoke with animation and grace. Each of the princes presented his Lordship with a fine Persian sword; and he made them a present of some elegant fire-arms in return. "There was," says Major Dirom, "a degree of state, order, and magnificence, in every thing, much superior to what we had seen amongst our allies. The guard of Sepoys, drawn up without, were clothed in uniform; and not only regularly and well armed, but, compared to the rabble of infantry in the service of the other native powers, appeared well disciplined, and in high order." On the morning of

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the 28th a royal salute was fired from the fort; which was said to announce the satisfaction of the Sultan at the reception given to his sons.

Considerable difficulties occurred in adjusting the terms of the definitive treaty. During the delay, it was observed, that repairs were actively carried on within the fort; And Lord Cornwallis remonstrated. The Sultan with a disdainful submission replied; "His Lordship was misinformed; but for his satisfaction if he desired it, he would throw down one of the bastions, to let him see into the fort.

The condition which regarded the Rajah of Coorg was the principle cause of delay. Of the great chain of the western mountains, this country occupied the eastern part of the range which extended from the Tambercherry pass on the south to the confines of the Bednore country on the north. Periapatam was in former times the capital. But after the growth of the Mysore power, the Rajahs had lived at Mercara, a place more protected by the mountains, about twenty miles north from the Poodicherrum pass.



The Coorgs are considered as related to the Nairs, that singular caste, of high pretensions to rank, on the coast of Malabar. Their country, placed at a medium elevation, between the sultry plains, and the tempestuous tops of the mountains, enjoyed a temperate and delightful climate, with a fertile soil. Hyder laboured for its subjugation in vain, till a dispute about the succession arose between two brothers. Upon usurping the government of the country, Hyder confined the royal family in the fort of Cuddoor, on the eastern frontier of Bednore. Tippoo removed them to Periapatam, on the eastern side of the woods of Coorg. A son of the Rajah, then dead, made his escape from Periapatam in 1788.[1]

The discontented and inflexible spirit of the Coorgs, and the cruelty with which they had been treated, had rendered the country a scene of devastation and bloodshed. Upon the appearance among them of their native Prince, they renounced with enthusiasm their obedience to the Sultan; and defeated a detachment of his army descending with a convoy to the western coast. Before the commencement of the war between the English and Tippoo, the Rajah had repaired to Tellicherry, to form if possible a connexion with the English, of whose sentiments with regard to the Sultan he was sufficiently apprised. A regard to the existing treaty made him unable to obtain their consent, at that time, to the engagements which he was desirous of contracting. But no sooner had the war broken out, than he offered his services; and, though his country was miserably drained both of men and resources, he was able by his intelligence and activity to aid materially the operations of the Bombay army. The circumstances in which he had been placed by misfortunes had broken many of the fetters which bind the understandings of his countrymen; and he manifested an enlargement of mind seldom witnessed among those matchless slaves of prejudice. Not only had trials invigorated his faculties, but he displayed a generosity, and a heroism, worthy of a more civilized state of society.

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Lord Cornwallis included his country by name, in the territory which Tippoo was called upon to resign. The proposal, it seems, excited his astonishment and rage. He had destined the Rajah, no doubt, for a conspicuous example of the direful consequences of renouncing his allegiance: The territory of the Rajah commanded the best approach to his capital from the sea: And he complained, not without reason, that to demand a territory which approached to his very capital, and was not contiguous to the country of any of the allies, was a real infringement of the preliminary articles.[1]



Lord Cornwallis.
having enjoyed the advantages of the Rajah's rebellion, was determined not to leave him at the mercy of his foe. The vakeels of the Sultan returned to the English camp with a declaration that their master refused to see them, or to deliberate on the point. Lord Cornwallis ordered preparations for resuming the siege. The guns were sent back to the island and the redoubts; and the working parties resumed their labours. The army of Purseram Bhow, having at last joined Cornwallis, was sent across the Cavery, to assist General Abercromby in completing the investment of the fort; and exceeded the intentions of the British commander, by plundering the country. The princes were informed of the necessity which had arrived of removing them to Carnatic. Their guard was disarmed, and treated as prisoners of war. The Princes were actually, next morning, on the march to Bangalore, not a little affected with the change of their situation; when Lord Cornwallis, at the urgent request of the vakeels, agreed to suspend, for one day, the execution of his orders. The submission of the Sultan was intimated. And on the 19th of March, the hostage Princes performed the ceremony of delivering the definitive treaty to Lord Cornwallis and the allies.[2]



As some recompense for the virtues and exertions
of the troops, the Commander in Chief took upon him to order them a donative equal to six months batta, out of the money exacted from Tippoo; and he and General Medows resigned their shares both in this and the prize money. For the satisfaction of the army, and to obviate the jealousies and inconveniencies which had been formerly experienced, Lord Cornwallis, at the commencement of the war, agreed, that the plunder taken from the enemy should form one general fund; and that prize agents to take care of it should be appointed by the army themselves. The officers of the King's army nominated two delegates; those of the Company's Madras army, two; and those of the Bengal battalions, one. A committee was also chosen of seven officers, whose business it was to inspect the accounts of the agents, and make reports upon them to the army. The effects of this arrangement, as might be expected, were admirable. But the democratical complexion of an elective and deliberative body formed in the army, would, at a short distance afterwards, have made the very proposal be regarded with alarm and abhorrence.



It is so common for nations to ascribe the most odious qualities to every party whom they dread, that the excess to which this low passion is carried in England would be less wonderful did not the superior attainments of the nation render it far less excusable
in them, than it is in a people less favourably situated. Several remarkable instances stand in our history of a sort of epidemical

frenzy in abusing our enemies. The frenzy, too, appears to have corresponded pretty exactly in violence with the degree of terror, which each of those foes, in their several times and places, happened to inspire. Louis the Fourteenth, Tippoo Sultan, and Napoleon Bonaparte may be adduced as conspicuous examples. As in regard to Louis in his day, and Napoleon in his; so among our countrymen, either in India, or in England, scarcely was Tippoo ever spoken of but under the description of a hideous monster; disfigured by almost every vice which renders human nature, in the exercise of power, an object of dread and abhorrence. Even Major Rennell, who is not an example of a man easily hurried away by the prejudices of his countrymen, had already described him as "cruel to an extreme degree;" and though possessed of talents, held in such utter detestation by his own subjects, that it was improbable his reign would be long."[1] And Lieutenant Moore informs us, that "many highly respectable persons, impressed with the same sentiments, doubted not, at the commencement of the late war, but the defection of his whole army would be the immediate consequence of the approach of the confederate forces."[2]

The fact, however, was, that when the English advanced into the dominions of Tippoo, they discovered such indications of good government as altogether surprised them; a country highly cultivated, and abounding in population; in short, a prosperity far surpassing that which any other part of India exhibited, not excepting the British dominions themselves. And for the sentiments with which he was regarded, some information may be derived from the conduct they inspired. The fidelity with which his people adhered to him under the most trying reverses of fortune, would have done honour to the most wise and beneficent Prince. Not an instance of treachery occurred among his commanders during the whole course of the war. His troops, with the exception of the men who had been cruelly dragged from the conquered countries, though disheartened by a constant succession of disasters, fought with constancy to the last. The people of the ceded countries yielded as to inevitable fate; but no sooner did an opportunity occur, than they replaced themselves with eagerness under the government of Tippoo.[1]



But Tippoo was a braggart, and talked so loftily of his own power, and with so much contempt of the power of the English, that he both hurt their pride, and awakened their apprehensions. The little delicacy which he displayed in construing in his own favour whatever points the treaty left without definition, was no more than what is practised regularly by every Indian Prince, and every other Prince, where he sees no danger of being made to suffer for his encroachments. But the little regard he paid to the anger of the English, and the indifference with which he provoked them, arose from two causes: The hope of assistance from the French, which, had the government of the Bourbons remained undisturbed, he was sure of receiving; and his incapability of estimating the change in regard to the English which had recently taken place. Only a few years before, he had seen his father reduce them to the very brink of destruction; and no change, which to his eye was visible, had added to their power. Their dominions had received no extension; and the Carnatic, which was all that he saw of their dominions, was in a state of rapid deterioration, while his own were in a state of gradual

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improvement. It was impossible for Tippoo to understand that his father had to contend with only the East India Company, feeble from a defective treasury, and timid, from the jealousy with which they were watched at home, and from the want of protection which they were sure to experience: That the ministry had now transferred the government of India to themselves: That it was their own ruler into whose hands they had put the reins; and who, if he acted agreeably to them, was sure of their protection: That it was not, in reality, the East India Company with which he had now to contend; but the English government and the East India Company combined, the resources of both of which were clubbed to provide for the war. Not only were the whole revenues of the East India Company devoted to that purpose, and their credit in India stretched to an extent, of which they would have trembled to think without the firm assurance of ministerial support, and which, without that support, would more than probably have accomplished their ruin; but the ministers gave them parliamentary authority and ministerial countenance, to raise, that is to say, the ministers raised for them, repeated sums in England to a very large amount.



In drawing the balance of profit and loss, upon the speculation which they had in this manner closed, the only advantage which the English could imagine they had gained, was the chance of having rendered Tippoo more pacific, and less dangerous in case of a future war. That there was no other advantage, will appear from a very simple reflection. They had indeed a new territory. But in overbalance of that, it is to be considered that they had expended a sum of money in the war, the interest of which would have exceeded the net revenues of the country which they gained. Their income therefore, would have been greater had they never entered into the war. Then, as to the question in what degree it lessened either the chance or mischievousness of future wars, experience seemed to show that if Tippoo was not exasperated into a more eager propensity for war, he was not more humbled into a tame desire of peace; and the conduct of the government speedily showed, that if he had ceased to be equally dangerous, he was far from ceasing to be equally dreaded. That the Company had added by conquest to their territories in violation of the declared sense and enactments of parliament, and were nevertheless applauded by parliament and the nation, the world beheld, and have not yet forgotten.[1]

The weakness of the Nizam, and his need of resting upon the English for support against the Mahrattas, when no longer checked by the dread of Tippoo, made that chief desirous of maintaining the fortunate and useful connexion he had formed.

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Between the English and Mahrattas jealousies quickly arose. The Mahrattas saw with regret the shield of the British power held up between them and the Nizam, whom they had long destined for their prey.

While the armies were before Seringapatam, and the Sultan was yet unsubdued, Mahdajee Scindiah marched towards Poonah with an army; and not only alarmed Nanah Furnavese who governed in the name of the Peshwa, and whose authority Scindiah wished to usurp; but was regarded with suspicion by the English themselves.

When the English before the war were bidding so high for alliances against Tippoo, Scindiah, too, offered his services to sale; but asked an exorbitant price. He required that two battalions of the British troops should join his army as an auxiliary force, in the same manner as the armies of the Nizam and Peshwa; that the English government should engage to protect his dominions in the upper provinces during his absence; and should become bound to assist him in the reduction of the Rajpoot Princes, who resisted the extension of his conquests. To involve themselves in war in the distant provinces of Hindustan, for the aggrandizement of Scindiah, whose power was already an object of alarm, by no means accorded with the policy of the English; and the alliance of Scindiah was not obtained.



Upon the conclusion of the peace with Tippoo, a proposition was made to the British commander, by Hurry Punt; that the service of the British troops with the army of the Peshwa should be rendered permanent, in the same manner as that of the corps which was attached to the army of the Nizam. It was the opinion of Lord Cornwallis, that this subsidiary force, though asked under the pretext that it would only be employed in enabling the Peshwa to reduce to obedience any of his refractory dependants, was really desired as a weapon against Mahdajee Scindiah, whose power endangered the authority of the minister at Poonah. But though Lord Cornwallis could not fail to be sensible of the extraordinary increase of the power of Scindiah, who had established the dominion given him, by the policy of Mr. Hastings, over the Mogul provinces, and employed in his own favour the remaining authority of his imperial captive, while he had formed a large and formidable corps of regular infantry under European officers mostly French, and erected foundaries and arsenals, in short had made the most formidable accumulation of all the instruments of war belonging to any Prince in India; he regarded all attempts to check the career of Scindia, as either imprudent, or contrary to the act of parliament, and unlikely to obtain the concurrence of the ruling powers at home. He therefore refused to accede to the wishes of the Poonah minister; though he directed the British resident at the Court of Scindiah, to make a spirited remonstrance, when intelligence arrived in July that the claims of the Emperor to his tribute from Bengal began to be renewed.



According to the terms on which the receipt and disbursement of the Carnatic revenues had been assumed by the English, they were now to be restored, when the war was at an end. As soon as Lord Cornwallis led back the army from Seringapatam to Madras, he entered upon the discussion of a new arrangement, which, as usual, was somewhat affectedly, if not ludicrously, denominated a treaty. Of the former agreement both parties complained; the Nabob, that its pecuniary conditions were heavier than the country was able to bear; the English, that the securities it provided for the payments of the Nabob, were inadequate to their end. The treaty, therefore, which was made with Sir Archibald Campbell, and the obligation of the Nabob, respecting the annual payments to his private creditors, were annulled: and it was declared, that the agreement which was now concluded with Lord Cornwallis, provided for the objects of both.

According to the terms of this new arrangement, the contribution of the Nabob towards the peace establishment was fixed at nine lacs of pagodas, per annum; the payment to his creditors was reduced from twelve to six lacs, 21,105 pagodas; and for the expences of war, he was to contribute, as by the last agreement, four-fifths of his revenues.

As security for these payments, it was agreed, That during war, the Company should assume entirely the receipt and disbursement of the Nabob's revenues, which he should recover upon the restoration of peace: And that, if any failure of payment occurred during peace, the Company should enter upon the receipt of the revenues of certain specified districts, from which the Nabob's officers should, in that event, be withdrawn. The Polygars of Madura and Tinivelly, whose power enabled them to resist the feeble government of the Nabob, and, in a great measure, to prevent the collection of his revenue, were transferred to the management of the English.



It appears from the dispatches of Lord Cornwallis, that he set a great value upon this arrangement; and fondly believed it was calculated to answer all the ends which it was the object of himself and his countrymen to secure. The complaints of which he had heard, were chiefly complaints respecting the securities for the payments of the Nabob. The securities for the payments of the Nabob. The securities which he had taken had the appearance of being complete; and he saw not far beyond first appearances. The observation is just, "that though this engagement simplified in some points, and greatly ameliorated in others, the engagement which Sir Archibald Campbell had contracted; it corrected none of its radical defects."[1] Management during a limited and precarious period excluded that minute knowledge on which alone could be founded an assessment, just either to the Company or the inhabitants; ensured the bad offices of all descriptions of the people, who had an interest in courting the government which they were again to obey; and totally prevented the introduction of a new management, in place of that cruel and oppressive system which, under the government of the Nabob, desolated the country.

Of the transactions of Lord Cornwallis with foreign powers, one yet remains of sufficient importance to require a separate statement. In 1793, the change of government in France precipitated the people of England into a war with that country. It followed, as a matter of course, that in India the possessions of the French should be attacked. The interests of the French in India had now, for a great while, languished under poverty and neglect. The progressive embarrassments of the government at home, and the progressive intensity with which the eyes of the nation were turned upon that government, left the Indian establishments in a state of weakness, ill fitted to resist the weight of the English power, when the bonds of peace were broken asunder. The forces of Madras were sent against Pondicherry, with Major-General Sir John Brathwaite at their head. And Lord Cornwallis hastened from Bengal, to obtain the honour of extirpating the republicans. The difficulty, however, was so very small, that the enterprise was accomplished before he arrived; and the whole of the French settlements in India were added to the English possessions.

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# CHAP V.

*Lord Cornwallis's Financial and Judicial Reforms.*



The measures taken during the administration of this Viceroy, for altering the internal government of the British dominions in India, are not less memorable than his transactions with foreign states.

In the eye of the new government of India, consisting more ostensibly of the Directors, more really of the King's ministers, revenue naturally constituted the first object. In the code of instructions, with which, upon his departure for his government, Lord Cornwallis was provided, occasion was taken to censure the financial administration of his predecessors, and to prescribe a new arrangement. The frequent changes, the substitution of farmers and temporary agents for the permanent Zemindars, the failure of all attempts to enhance the revenue, and the exclusion of the collectors from a share in forming the assessments of their respective districts, were mentioned with disapprobation. Complaint was made of the heavy arrears outstanding on the settlement of the last four years; and the country was represented as exhausted and impoverished. Such is the opinion which it was, by the King's ministers and the Court of Directors, held fit to express, of the merits of the British government, in India, at the date of this document, in April, 1786. For the purpose of improvement, they directed, that the settlement should be made with the Zemindars. Knowledge sufficient for an equitable assessment, they presumed was already acquired. They prescribed the period of ten years, as the limit to which the settlement should be confined, in the first instance. But they declared their intention to render it permanent, provided, on experience, it should merit their approbation. They further commanded, that the collectors of the revenue should be vested with the powers of judicature and police; by having conveyed to them the principal authority in the Duannee Adauluts, with the power of magistrates in apprehending offenders against the public peace. And, in making this provision for the administration of justice, they declared, that they were not actuated by "abstract theories—drawn," they said, "from other countries, or applicable to a different state of things, but a consideration of the subsisting manners and usages of the people."

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Upon his arrival in India, Lord Cornwallis found, that his masters in England were egregiously mistaken, when they imagined that there was sufficient knowledge, already treasured up, for the business of settling the revenue. The very nature of the landtenure was not understood. The rights of the different orders of people, who cultivated the soil, and divided its produce, formed a complicated mystery. All that was known, with any certainty, was, the amount of revenue which had been annually collected. But whether the country could pay more, or the exactions were already heavier than it could bear, no man had any satisfactory grounds to affirm. In this situation Lord Cornwallis determined to suspend his obedience to the orders of Whitehall and Leadenhall-street; to content himself, in the mean time, with annual

settlements, by the local agency of the district collectors, and the superintendance of the Committee, now decorated with the title of Board, of Revenue; to circulate interrogatories, and collect information from every accessible source.[1]



The directions of the government at home, with regard to the administration of justice, were treated with greater respect; the Governor-General saw nothing here to dissuade prompt obedience. In 1787, regulations were promulgated; and the collectors were vested with the triple power of revenue agents, of judges, and of police magistrates. It is good to hear the reasons which the compound of statesmen and Directors, now formed into an instrument of government for India, produced for this device of theirs. They prescribed it, they said, on account of its "tendency to simplicity, energy, justice, and economy."

By Mr. Shore,[2] on whom the Governor-General chiefly relied for information, it was remarked; in that document, in which he exhibited the result of his observation and inquiries; That the constitution of the English government in India was ill adapted for promoting improvement, and the situation of the Company's servants ill calculated for the acquisition of knowledge and legislative talent. The individuals of whom the government was composed, were in such a state of fluctuation, that no separate portion of them had time to conceive and mature any important ideas of reform. In the next place he remarked, that the servants of the Company were so much engrossed with official forms and the details of business, as to be in a great measure debarred from the acquisition even of local knowledge. Still further; he asserted, that the knowledge which they acquired was not appropriate knowledge, such as lays the foundation for political wisdom it was a mere knowledge of practice that is to say, a knowledge of a certain number of facts which are obvious, with ignorance of the numerous facts which lie more remote, and ignorance of the numerous connexions which subsist both among the facts which may happen to be familiar, and those of the far wider circle which is wholly unknown.[1] From knowledge of this sort, no plan of improvement, no combination of expedients, to make the future better than the past, can ever be rationally expected.



It is necessary to remark, Mr. Shore, aware of that succession of blunders, which constituted the succession of attempts to improve the mode of governing India claims indulgence, for so many errors, on account of the time required to obtain a knowledge of Asiatic manners and finance. This apology may delude, unless distinction is made between the errors which arose from the want of local knowledge, and those which arose from general ignorance. Those which arose from the want of local knowledge, as far as more time was absolutely necessary for its acquisition, are not to be blamed. Those which arose from general ignorance are, in every instance, the proper objects of reprobation: because provision should always have been made for giving to the government of India the benefit of men capable of applying the best ideas of their age to the arrangement of its important affairs.

On the 2d of August, 1789, Lord Cornwallis informed the government at home, that he had at last matured his plan of revenue, and was preparing to carry it into immediate execution. He took that occasion to describe the state in which the country would be found at the the time when his law would begin to operate; and announced the improvements which he expected it would introduce.

"I am sorry," these are his words, "to be obliged to say that agriculture and internal commerce have, for many years, been gradually declining; and that, at present, excepting the class of shroffs and banyans, who reside almost entirely in great towns, the inhabitants of these provinces were advancing hastily to a general state of poverty and wretchedness.

"In this description I must even include almost every Zemindar in the Company's territories; which, though it may have been partly occasioned by their own indolence and extravagance, I am afraid must also be, in a great measure, attributed to the defects
of our former system of management."



The beneficial effects which he expected to flow from the plan, were summed up in these comprehensive terms, "Wealth and happiness, to the intelligent and industrious part of the individuals of the country." And, independent, added his Lordship, of all other considerations, "I can assure you that it will be of the utmost importance, for promoting, the solid interests of the Company, that the principal landholders and traders, in the interior parts of the country, should be restored to such circumstances, as to enable them to support their families with decency, and to give a liberal education to their children, according to the customs of their respective casts and religions; that a regular gradation of ranks may be supported, which is no where more necessary than in this country, for preserving order in civil society."[1]

Every where, and apparently at all times, in India, the revenue of government had been almost wholly derived from the annual produce of the land. It had been originally extracted in that rude and simple mode which accorded with the character of a rude and ignorant people. The annual produce of the land was divided into shares between the cultivator and the government: originally shares in kind, and so to the last in many parts of India; though latterly,
government took the money equivalent, in those provinces which had long enjoyed the benefit of a Mogul administration. The shares varied according as the land was recently or anciently brought under culture, and according to the pressure sustained by the state. Two fifths to the cultivator, and three to the government have been assumed as the average proportions for land under full cultivation.[1]

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Every year to ascertain the produce of every field, and collect from it the share which belonged to the government, was a very laborious and complicated process; and some variety occurred in the modes in which the operation was performed. In the petty Hindu governments, it would appear, that the agents of the prince transacted

immediately with the husbandmen, called ryots, either man by man, or village by village.

The establishment of villages (a vicinity, or parish,[2] would, perhaps, be the more appropriate title) is a peculiarity in India, of which, having been already explained, it is only necessary here to excite the recollection. Each vicinity, call it village, or call it parish, constituted a little community; which had a species of government within itself. Of the villagers, one was headman, distinguished in different places by different appellations; another was employed to keep and register the accounts of the community. Each community had also its Brahmens, as well for the service of the gods, as for the education of the children. It was provided, too, with the various species of handicrafts, and labourers, required by the habits of the people. The land of the village was sometimes divided into lots, and was regarded as individual property; but sometimes it belonged to the community as a whole; and a separate partition of it was made every year by the villagers among themselves, each ryot receiving for the cultivation of the year, such a portion as appeared to correspond with his capital or means. In this, as in other transactions, the headman was the great regulator; but rather, it should seem, from the habitual deference which was paid to him, than any power which he had to enforce his decrees. When the revenue agents of the government transacted village by village, without descending to the annual assessment of each individual ryot, they levied a particular sum upon each particular village, and left the villagers to settle the individual quotas among themselves.



When the Mogul government extended itself so enormously as to comprehend the greater part of the vast Indian continent, the greatness of its transactions, and the rudeness of its mind, naturally rendered it impatient of details; and modes were invented of transacting the business of revenue more in the gross. The revenue agents were rendered stationary, in the districts where they collected, and became responsible to the government for the revenue, receiving payment, by a per centage, or share of what they collected. Under the Indian governments, Moslem or Hindu, every thing which was enjoyed, whether office or possession, had a tendency to become hereditary. There was a great convenience in preserving, in each district, the same grand agent of revenue, and after himself, his son or successor; because each was better acquainted with the people and resources of the district, than, generally speaking, any other man could be expected to be. In this manner, the situation of those agents became in fact hereditary; and the government of the Moguls, which was, though occasionally violent, in many respects considerate and humane, seldom allowed itself to displace those officers, without some heavy ground of displeasure; even when it sometimes superseded them in the business of collection, it generally made them an allowance, to preserve their families from want or degradation. Before the period of the English acquisitions, the Persian appellative of Zemindar had been generally appropriated to them, in the northern regions of India.



Being responsible to government for the revenue, they were allowed the exercise of all the powers which, in the rude government of the Moguls, were accounted

necessary for realizing it. The common method in India of enforcing payment of any debt, was the use of coercion in the hand of the creditor. For revenue debts, government was not likely to pursue more lenient methods. A military force was the instrument allowed; and the Zemindars, in the common style of Oriental pride, retained about them as many troops as they could possibly find the means of maintaining. Under Eastern despotisms the different powers of government were seldom communicated asunder. To the power of collecting the revenue by a military force, was added the power of administering justice. All civil disputes appear to have been regarded in India as falling naturally under the cognisance of the agents of revenue. And, in fact, the whole business of judicature and police, with the sole exception of inflicting the highest class of punishments, devolved upon Zemindars, each within the district over which he was placed.

"We generally," says an intelligent servant of the Company, speaking of himself and his brethren, "see Indian affairs, with English eyes; and carry European notions into Indian practice."[1] To this source may evidently be traced a considerable proportion of the blunders of our countrymen in the government of India. For how long a period, and as yet hardly closed, did they resolve upon finding a feudal system, in India? With this turn of mind, it was to be expected, that they would, if possible, find a set of land-holders, gentry, and nobles, to correspond with those in England. The Zemindar had some of the attributes which belong to a land-owner; he collected the rents of a particular district, he governed the cultivators of that district, lived in comparative splendour, and his son succeeded him when he died. The Zemindars, therefore, it was inferred without delay, were the proprietors of the soil, the landed nobility and gentry of India. It was not considered that the Zemindars, though they collected the rents, did not keep them; but paid them all away, with a small deduction, to the government. It was not considered that if they governed the ryots, and in many respects exercised over them despotic power, they did not govern them as tenants of theirs, holding their lands either at will or by contract under them. The possession of the ryot was an hereditary possession; from which it was unlawful for the Zemindar to displace him: For every farthing which the Zemindar drew from the ryot he was bound to account: And it was only by fraud, if, out of all that he collected, he retained an *ana* more than the small proportion which, as pay for collection, he was permitted to receive. Three parties shared in the produce of the soil. That party to any useful purpose most properly deserves the name of proprietor, to whom the principal share of the produce for ever belongs. To him who derives the smallest share of the produce the title of owner least of all belongs.[1] In India to the sovereign the profit of the land may be said to have wholly belonged. The ryot obtained a mere subsistance, not more than the necessary wages of his labour. The Zemindar enjoyed allowances to the amount of about ten per cent. upon the revenue which he collected, not more than a compensation for his services. To the government belonged more than one half of the gross produce of the soil.



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The English were actuated not only by an enlightened, but a very generous policy, when they resolved to create, in favour of individuals, a permanent property in the soil, as conducive at once to the increase of its produce, and the happiness of the people. They were under the influence of prejudices in the mode of carrying their

design into execution. Full of the aristocratical ideas of modern Europe, the aristocratical person now at the head of the government, avowed his intention of establishing an aristocracy, upon the European model; and he was well aware that the union, at home, of statesmen and Directors, whom he obeyed, was under the influence of similar propensities.

In agreement with the orders from home, the resolution was, To form a settlement with the Zemindars for the revenues of their several districts; to limit the settlement in the first instance, to a term of ten years; but to render it permanent, if sanctioned by the authorities in England; and to recognize the Zemindars as hereditary proprietors of the soil, upon payment, as a landtax,
not to be enhanced, of the sum at present assessed.



To such a degree were the English, up to that hour, unacquainted with the country, that the most instructed among them differed prodigiously in estimating the revenue which Bengal was competent to yield. Some were of opinion that the existing rate of assessment was heavier than the people could bear. Others conceived that it was far below the amount to which it might, with propriety, be raised. The government, after all its inquiries, had no better foundation on which to place the magnificent structure it intended to raise, than the amount of the actual collections of preceding years; upon the average or medium of a few of which the assessment, destined for perpetuity, was now arranged. The authorities at home dissuaded, or rather forbid, an actual measurement and valuation of the country; and made a remark which, in itself, does them credit, whatever may be thought of its application to the occasion on which it was produced: That an assessment below what the country could bear, was no detriment, in the long run, to the government itself, because the riches of the people were the riches of the state.

It was easy for the government to assume that the Zemindars were proprietors of the soil under the Mogul sceptre; and it was easy to declare that they should be so in future. But it was not easy to reconcile these proceedings with the rights of other classes of the people. Under the Mogul system, there were various descriptions of persons, as *Talookdars, Chowdries, Munduls, Mokuddims,* who, as well as the Zemindars, had hereditary claims upon the produce of the soil; and it was not the intention of government to sacrifice to any class of its subjects the interests of any other. But the interests of the ryots, which were of many times the importance of the interests of all the other classes taken together, whether the mass of individual happiness, or the power of the state, be regarded as the end, were by far the most difficult to bring into a state of concordance with the rights which were thus to be conferred upon the Zemindars.

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The possessions of the ryots, either individually, or by villages, were hereditary possessions. So long as they continued to pay to government the due proportion of the produce, they could not lawfully be dispossessed. They not only transmitted their possessions by descent; but had the power of alienation, and could either sell them, or give them away. At an early period of the Mogul history, a minute survey had been made of the land; upon that survey an assessment had been founded, which had long

been regarded as the standard of what every field was to pay; even when new imposts, during the progressive difficulties and corruption of the Mogul administration, were superadded, the Zemindars were bound to give written schedules, called *pottahs,* to the ryots, specifying the particulars of the assessment upon each individual; and these documents were registered in the government accounts, and intended for the protection of the ryot against the extortion of the collector.

The means which, under the Mogul sceptre, were provided for the security of the ryots, were very inadequate to their end. The Zemindars were enabled to exercise universal oppression. Under the eye of a humane and vigilant governor, they were occasionally restrained, by the terror of summary punishment, from the excesses of exaction. But, in general, they took from the ryots every thing beyond what was necessary to preserve them in existence; and every now and then desolated whole districts by the weight of their oppressions. This was contrary to the laws under which the Zemindar was appointed to act. But to whom was the ignorant, the timid, the credulous, the indigent ryot, to apply for redress? His fears, and very often his experience, taught him, that to suffer in patience was the prudent course. The exactions of the Zemindars were covered with so many ingenious contrivances, that they puzzled the wits of the simple cultivator, and often eluded the eye of the government itself.



If the aristocracy was provided for, it appears to have been thought, as by English aristocrats it is apt to be thought, that every thing else would provide for itself. The rules by which the payments of the ryots were determined varied in various places; and so intricate did they appear to the Anglo-Indian government, that no little trouble would be necessary to make an assessment in detail. The ryots were, therefore, handed over to the Zemindars in gross. The Zemindars were empowered to make with their ryots any settlements which they chose, under a mere general recommendation to be guided by the custom of the place. One security alone was thought of for the ryot. Upon the terms on which the Zemindar agreed to fix his payment, he was to give him a *pottah;* and according to the terms of that pottah, his possession or estate was to be equally permanent with that of the Zemindar.

When the principles of the decennial settlement were finally resolved, and proclamation of the measure was about to be made, a question arose, whether notice, at the same time, should be given of the intention to make the assessment and its rules unalterable, in case the authorities in England should approve. Mr. Shore, though he was among the leading patrons of the Zemindary system, opposed such an intimation, as fraught with imprudence. The Zemindars, he affirmed, were a set of people, whose minds would be as powerfully governed by a decennial, as a perpetual term. He insisted upon the deficiency of the information under which the matter had been arranged. He allowed that enormous abuses existed in the mode of dealing of the Zemindars toward the ryots; abuses which no sufficient expedients had been employed to correct. And he desired that a door might be left open for the introduction of such improvements as the experience of ten years might suggest.

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The advantages which the imagination of the Governor-General had painted, as likely to result from the permanence of the settlement, had made so deep an impression on his mind, that he opposed the arguments of Mr. Shore; persisted in his purpose of proclaiming the design; and declared his resolution to use all his influence with the Court of Directors, that they should not wait for the lapse of ten years, but make the settlement perpetual without any loss of time. The circumstance, from which he most vehemently argued, was, the improvement which certainty of enjoyment, he affirmed, would effect, and which certainty of enjoyment alone could be expected to effect, in the cultivation of the country. "I may safely," said he, "assert that one-third of the Company's territory in Hindostan, is now a jungle, inhabited only by wild beasts. Will a ten years' lease induce any proprietor to clear away that jungle, and encourage the ryots to come and cultivate his lands? when, at the end of that lease, he must either submit to be taxed, *ad libitum,* for his newly acquired lands, or lose all hopes of deriving any benefit for his labour.—I must own, that it is clear to my mind, that a much more advantageous tenure will be necessary, to incite the inhabitants of this country to make those exertions which can alone effect any substantial improvement."[1]



The authorities which constituted the Indian government made it their profession, and their boast, that they were not directed by "abstract theories, drawn from other countries, and applicable to a different state of things;"[2] And the fact was, that almost every step which they took was the result of an "abstract theory," commonly drawn from something in their own country, and either misdrawn or misapplied. The abstract theory now acted upon by the Governor-General; namely, that the highest improvements in the cultivation of the land can be expected from none but the proprietors of the land; was just only in one, and that a restricted, point of view. But though it were proprietors alone that had sufficient motives for the highest efforts in cultivation, the Governor-General, and his ministerial and directorial masters, who concurred with him, ought to have reflected, that there are sorts of proprietors; and that it is not from every sort, that any improvement whatsoever, or any attempt towards improvement, is to be expected. They might have reflected, for how many centuries the soil of Poland has been private property, or the soil of Russia, and how little, in those countries, of any thing like improvement, has yet taken place. They might have recollected, that the nobles even of France, where knowledge was so far advanced, had for many centuries before the revolution enjoyed the property of the soil of France; and that the agriculture of France still continued in the most deplorable condition.[1] There are three sets of circumstances, whose operation, where it is felt, prevents the improvement of the soil at the hands of its proprietors: first, ignorance; secondly, possessions too large; and thirdly, too much power over the immediate cultivators. The last is by far the most important circumstance; because men, with very few exceptions, as education and government have hitherto moulded their minds, are more forcibly drawn by the love of absolute power, than by that of money, and have a greater pleasure in the prostrate subjection of their tenants than the increase of their rents. When our countrymen draw theories from England, it would be good if they understood England. It is not because in England we have a landed aristocracy, that our agriculture has improved, but because the laws of England afford to the cultivator protection against his lord. It is the

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immediate cultivators who have increased so wonderfully the produce of the land in England, not only without assistance from the proprietors, but often in spite of them. The proprietors of the land in England even to this hour, exhibit one of the strongest proofs which can be adduced, of the ascendency which is exercised by the love of domination over the love of improvement and of wealth. No principle is more thoroughly established, and indeed more universally admitted, than that the grant of leases, and leases of a long duration, to the immediate cultivators of the soil, are essential to all spirited and large improvement. But the proprietors of the soil in England complain, that leases render their tenantry too independent of them; and the greater proportion of the land of England is cultivated on tenure at will. If the gentlemen of England will sacrifice improvement to the petty portion of arbitrary power which the laws of England allow them to exercise over tenants at will; what must we not expect from the Zemindars of Hindustan, with minds nurtured to habits of oppression, when it is referred to themselves whether they shall, or shall not, have power over the miserable ryots, to whom the law is too imperfect to yield any protection? It is the interest of permanent governments to promote the prosperity of their people, because the prosperity of the people is the prosperity of government. But the prosperity of the people depends entirely upon their freedom. What governments, on this account, have ever promoted freedom? The propensity of the Zemindars was to regard themselves as petty sovereigns.



The effect of *ignorance,* with respect to improvement, is too obvious to require illustration. But it may be remarked, that it operates with peculiar efficacy in augmenting the force of the most powerful of the causes by which the proprietors of land are made to prevent improvement. The love of domination has always the greatest sway in the most ignorant state of the human mind.

The effect of *large possessions* in preventing those efforts and sacrifices, on which improvement depends, deserved of the Indian legislators profound consideration. It cannot escape the feeblest powers of reflection, that the man, who already enjoys a vast accumulation of wealth must regard, with comparative indifference, small acquisitions; and that the prospect of increasing his great revenue, by slowly adding the painful results of improvement, cannot operate very powerfully upon his mind. It is the man of small possessions who feels most sensibly the benefit of petty accessions; and is stimulated the most powerfully to use the means of procuring them. It is on the immediate cultivator, when the benefits of his improvements is allowed to devolve in full upon himself, that the motives to improvement operate with the greatest effect. That benefit, however, cannot devolve upon him in full, unless he is the proprietor as well as the cultivator of his fields; and hence, in part, the backwardness of agriculture in some of the most civilised portions of the globe.



There was an opportunity in India, to which the history of the world presents not a parallel. Next, after the sovereign, the immediate cultivators had, by far, the greatest portion of interest in the soil: For the rights (such as they were) of the Zemindars, a complete compensation might have easily been made: The generous resolution was adopted of sacrificing to the improvement of the country, the proprietory rights of the

sovereign: The motives to improvement which property gives, and of which the power was so justly appreciated, might have been bestowed upon those upon whom they would have operated with a force incomparably greater than that with which they could operate upon any other class of men; they might have been bestowed upon those from whom alone, in every country, the principle improvements in agriculture must be derived, the immediate cultivators of the soil: And a measure, worthy to be ranked among the noblest that ever were taken for the improvement of any country, might have helped to compensate the people of India, for the miseries of that misgovernment which they had so long endured.—But the legislators were English aristocrats; and aristocratical prejudices prevailed.

Instructions for the settlement were issued in Bengal towards the end of 1789, and for the province of Bahar in the following year. A complete code of regulations was promulgated for the new system in November, 1791. And the land revenue realized in that year from Bengal, Bahar, and Orissa, together with Benares, amounted to 3,02,54,563, sicca rupees, or 3,509,530*l*. It was not however, before the year 1793, that the decennial settlement was executed in every district; and that the completion of the measure was announced. So perfectly did the ideas of the government at home correspond with the ideas of the Governor-General, that in the early part of that very year, and before the plan was fully carried into execution, authority arrived in India for bestowing upon it the intended permanence by immediate proclamation.



Beside the land revenue, some other duties were levied in India, which were all generally included under the denomination of *Sayer;* and consisted, chiefly, of certain tolls upon the entry or transit of goods, by land or water. These duties, also, the Zemindars, in their capacity of collectors of the revenue, had formerly had in charge. To the Anglo-Indian government, however, it appeared, that the management of the Sayer duties but ill accorded with the character of a great landed aristocracy, now imparted, or supposed to be imparted, to the Zemindars. Invention was taxed for the discovery of another plan, by which these duties might be collected. Upon inquiry it appeared, that the difficulties of the business would be very great. The value, too, of the Sayer duties had never yet been very considerable. It was certainly the easiest, and was finally determined to be the best expedient, to abolish them. The tax on spirituous liquors, from moral rather than fiscal motives, was alone reserved.

The taxes of Bengal were thus included, with hardly any exception, in one grand impost, that upon the land. The government, however, added to its income, by the resource of monopoly. There are but two articles of luxury, of which there is any considerable consumption in India; salt, and opium. Under the native governments, the monopoly of salt had usually been sold. It has been already stated in what manner the servants of the Company endeavoured, at an early period of its territorial history, to appropriate the benefits of this monopoly; and at what period the Company itself thought proper to become the monopolist. From the period of the assumption of the monopoly till the year 1780, it had been usual to dispose of the manufactories in farm, on leases of five years. In that year Mr.

Hastings abolished the system of farming, and placed the manufacture of salt in the hands of government. Servants of the Company were appointed to conduct the business, in the capacity of agents; and the price was annually fixed by the Governor-General in Council. With this arrangement Lord Cornwallis no further interfered than by an alteration in the mode of sale, and some rules to protect the workmen. Instead of fixing a price, the commodity was to be sold in small lots by public auction. And as cruelties were practised upon the salt-makers, in confining them to the salt-works, while they were subject to fraud on the part of the natives employed as subordinate agents, certain measures were taken for the prevention of those evils. The salt monopoly produced, at the commencement of the present administration, the sum of 40,00,500 sicca rupees, or 464,060*l*. It had been gradually worked up to the rate of 1,360,180*l*. the sum which it produced on the average of three years preceding 1810. How much of this arose from increased consumption; how much from the severity of augmented price, will appear hereafter.



The monopoly of opium, like that of salt, the Mogul government uniformly sold. In this branch of business, the Company's government did not depart from the practice of its predecessors. The contract was disposed of by private bargain and special favour till the year 1785; when it was exposed to public competition, and consigned to the highest bidder. Regulations were at the same time made for protecting the ryots from the compulsion, which it had been usual to exercise upon them, to cultivate this article at the contractor's price. It was the interest of government, when government became the monopolist, to pay to the ryot, as grower, the lowest possible price. To effect this object, a rate was declared, at which the ryot was compelled to furnish the commodity. Lord Cornwallis complained, that the regulations which had been formed to mitigate the effects of this oppressive system, were by no means adequate to their end; and he added, or substituted, others, of which the beneficial effects were not much superior. One peculiarity it is useful to remark. When the East India Company became the sovereign, it was not only the seller of the monopoly, but it was the principal buyer, too, from its own contractor. As the government fixed the price, at which the contractor was to pay for the opium to the grower; so it fixed the price, at which the contractor was to sell it to the Company. The price at which the Company bound the contractor to furnish it with opium, was less than the price, at which it bound him to pay for it to the grower. "Though the result," say the Select Committee of the House of Commons, in 1810, "will sufficiently demonstrate the erroneous tendency of these contracts, yet the mistakes committed in them were not discovered soon."[1] They were not seen by Lord Cornwllis. He continued the system.

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Beside the changes in the financial, Lord Cornwallis meditated important changes, in the judicial department of government. For that part of the judicial business, which regards the civil, as distinct from the penal branch of law, the rulers in England, free, as they boasted, from the influence of "abstract theories,"[2] made, by their orders of 1786, a combination of the business of judicature with the business of finance: a mixture of the character of the tax-gatherer with that of the judge. In each district, the same man was collector of the revenue, judge of the Duannee Adaulut, and moreover

head of the police. Of two such offices as those of collector and judge, lodged in the same hands, it was notorious that the one had a very strong tendency to produce a sacrifice of the duties of the other. As a security against that great and glaring evil, the rulers of 1786 prescribed, that the proceedings of the collectors, in their financial department, and in their judicial and magisterial departments, should be kept separate and distinct. Upon experience, Lord Cornwallis did not think, that this grand expedient was altogether adequate to the end which it was contrived and provided to secure. In a minute, dated the 11th of February, 1793,3 , he stated, that, under this system, the protection of the natives depended solely upon the character of the individual who was sent to govern them. Where the collector was a man of humanity and justice,



the people, as under the worst government on earth, would no doubt be protected. But as often as it should happen that the collector was a man of another character, the people were exposed to the greatest injustice. If the collector was oppressive, he himself was his own judge. If he decided iniquitously, where lay the appeal? to another class of revenue officers, whose feelings could not be regarded as impartial; to the Board of Revenue, as Sudder Duannee Adaulut; a tribunal at such a distance that few indeed of the natives could endure the expense of an appeal. It was therefore resolved that the financial and judicial functions should be disjoined; and the following reasons for that important measure were published to the country: “That while the collectors of the revenue preside in the courts of Mhal Adaulut as judges, and an appeal lies from their decisions to the Board of Revenue, and from the decrees of that Board to the Governor-General in Council in the revenue department; the proprietors can never consider the privileges which have been conferred upon them as secure; That exclusive of the objections arising to these courts, from their irregular, summary, and often *exparte* proceedings, and from the collectors being obliged to suspend the exercise of their judicial functions whenever they interfere with their financial duties; it is obvious that, if the regulations for assessing and collecting the public revenue are infringed, the revenue officers themselves must be the aggressors; and that individuals who have been aggrieved by them in one capacity can never hope to obtain redress from them in another: That their financial occupations equally disqualify them from administering the laws between the proprietors of land and their tenants: That other security must, therefore, be given to landed property and to the rights attached to it, before the desired improvements in agriculture can be expected to be effected.”1

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With a view to improve upon this plan of administering justice, Lord Cornwallis devised and established the following scheme. In each district, that is, in the language of the country, each Zillah, and in each of the considerable towns or cities, a Zillah, or city, court, was established. One of the Company’s servants, higher in rank than the collector, was the judge. To this judge was appointed a register, and one or more assistants from among the junior servants of the Company. Each court was provided with a native, duly qualified to expound the Hindu or Mahomedan law, in cases which turned upon any of these several codes. And all descriptions of persons within the local administration of the tribunal, except British subjects amenable to the Supreme Court, were rendered subject to its jurisdiction.

To obviate the danger of arrears in decision, from the arrival of too many causes to decide, the judge was authorised to refer to his register, under an appeal to himself, all suits in which the litigated property was not of considerable amount. The jurisdiction of the register was extended at first to 200 rupees, and afterwards even to sums of a higher amount. For determining, in suits regarding personal property, from the value of 50 rupees downwards, native commissioners were appointed; and of these tribunals several, at convenient distances, were established in every Zillah. They were allowed no salary or establishment, but received as remuneration a fee of one *ana* per *rupee,* or a commission of somewhat more than six per cent, upon all sums litigated before them.



They acted the part of arbitrators; and their mode of procedure was summary, that of simple rational inquiry, not distorted into a labyrinth, by technical forms. From their decision an appeal might be carried to the Zillah Court. And upon these appeals, as well as those from the jurisdiction of the register, the decision of the Zillah Court was final, excepting in one set of cases; namely, those regarding the species of property called in English law *real* property, and of those cases in only that part in which the decision of the inferior court was reversed.

Such was the establishment for primary jurisdiction, or decision in the first instance in the civil department of judicature. A new provision was also devised for the second and ultimate decision, in case of appeal. The Board of Revenue, or the Governor-General in Council, had previously exercised the powers of appellate jurisdiction. But to prevent the inconvenience of their having too much to do, it had been provided (as if unjust decision on small sums could never happen), that no appeal should be made to them, unless the property in dispute amounted to the value of 1000 sicca rupees. By experience it was found, that among the indigent natives very few suits arose for sums so large as 1000 rupees. From that security for justice, therefore, which is constituted by the power of appeal, the natives were, in point of fact, almost wholly excluded: and, indeed, had the limits of appeal been enlarged, the expense of repairing to Calcutta would in most cases have rendered the exclusion equally complete.

Regarding this as an evil, Lord Cornwallis established four tribunals of appeal: one in the vicinity of Calcutta, one at the city of Patna, one at Dacca, and a fourth at Moorshedabad. They were constituted in the following manner. Three judges, chosen from the civil department of the Company's service, and distinguished by the appellations of first, second, and third; a register, with one or more assistants from the junior branch of the European servants; and three expounders of the native law, a Cauzee, a Mooftee, and a Pundit, formed the establishment of each court. The privilege of appeal was still confined to sums of a given though reduced amount; and by subsequent regulations a more humane and rational policy was adopted, an appeal being allowed from every primary decision of the Zillah Courts. Even the appellate jurisdiction of the Zillah Courts might be reviewed by this superior Court of appeal, commonly known by the name of the Provincial Court, in those cases in which it saw occasion to interpose. It was also, in the exercise of its appellate jurisdiction, empowered to take fresh evidence; or, for the sake of receiving fresh evidence, to send back the cause to the original court.

Another and higher, a third stage of jurisdiction, was erected. A tribunal, entitled the Court of Sudder Duannee Adaulut, was still set up at Calcutta. It was composed of the Governor-General, and the members of the council, assisted by the Cauzy ul Cauzaut, or head cauzy, two moofties, two pundits, a register and assistants. They received appeals from the Provincial Courts, or courts of primary appeal; at first for sums of 1000 rupees. At this amount, however, appeals were numerous: Decision on so many was laborious to the Governor-General and Council. The number of appeals was, at any rate, no proof of the want of need for the privilege of appeal. What was the remedy? To raise the sum on which appeal was admitted: that is, to deny the privilege to the poorest class.1 By act 21 Geo. III. c. 70, sect. 21, an appeal lay to the King in Council for all sums exceeding 50,000 rupees.



Among the other prejudices of those who at this time legislated in India with so much of good intention for the people of Hindustan, were the prejudices which owe their birth to the interests, and hence to the instructions of lawyers. Of these it is one of the most remarkable, and the most mischievous, that to render judicial proceedings intricate by the multiplication of technical forms, by the rigid exaction of a great number of nice, obscure, pedantic, and puzzling rites and ceremonies, tends to further the ends of justice. This unhappy instrument of justice was not forgotten in the present reforms. For courts of law, provided for a people, among whom justice had always been distributed in the method of simple and rational inquiry, was prescribed a course of procedure, loaded with minute formalities; rendered unintelligible, tedious, and expensive, by technical devices. Of the intricacy and obscurity thus intentionally created, one effect was immediately seen; that the candidates for justice could no longer plead their own causes; that no one could undertake to present a cause to the mind
of the judge according to the nicety of the prescribed and intricate forms, unless he belonged to a class of men who made it their trade to remember and observe them. The necessity of an establishment of hired advocates; in Indian phrase *vakeels,* a word of very general application, meaning almost any man who is employed on any occasion to speak and act for another; was therefore acknowledged. A system of rules was prescribed for the formation and government of a body of native pleaders; to whom pay was provided by a small retaining fee, and a per centage on the amount of the litigated property. From this, one inconvenience immediately flowed; an inconvenience from which the establishment of mercenary pleaders has never yet been freed, but which by this regulation was carried up to its greatest height, and there made secure from descent; that the class of causes which is infinitely the most important of all, could not fail to be treated with comparative neglect, and to sustain a proportionate failure of justice.

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In one important particular, common sense, and pure intention guided the present ruler into the good path, wherein his successors, alas! had not the wisdom to follow him. When the Company abolished the *choute,* or exaction for the judge of twentyfive per cent. Upon the value of the litigated property, they established in lieu of it what was called an institution fee, or a sum to be paid upon the commencement of a suit. Any obstruction to the demand for justice, Lord Cornwallis treated as an evil; and appears to have had some perception more or less clear, of the important truth, that where there is not *cheap justice,* in the great majority of cases there is no justice. He

abolished the impost upon the commencement of a suit; prohibited all fees of court; and restricted the expense of justice to the remuneration of the pleader, and the necessary conveyance and maintenance of witnesses. With regard to the judges, he emphatically insisted upon their being paid entirely and exclusively by salary, "without receiving any kind of perquisite whatever:"[1] And he who understands the injuries which justice has sustained and yet continues to sustain, for the benefit of judges' fees, will appreciate the gratitude which for this determination, if for nothing else, he deserves from mankind.



Such was the provision made by Lord Cornwallis for the civil department of judicature: He was not less deeply impressed with the necessity of substantial reforms in the penal.

In his address to the Court of Directors, under date the 17th of November, 1790, he said; "Your possessions in this country cannot be said to be well governed, nor the lives and property of your subjects to be secure, until the shocking abuses, and the wretched administration of justice in the foujedarry department can be corrected. Anxious as I have been, to supply a speedy remedy, to evils, so disgraceful to government, so ruinous to commerce, and indeed destructive to all civil society, it has still appeared to me to be so important as to make it necessary for me to act with great circumspection. But I am so strongly incited by motives of humanity, as well as of regard to the public interest, to establish, as early as possible, an improved system for the administration of criminal justice, that I shall use every exertion in my power to effect it, before my embarkation for Madras."[2]

For criminal judicature or jail delivery, four tribunals were erected. For judges on these tribunals, the judges of appeal in the four provincial courts were appointed, with the same auxiliaries, in the shape of register, assistants, and native officers, as were appointed for them in the civil courts of appeal. The business of penal judicature was to be performed by circuit. The jail deliveries at the four principal cities, the seats of the provincial courts, were to be held every month; those in the district of Calcutta four times, and those in the remaining Zillahs of the country twice in the year. According to the plan of Lord Cornwallis, the judges of each of the four courts of appeal formed two courts for the circuit: one, consisting of the first judge, accompanied by the Register and Mooftee; and one consisting of the two remaining judges, attended by the second assistant and the Cauzee.



While the judges of appeal were, in this manner employed, the courts of appeal were unavoidably shut. The inconvenience of this was soon very heavily felt. In 1794, it was ordained, that one of the judges should remain to execute the business of the civil court; while the other two proceeded to hold the penal courts by circuit. By an unhappy rule, however, of the civil court, requiring that two judges should be present for decision upon appeals, little relief was obtained by this measure. It was, therefore, in 1797 directed that two of the judges should remain for the business of the civil appeal court, and that only one should be spared for the business of the penal circuit.

Beside the courts of circuit, the utility was still recognized of a superior criminal tribunal at the seat of government. As in the case of the Sudder Duanee Adaulut, it was composed of the Governor-General and the Members of the Supreme Council, assisted by the head Cauzee and two Mooftees. Nizamut Adaulut, as in the language of the country, was the name, by which this high criminal court was distinguished.



In the performance of the great penal branch of the judicial duties, the judges of circuit, periodically, repair to the places which are the seats of the Zillah courts, and remain till they have gone through the calendar; in other words have investigated every charge which is contained in the list of charges presented to them, upon their arrival. The accusation, with its evidence; the defence with its evidence, or the confession of the prisoner when he happens to confess, are heard before the judge, and recorded in writing. The Cauzee, or Mooftee, who has witnessed the proceedings, is then required to write at the bottom of the record the sentence which is required by the Moslem law, and to attest it with his signature and seal. With this decision it is optional in the judge to concur or to disagree. If he disagree, the case is referred to the Nizamut Adaulut; and in all cases inferring the higher degrees of punishment, the sentence of the itinerant court is not executed, till confirmed by that presiding tribunal. A copy of the record, with every material paper delivered into court, is transmitted with all convenient dispatch to the Nizamut Adaulut, accompanied by a letter stating the opinion of the judge on the evidence adduced.

The judges are required, on their return from the circuit, to make a report, containing an account of every thing which has appeared to them to be worthy of the notice of government, in the perfections or imperfections of the law; in the condition of the jails; in the management of the prisoners; and even in the moral and physical condition of the people. It is always a favourable sign of a government to provide for its own information respecting the error of its own proceedings, and the means of carrying on to perfection what is yet mingled with defect. To require periodical reports from the judges, for the purpose of making known the evils which remained without a remedy, is a measure deserving no common tribute of applause. Were a similar operation carried over the whole field of government, and made sufficiently faithful and searching, the melioration of governments, and with it the happiness of the human race, would proceed with an accelerated pace. One consideration, however, which it is of great importance to hold constantly in view, has been well suggested on this very occasion by the Committee of the House of Commons, appointed to report on the affairs of India in 1810. “It is hardly,” they say, “to be supposed that public servants, in such a case, would lean to the unfavourable side; or without sufficient foundation, transmit accounts which would prove disagreeable to the government to receive. A communication of this nature might be rather suspected of painting things in colours pleasing to the government, with the view of bringing the writer into favourable notice.”[1] It is a matter of experience, that this propensity, in general, is uncommonly strong. A wise government therefore would always take, with very considerable allowance, the flattering picture presented in the reports it might receive; but in the language of the same Committee, “Would regard them as worthy of particular consideration, as often as defects are stated to exist, and evils are represented to

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prevail."[2] How opposite the ordinary conduct of governments, how effectual the measures which they take to hear no accounts but flattering ones, to discountenance and deter the suggestion of defects, the world is too old to need to be informed.



Such was the apparatus provided by Lord Cornwallis for the administration of law. A correspondent consideration ought to have been, what was the law which through this machinery was to be administered.

When rights are considered as already established, the object of a body of law is to define and secure them. Among the people of India rights to a great extent were already established; and there were two systems of law which respected them. It was an important question to what degree those systems were calculated to answer the purposes of law; that is, to mark out, by clear, precise, and unambiguous definitions, what were rights, and what the violations of them. It was a very lame and defective provision for the distribution of justice, to appoint a number of persons for the administration of law, if there was no law, or no tolerably good law, for them to administer. The standards of Hindu and Moslem law, by which, respectively, the rights of the Hindu and Mahomedan population were to be governed, were their sacred books; the Shasters and the Khoran. These were just about as well calculated for defining the rights of the people of India, as the Bible would be for defining those of the people of England. There was by consequence, in India, nothing which in reality deserved the name of law. Its place was supplied by the opinions of the Pundits and Cauzees, which were liable to all the fluctuations, which diversity of thoughts, and the operation of interest, were calculated to produce. Every thing was vague, every thing uncertain, and by consequence every thing arbitrary. The few points which could be regarded as in any degree determinate and fixed, covered a very small portion of the field of law. In all the rest, the judges and interpreters were at liberty to do what they pleased; that is, to gratify their own interests and passions, at the expense of the candidates for justice, to as great a degree, as the ignorance or negligence of the ruling power would permit. With the law, in such a condition as this, it is evident, that any thing like a tolerable administration of justice was altogether impossible. The first thing, therefore, first in point both of order and importance, was, to have prepared a set of exact definitions comprehending rights, and those violations of them which it is the business of law to prohibit; in other words, it was proper to have drawn up a clear and unambiguous digest of law, in both its departments; the prohibitive or penal, as well as the creative or civil. The thought of rendering this great service to justice and to human nature, seems never to have visited the mind of the Governor-General and his advisers. To this day, it has hardly visited the mind of any Indian ruler; though to provide an expensive machinery of judges and courts without a body of law, is in point of reason as great an absurdity, as to provide an expensive apparatus of cooks and kitchen utensils, without any victuals to cook. Is it a wonder, that the administration of justice in India should still be a disgrace to a government conducted by a civilized people?

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The irrational notion appears to have established itself in the minds of most Englishmen, that courts, or tribunals, are also law; and that when you have established tribunals, you have not merely provided an instrument for the administration of law, if any law exists; but have provided law itself. Nothing, it must be owned, was ever better calculated for generating so absurd an opinion, than the state of the law in England, and the efforts of English lawyers, whose interests it eminently promotes. In England, extraordinary as it may sound, the courts have been at once tribunals, and law. In England, as in India, the courts were originally set up without law. What they did was to make law for themselves. In that deplorable condition the business of law in England remains. The greater part of the rights of Englishmen depend upon nothing better than unwritten, undefined law, generally denominated common law; that is, any thing which the judges choose to call law, under no other restriction than certain notions, to a great degree arbitrary, of what has been done by other judges before them. Englishmen in general have no conception of the extent to which they lie under a despotic power in the hands of the judges; and how deeply it concerns them to see that despotic power taken away.



It is remarkable, notwithstanding this, that Lord Cornwallis has expressed very strongly, both by words and example, the great utility, or rather absolute necessity, if the ends of justice are the ends in view, that every law should be fixed, by written, permanent expressions; and, what is more, that it should be accompanied hy the reasons upon which it is grounded. In the preamble to one of his enactments, he said; "It is essential to the future prosperity of the British in Bengal, That all regulations, which may be passed by government, affecting, in any respect, the rights, persons, or property of their subjects, should be formed into a regular code; and printed, with translations in the country languages: That the grounds on which each regulation may be enacted, should be prefixed to it: And that the courts of justice should be bound to regulate their decisions by the rules and ordinances which those regulations may contain." If all this is of so much importance, in the case of regulations for only the modes of administering law; what must it not be for the matter of law itself? And what is to be thought of the state of legislation, in India, and in Great Britain, the people of both of which are still deprived of such an advantage, "essential to their prosperity?"—"A code of regulations," continues the preamble, "framed upon the above principles, would enable individuals to render themselves acquainted with the laws, and the mode of obtaining speedy redress against every infringement of them: The courts of justice would be able to apply the regulations, according to their true intent: Future administrations would have the means of judging how far the regulations had been productive of the desired effect, and, when necessary, of altering them, as experience might direct: And the causes of future prosperity or decline would always be traceable in the code to their source."[1] The gratitude of mankind is due to a government, which, thus solemnly, promulgated to the world the beneficent creed; That it is only by a code, that is, laws existing in a given form of words, that the people can know the laws, or receive protection from them: That it is only by means of a code, that courts of justice will apply the laws according to their true intent: That the defects of all ordinances of law ought to be experimentally traced; and corrected whensoever known: And, that the causes of the decline or prosperity of nations may always be

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found, as at their source, in the state of the laws. Opinions more important to the interests of human beings never issued from human lips.

By the reforms of Lord Cornwallis however, almost wholly confined to the instruments of judicature, no alternations were made in the state of the law, except that the mutilations, and some other cruelties in the native modes of punishing were abolished, and certain modes, very liable to abuse, of enforcing payment of debt, were forbidden; no coercion for the recovery of debt, even in the case of the revenue, being allowed, except through the medium of the courts of law.



Beside the dispensation of justice, in deciding upon rights, and in punishing wrongs, the protection of society requires that provision, as effectual as possible, should be made, for preventing evil; for checking crimes, in the act of commission; and for ensuring the persons of offenders for justice. The system of operations and powers, destined for the performance of these services, goes, in the languages of modern Europe, by the unappropriate name of police.

The native system of police, the powers of which, in arbitrary exercise, were confided to the Zemindars with their armed followers, in the country; and to a set of officers, called Cutwals, with armed followers, in cities; was abolished. From both these sets of officers all powers were taken away. Instead of the previous expedients, the judges of the Zillah courts were vested, in quality of magistrates, with powers of apprehending and examining all offenders. On slight offences, importing a trivial punishment, they might pass and execute sentence: in other cases, it was their business to secure the supposed delinquent for trial in the court of circuit, and that, either by committing, or holding him to bail, as the gravity of the case might seem to require. Each Zillah was divided into districts of ten coss, or twenty miles square; and in each of these districts the judge was to establish a darogah, or constable, with a train of armed men, selected by himself. The darogah was empowered to apprehend on a written charge, and to take security, in the case of a bailable offence, for appearance before the magistrate. The cities of Dacca, Patna, and Moorshedabad were divided into wards, each of which was guarded by a darogah and his party, all under the ultimate superintendance of the magistrate, but subject immediately to the management of a head darogah of the city, who received the old name of Cutwal, and to whom the regulation of the market was consigned.

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The magistrate was commanded to present to the Nizamut Adaulut, a report, at the end of every month, embracing the following particulars: 1. Persons apprehended, with name, date of charge, order for punishment, commitment for trial, release: 2. Casualties in regard to prisoners, by death, and removals: 3. sentences in the court of circuit: 4. Trials under reference to the Nizamut Adaulut: 5. Sentences received from the Nizamut Adaulut: Every six months he was to transmit to the same authority a report of all convicts under confinement: And by a subsequent regulation he was every year to present two additional reports; one, of all criminal cases depending before him; and another, of the material circumstances of all the robberies and higher

crimes, committed, during the course of the preceeding year, within the Zillah to which he belonged.1

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# CHAP VI.

*Result of Lord Cornwallis's Financial and Judicial Reforms.*

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Of the regulations, constituting this great revolution in the government of the Indian people, the natural consequences were, within a few years, pretty fully developed in practice; and the present is perhaps the occasion on which the instructive picture of them can with most advantage be presented to view. The trespass upon chronological order, in the case of events which scarcely fall into the ordinary channel of narration, will be amply compensated by the advantage of surveying, in immediate sequence, institutions and their results.

According to the order in which the institutions were considered, the consequences of the new system of finance come first to be described. Its more immediate object was, to establish a landed aristocracy in the persons of the Zemindars. That project, whatever character may be thought to belong to it, has completely failed.

In default of payment of their taxes on the part of the Zemindars, the security reserved for government was, to put up to sale as much of the land as would suffice to discharge the arrears. The important question, of judicature with a multitude of technical forms, or judicature without a multitude of technical forms, was curiously illustrated on this occasion. The government had established courts of law, and appointed for them a numerous list of forms, through which it required much time to pass. In their own case, however, it would, they perceived, be highly desirable to obtain speedy justice. To obtain speedy justice, they saw, it would be absolutely necessary to be exempted from technical forms. To what expedient then had they recourse? To the abolition of technical forms? No, indeed! They made a particular exception of their own case. They enacted that, in all suits for rent or revenue, the courts should proceed by summary process; nay, further, that in such suits the proceedings should be exempted from those fees and expenses to which other candidates for justice were appointed to submit. By a high and conspicuous act, more expressive than words, they declared that one thing was conducive, or rather essential, to justice. They established, by their legislative authority, the very reverse. On what conceivable principle, was speedy and unexpensive justice good for the government, and not good for the people? From which of its imaginary evils was it exempt in the case of the government, and not equally so in the case of the people.

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With how much inaccuracy and ignorance the measure had been taken of the moral, intellectual, and political state of the Zemindars, when it was supposed that, by rendering them proprietors of the land, under a fixed but heavy land tax, provision was made for their prosperity, for the improvement of the country, and the happiness of the great body of the people, experience early evinced.

The selling of the lands immediately began; and proceeded with a rapid pace. In the year 1796, the land advertised for sale comprehended a rentroll of 28,70,061 sicca rupees;1 which, according to the total assessment, was nearly one tenth of the whole of Bengal, Bahar, and Orissa, in a single year.2 By the progress of this operation, the whole class of the ancient Zemindars, instead of being erected into an aristocracy, was speedily destroyed. In 1802, Sir Henry Strachey, in his answer to a list of interrogatories which had been circulated to the judges, asserted that "an almost universal destruction" had overtaken the Zemindars; and that if any survived, they were, "according to the notions of the Company's servants, reduced to the same condition, and placed at an equal distance from their masters, as their lowest ryots."3.



A cause which accelerated, but by no means produced, the ruin of the Zemindars, (for the incompatibility of their characters, with the situation in which they were placed, led infallibly to the same result) was the delay which they experienced in obtaining payment from the ryots. The government had given to themselves the benefit of summary process with regard to the Zemindars. But they left the Zemindars to the tedious progress through all the technical forms of the courts in extracting payment from the ryots. Under the observance of many tedious forms the decisions of the courts were so slow, that in the space of two years the accumulation of undecided causes threatened to arrest the course of justice. In one district alone, that of Burdwan, the suits pending before the judge exceeded thirty thousand; and it appeared by computation upon the established pace of the court, that no candidate for justice could expect to obtain a decision during the ordinary period of his life.

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The collector of Burdwan stated the matter correctly, in reporting to government the following complaint of the Rajah; who "submits it," he says, "to your consideration, whether or no it can be possible for him to discharge his engagements to government, with that punctuality which the regulations require, unless he be armed with powers, as prompt to enforce payment from his renters, as government had been pleased to authorize the use of, in regard to its claims on him: and he seems to think it must have proceeded from an oversight, rather than from any just and avowed principle, that there should have been established two modes of judicial process, under the same government; the one, summary, and efficient, for the satisfaction of its own claims; the other, tardy, and uncertain, in regard to the satisfaction of the claims due to its subjects; more especially in a case like the present, where ability to discharge the one demand necessarily depends on the other demand being previously realized."1

The effects of this system upon the minds, as well as upon the condition of the Zemindars cannot be doubtful. In answer to an inquiry of government in 1802, the collector of Midnapore said; "All the Zemindars with whom I have ever had any communication in this, and in other districts, have but one sentiment, respecting the rules at present in force for the collection of the public revenue. They all say, that such a harsh and oppressive system was never before resorted to in this country; that the custom of imprisoning landholders for arrears of revenue, was, in comparison,

mild and indulgent to them: that, though it was no doubt the intention of government to confer an important benefit on them by abolishing this custom, it has been found, by melancholy experience, that the system of sales and attachments, which has been substituted for it, has, in the course of a very few years, reduced most of the great Zemindars in Bengal to distress and beggary; and produced a greater change in the landed property of Bengal, than has, perhaps, ever happened, in the same space of time, in any age, or country, by the mere effect of internal regulations."[1]

"The great men formerly," says Sir Henry Strachey, "were the Mussulman rulers, whose places we have taken, and the Hindu Zemindars. These two classes are now ruined and destroyed."[2]

We have thus seen the effects of the new system upon the Zemindars. Let us next endeavour to trace its effects upon a much more important class of men, the ryots. Unfortunately, for this more interesting part of the inquiry, we have much more scanty materials. In the documents which have been exhibited, the situation of the ryots is in a great measure overlooked. And it is from incidental circumstances, and collateral confessions, that we are enabled to form a judgment of their condition. This result itself is, perhaps, a ground for a pretty decisive inference; for if the situation of the ryots had been prosperous, we should have had it celebrated, in the loftiest terms, as a decisive proof, which surely it would have been, of the wisdom and virtues of our Indian government.



When it was urged upon Lord Cornwallis, by Mr. Shore, and others, that the ryots were left in a great measure at the mercy of the Zemindars, who had always been oppressors, he replied, that the permanency of the landed property would cure all those defects; because, "where the landlord has a permanent property in the soil, it will be worth his while to encourage his tenants, who hold his farm in lease, to improve that property." It has already been shown how inapplicable this reasoning was to the case which it regarded. It now appears that the permanency, from which Lord Cornwallis so fondly expected beneficial results, had no existence; that the plan which he had established for giving permanency to the property of the Zemindars, had rendered it less permanent, than under any former system; had in fact destroyed it. The ryots, left without any efficient legal protection, were entrusted to the operation of certain motives, which were expected to arise out of the idea of permanent property; and, practically, that permanence had no existence. The ryots were, by consequence, left altogether without protection.

"Fifty means," says a very intelligent and experienced servant of the Company, "might be mentioned, in which the ryots are liable to oppression by the Zemindars, even when pottahs have been given. The Zemindars will make collusive engagements, and get ryots to do so. Bajeh Kherck, and village expenditure, will go on, at a terrible rate, as it does in the Circars; and where I have no doubt but there are farmers, and under farmers, and securities, and all the confusion that arises from them; that pottahs are not given, and that village charges are assessed on the ryot as formerly."[1]

It is wonderful that neither Lord Cornwallis, nor his advisers, nor his masters, either in the East India House or the Treasury, saw, that between one part of his regulations, and the effects which he expected from another, there was an irreconcileable contraction. He required, that fixed, unalterable pottahs should be given to the ryots; that is, that they should pay a rent which could never be increased, and occupy a possession from which, paying that rent, they could never be displaced. Is it not evident, that in these circumstances, the Zemindars had no interest whatsoever in the improvement of the soil? It is evident, as Mr. Thackeray has well remarked, that in a situation of this description, it may be "the Zemindar's interest not to assist, but ruin the ryot; that he may eject him from his right of occupancy, and put in some one else, on a raised rent; which will often be his interest, as the country thrives, and labour gets cheap."[1]



It is by the judges remarked, that numerous suits are instituted by the ryots for alledged extortions. The Zemindar lets his district in farm to one great middleman, and he to under farmers, to whose exactions upon the ryots it appears that there is really no restriction. In one of the reports, in answer to the queries of 1802, we are informed, that "the interchange of engagements between the parties, with few exceptions, extends no further than the Zemindar's farmer, who is here called the sudder (or head) farmer, and to those among whom he subdivides his farm in portions. An engagement between the latter and the cultivator, or heads of a village, is scarcely known except the general one, to receive and pay, agreeable to past, and preceding years; and for ascertaining this, the accounts of the farm are no guide. The Zemindar himself, seeing that no confidence is to be placed in the accounts rendered him of the rent-roll of the farm, from the practice which has so long prevailed of fabrications and false accounts, never attempts to call for them at the end of the lease; and, instead of applying a corrective to the evil, increases it, by farming out the lands literally by auction; and the same mode is adopted in almost every subdivision of the farm."[1] This is the security which is afforded to the cultivators, by the boasted permanency of the property of the Zemindars. That any prosperity can accrue to this class of the people, or encouragement to agriculture, from such an order of things, is not likely to be alledged.



The relation established by Cornwallis between the ryot and the Zemindar, was remarkable. The Zemindar had it in his power to pillage the ryot; but the ryot had it in his power to distress the Zemindar. He might force him to have recourse to law for procuring payment of his rent; and the delay and expense of the courts were sufficient to accomplish his ruin. It is the habit of the people of India to pay nothing until they are compelled. A knowledge that they might always ward off the day of payment to a considerable distance, by waiting for prosecution, was sufficient motive to a great proportion of the ryots to pursue that unhappy course, which, in the long run, was not less ruinous to themselves than to the Zemindars.

The following picture of these two great classes of the population, is presented by a high authority. "By us all is silently changed. The ryot and the Zemindar, and the gomastah, are by the levelling power of the Regulations, very much reduced to an

equality. The protecting, but often oppressive and tyrannical power of the Zemindar, and the servitude of the ryot, are at an end. All the lower classes,—the poorest, I fear, often in vain—now look to the Regulations only, for preserving them against extortion and rapacity. The operation of our system has gradually loosened that intimate connexion between the ryots and the Zemindars, which subsisted heretofore. The ryots were once the vassals of their Zemindar. Their dependance on the Zemindar, and their attachment to him, have ceased. They are now often at open variance with him; and, though they cannot contend with him on equal terms, they not unfrequently engage in law-suits with him, and set him at defiance. The Zemindar, formerly, like his ancestors, resided on his estate. He was regarded as the chief and the father of his tenants, from whom all expected protection, but against whose oppressions there was no redress. At present the estates are often possessed by Calcutta purchasers, who never see them; and whose agents have little intercourse with the tenants, except to collect the rents."[1]

"The ryots," says the same excellent magistrate, "are not, in my opinion, well protected by the revenue laws; nor can they often obtain effectual redress by prosecuting, particularly for exaction and dispossession." And these are the very injuries to which they are most exposed. The reason Sir Henry immediately subjoins. "The delay and expense attending a law-suit are intolerable, in cases where the suitor complains, which almost invariably happens, that he has been deprived of all his property. The cancelling of leases, after the sale of an estate for arrears, must frequently operate with extreme harshness and cruelty to the under tenants."[1]

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The Indian Government, in their observations addressed to the Court of Directors, "appeared," say the Select Committee of the House of Commons, "unwilling to admit that the evils and grievances complained of, arose from any defects in the public regulations. The very grounds of the complaints, the government observed, namely, those whereby the tenantry were enabled to withhold payment of their rents, evinced that the great body of the people, employed in the cultivation of the land, experienced ample protection from the laws, and were no longer subject to arbitrary exactions."[2] That the great body of the people enjoyed protection, because they could force the Zemindars to go to law for their rent, is an inference which it would be very unwise to trust; which appears to be, as there is no wonder that it should be found to be, contrary to the fact. But suppose the fact had been otherwise; and that the ryots received protection; was it no evil, upon the principle of the Regulations, that the Zemindars were ruined? Yet so it is, that the organ of government in India found this ruin, when it happened, a good thing; affording, they said, the satisfactory reflection, that the great estates were divided into small ones; and that, by change of proprietors, the land was transferred to better managers.[3]

Upon the review of the conduct of the government, in thus praising, one after another, the results of the new system, whatever they might be, those originally expected from that system, or the very reverse; the same Committee of the House of Commons, though commonly very reserved in their censorial essays, observe, "It was thus, in explaining to the authorities at home the

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effects and tendency of the new system, that the government in India generally found something to commend. When the operation of the regulations proved adverse to their expectations, in one respect; in another, something had occurred to console them for the disappointment."[1] In fact, they only pursued the grand highway, the beaten common track, of misrepresentation; a track in which the instruments of government, as far as concerns their own operations, and the apparatus to which they have attached their interests, can seldom be without a motive to tread. The evil effects, which cannot be concealed, are represented as trivial. All those, which are not calculated to force themselves upon the public attention, are carefully covered from view. Every effect, which is either good, or absurdly supposed to be so, is exaggerated and extolled. And many good effects, which it is in reality of a nature to obstruct rather than produce, are ascribed, by some through ignorance, by others from fraud, to the object, whatever it is, which it is the wish to applaud.

The unhappy reluctance of the Indian rulers, to see any imperfection in the scheme of government which they had devised, was, however, at last, overcome. A Regulation, or law, was promulgated in 1799, the preamble of which acknowledged, "that the powers allowed the landholders for enforcing payment of their rents, had, in some cases, been found insufficient; that the frequent and excessive sales of land, within the current year, had been productive of ill consequences, as well towards the land proprietors, and under tenants, as in their effects on the public interest, in the fixed assessment of the land revenue;



that the Zemindars were understood to have made purchases of their own lands in fictitious names, or in the names of their dependants, the object of which was to procure, by fraudulent means, a reduction of the rate of assessment."[1] For remedy of the evils, now at last acknowledged, it was enacted, that the Zemindars should have the use of summary process, with the power of attachment and sale, in realizing their rents. The reflections of Sir Henry Strachey, upon this reform of the new law, eminently merit the attention of both the philan thropist, and the statesman. "In passing," says this highly respectable witness, "the seventh regulation, 1799, it was, I believe, the design of government (a very reasonable and liberal design in my opinion) to enable the Zemindars to collect their just demands of rent, with punctuality, and without expense. And I think it would have been just and considerate, at the same time, to have facilitated to the ryots the means of obtaining redress against extortioners. But the fact is—the ruin of one Zemindar being more conspicuous at the Sudder than that of 10,000 ryots, his interests naturally attract the attention of the legislature first; and as, in the proposal of any plan connected with finance, it is required to set out with the maxim, that the sudder jumma can on no pretence be lowered, there remains no other resource for helping the Zemindars, than the restoration of part of the power they possessed of old to plunder their tenants. Exaction of revenue is now, I presume, and, perhaps, always was, the most prevailing crime throughout the country. It is probably an evil necessarily attending the civil state of the ryots. I think it rather unfortunate than otherwise, that it



should be less shocking to humanity than some foujdarry crimes. I know not how it is that extortioners appear to us in any other light than that of the worst and most pernicious species of robbers. It will be found, I believe, that the condition of husbandmen, in eastern

countries, is incompatible with security, and that sort of independence which enables men to maintain themselves against oppression and violence. The public revenues, which are in reality the rent of land, are, throughout the East, collected by a system of extortion, violence, and barbarity of every kind." After alluding to the attempts, not without a partial success which had been made by the Company's government, for the redress of that great class of evils, Sir Henry goes on to say, "The frequency, however, of the attachments and sales, under the Regulation of 1799, would alone serve to prove, that the revenues are not collected without extreme misery to the ryot." Two circumstances will be sufficient to show the unlimited oppression to which the ryots stand exposed. The first is, that the Zemindars are empowered to distrain, previous to a legal judgment, "without adducing," to use the language of Sir Henry, "any evidence of their claim before they proceed to enforce it, and acting as judges in their own cause." The second circumstance is, that "the ryots are almost totally deprived of the power of seeking redress, by the expense of the courts of law."[1] Knowing this, can any one be surprised, when Sir Henry Strachey declares, "The laws regarding attachments are greatly abused, and are productive of extreme oppression."

Some diminution in the outstanding balances, and some improvement in the sales of the estates of Zemindars, having become a subject of boast; it is to the regulation, which authorized the above-stated oppressions, that "this effect," says Sir Henry Strachey, "is chiefly to be ascribed. Yet," he adds, "as if the mode in which the rents are levied, and the condition of the ryots, were matters not necessary to be noticed, it is frequently pronounced at once, as a position admitting of no doubt, that these favourable sales afford a substantial proof of the lightness of the assessment, and of the flourishing state of the country."[1]



The Committee of the House of Commons remark, that so inadequate was the provision for judicature to a population of 27,000,000,[1] when the collectors alone were the judges, that the people, among themselves, must have settled the greater number of their disputes, "by modes peculiar to their tribes or castes, or by reference to their *gooroos,* or spiritual guides;" That it was the object, on the other hand, of Lord Cornwallis, to afford the means of a regular judicial decision, in every case, to every inhabitant of the country, "without any impediment from the distance the complainant would have to travel for redress;" an object so essential undoubtedly to goodness of government, that it is the principal end of its institution.

It soon appeared, however, that the provision made for this important business was ill adapted to its end. The tedious forms through which the judges had to travel, permitted them to decide so small a number of causes in a given portion of time; and the delay and uncertainty which attended a technical and intricate mode of procedure, afforded so much encouragement to dishonest litigation, that the pace of decision fell prodigiously behind that of the multiplication of suits; and the path of justice might in some places, be regarded as completely blocked up.

A more melancholy exhibition of the weakness of the human mind, arising from the wretched nurture which it still receives, cannot easily be discovered or conceived, than that which appears in the proceeding we are next to relate.

To obviate the disproportion which was found to exist between the number of judicial decisions and the occasions for them, two rational expedients presented themselves. One was to disencumber the Courts of every operation not essential to the ends of justice; by which means they might have been enabled to get through with a much greater number of causes. If, even by the most expeditious mode of procedure, the Courts were unable to decide as many causes as were brought to them, the case was plain; the number of courts was too small for the business of the country, and, wheresoever necessary, ought to have been increased.

This was not the course pursued by the Anglo-Indian government. No. To ease the pressure upon the Courts, they enacted, that every man who applied for justice should be punished; literally punished; as if the application for justice were a crime; in hopes that many persons, if they were punished on account of their applying for justice, would cease to apply. Government enacted, that every applicant for justice should be fined; that is, should be compelled to pay a sum of money upon the institution of a suit; and various other sums during the progress of it, by the imposition of taxes upon the proceedings: All for the declared purpose, the sole purpose of driving people away from the Courts. Such was the scheme for the better administration of justice which was devised by British legislators in the year 1795; such the scheme, the existence of which they still approve; and finally such is the scheme which obtained the applause of a Select Committee of the British House of Commons in the year 1810.[1]



Nothing is more easy than to lessen the business of the Courts of law: to diminish it to any proposed extent; to produce its annihilation. What are the means? The most obvious in the world; denial of justice. Decree that no person whatsoever who is less than six feet high, shall be admitted to sue in a court of justice; and you will reduce the business to a very manageable quantity: Decree that no man who is less than eight; and you reduce it to nothing. A man's stature is surely as good a test to judge by, whether he has received an injury, as his purse.

The delusion is so gross, which in this case produces its effects upon the minds of the deluded, that the contemplator is astonished at finding men who are subject to its influence still occupying, and that almost exclusively, the seats of power.

Of the two parties to a suit it is not of absolute necessity that either should be dishonest: because the case may have in it such obscurity as to require the decision of a judge. But these cases are, or at any rate, if there was a good code of laws, would be, very rare. In by far the greater proportion of cases, when law-suits are numerous, one of the parties is intentionally dishonest, and wishes to keep or to gain some unjust advantage.

When legislators, therefore, propose to drive people from the Courts of Justice by expense, they must of necessity imagine that it is the dishonest parties only

whom the expense will deter; for it would be dreadful to make laws to prevent the honest from receiving a legal protection. But is it easy for the wit of man to frame a proposition stamped with stronger characters of ignorance or corruption than this? That to render access to justice difficult is the way to lessen the number of crimes. What is the greatest encouragement to injustice? Is it not every thing which tends to prevent immediate redress. What is the greatest discouragement to injustice? Every thing which tends to ensure immediate redress. But tedious and expensive forms of law, of which uncertainty is a consequence, have the greatest tendency to prevent immediate redress. They are, therefore, a great encouragement, not a hindrance to injustice.

Let us contemplate the motives which actuate the two parties to a civil suit, the just, and the unjust. The unjust man is actuated by the desire, wrongfully to retain, or wrongfully to obtain, possession of an article of property. The just party is actuated by the desire, rightfully to obtain, or rightfully to retain, the same possession. What is the evil, the hazard of which the unjust man incurs? The costs of suit. What is the good the chance of which he obtains? The whole of the property forming the subject of dispute. It is evident, that a very slender chance in the latter case may outvalue all that is risked in the former. It is evident, that, considering the great propensity of mankind, particularly of the dishonest part, to over-value their own chances of good fortune, the risk of the costs will in many instances be run, where the chance of success is exceedingly small. In the case of sums of any considerable amount, the advantage of retaining the property, even during the long period which under an intricate form of procedure is required to arrive at the
execution of a decree, may be more than a compensation for all the expense which it is necessary to incur.

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Even in those cases in which the expense bears a great proportion to the value of the matter in dispute; those cases in which the value of the property is moderate; what are the motives by which the honest and dishonest litigant are liable to be impelled? On the side of injustice there is, first, the certain advantage of delay, and there is, secondly, the chance of success. On the side of justice there is only the chance of success.

Suppose then chances of success to be equal; the motives to incur the expense of a law-suit would in that case be always greatest on the side of the dishonest litigant; none therefore but the injured is in that case liable to be deterred from law-suits by fines upon the application for justice.

As it is evident that, in proportion to the chance which injustice has for success in the Courts of Justice, the greater is the motive which the unjust man has not to be deterred, and the just man has to be deterred by the expense; so it is also evident that this is not all: it is evident, that the motive of the unjust litigant is not proportioned to the real chance which he has for a decision favourable to his injustice; but that it rises to the pitch of his own exaggerated estimate of his chance of success. Now, in all systems of procedure, which by technical forms render the judicial business complex, intricate, full of subtleties and snares, the chance of success to injustice, in a vast proportion of cases, is very great. This chance, most assuredly, is the producing cause

of a great proportion of lawsuits. This, together with the advantages of delay, derived from the same system of forms, is, where the corruption of the judge is not contemplated, accountable for all suits at law, except that comparatively small number, in which the right of the honest man is really a matter of obscurity and doubt. In all cases, therefore, in which the unjust man estimates this chance at more than the expense of a suit, it is not the man who injures, but the man who is injured, whom the fine upon justice operates to deter. In all such cases the fine upon the application for justice has no other effect than to compel the honest man to submit to iniquity; no other effect than that of affording a province to injustice, in which it may range at will.[1]



In all cases then, in which this expedient does not deter the unjust litigant, it is mischievous beyond expression. The cases in which it can deter the unjust litigant must always be few; because it is evident, that the motive, under the present state of the law, is very great to unjust litigation, and that the counter motive, arising from a certain addition to the expenses of suit is in comparison small. If it be considered, that all litigation is caused by the motive to injustice, unless in the comparatively small number of cases in which the point of right is really doubtful, it must be regarded as a motive very powerful, since it governs the conduct of so great a number of men. If it be considered that the only force employed, by the new expedient of the Indian government, to counter act this motive, is a certain difference of expense, it will not be regarded as possessing much efficacy to deter from litigation the man who expects from it an unjust advantage.

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Thus stands the case with regard to the class of suitors who can endure the oppression of a law-suit, rendered expensive by legislative design. There is, however, a different class of persons; a class of persons including the whole population, with the deduction of a small proportion; and how stands the case with regard to them? They are utterly unable to defray the expense of a law-suit, rendered costly and oppressive by legislative design. They are, by consequence, excluded from the Courts of Justice. A barrier, altogether insurmountable, is set up between them and the services of the judge. Except in the cases affecting the public peace, and calling for public prosecution, justice is denied them: They are placed out of the protection of law. In this, the most large, and, by its largeness, the most interesting and important of all the portions of the demand for justice, the man who intends injustice clearly sees, that he may perpetrate his purpose in absolute safety. The poor man is debarred from even the application for redress. It must be confessed, then, that in this large department of the field of justice, law-suits are prevented by expense; effectually prevented, by rendering plunder and oppression, without remedy, the lot of the innocent, and holding out the premium of perfect impunity to injustice.

A provision, indeed, was made for persons suing, in the character of poor. But to how little effect that provision exists any where, no words are necessary to make known.

A mode of procedure, inartificial, expeditious, and cheap, before native commissioners, provided for suits on account of small sums, though much more useful,

was extremely inadequate to the extent of the demand.[1]



The Court of Directors appear, in that dispatch of theirs which has been recently quoted, to imagine, that the choice lies exclusively between the present institution, of which the evils are so enormous, and the arbitrary and precipitate system of the natives. A slight degree of reflection, exempt from the shackles tied upon their minds by custom and authority, would point out to them another course, infinitely preferable to both. Let them give to the people distinct definitions of their rights in an accurate code, and give them courts of justice, which will decide, not precipitately, but carefully; free, however, from technical impediments, and therefore quickly: and they will both enable their courts to investigate a greater number of causes; and will exceedingly reduce the number of suits.

It is the admirable effect of an excellent administration of justice, that it prevents the very intention to commit injury, by making it certain to every one that injustice will be disappointed of its aim. Who would go into court for a decision, aware that his cause was bad, if he knew that its merits would be accurately explored, and justice immediately awarded? In this case the minutest portion of benefit could not be expected from iniquitous litigation. Iniquitous litigation, therefore, would cease. And after the deduction of suits instituted or provoked for purposes of injustice, very few in comparison would remain. But the case is altogether different, when a man knows that it will be months, or perhaps years, before his injustice will come in turn for investigation; that even then, it is only ceremonies that are to be performed, for a considerable space of time, while the merits of the question remain unexplored; that the law is unwritten, arbitrary and obscure; that the procedure is exceedingly difficult to follow without mistakes; and that on these mistakes, totally regardless of the merits of the question, the decision may finally depend. The advantages of injustice, in a state of things like this, are so very numerous, and the encouragement to unjust litigation so very great, that the multiplication of suits may be regarded as a natural and unavoidable result.



No proposition, derived from political experience, may be relied on more confidently than this. That the multiplication of law-suits is a proof of the bad administration of justice: that a perfect administration of justice would almost annihilate litigation: and that the attempt to reduce it by any other means, such as that of expense, is to hold out encouragement to plunderers, and to deny protection of law to the honest and just.

When any great public duty is to be performed, and the number of performers is found to be too small for the demand, the most obvious of all expedients is to increase the number. With regard to this expedient for enabling the government in India to do justice between its subjects, the Committee of the House of Commons made an extraordinary declaration in the year 1812. “An augmentation of the number of European Judges, adequate to the purpose required, would be attended with an augmentation of charge, which the state of the finances is not calculated to bear; and the same objection occurs to the appointment of

assistant Judges."[1] Never, since man had the use of language, was a more terrible condemnation of any government pronounced. Of all the duties of government, that of maintaining justice among the people is the foremost. This, in fact, is the *end* for which it exists. Here is said to be a government, which raises upon the people a revenue so vast, that, by avowed intention, it is literally all that they can bear; that is, oppressive to the highest pitch which oppression can reach without desolating the country: And all this revenue is squandered away, till not a sufficiency remains to hire Judges for the distribution of justice!

What is made of all this money? To what preferable purpose is it applied? High matter, in large quantity, would be contained in a proper answer to these questions.

Having surveyed the effects, which practice and experience have made visible, to those who least enjoy the powers of reflection, of the Regulations made for decision upon the civil rights of the people of India; we come, in order, to the effects which have been produced by the Regulations made for the suppression of crimes, including both penal judicature and police.



In two ways, a system of legislative provisions for the suppression of delinquency may be defective. The burthens which it imposes, in the way of expense and in the way of infliction, may be too heavy. It may not answer its end; instead of completely repressing offences, allowing them continually to increase.

In regard to burthens, under the reforms which we are now contemplating expense was increased. The inflictions according to the ideas of Englishmen, were mitigated; but the banishments, substituted to the mutilations, seem to be regarded with still greater horror by the natives than the mutilations themselves. It is unnecessary to dwell upon this topic. The most important point for contemplation is, the diminution or increase of the security of the people by the increase or diminution of crimes. In this respect, too, the effects of the English Regulations have been deplorable.

Of all the crimes by which the private members of the same community infest one another, robbery, in the idea of which are included plunder and murder, is the most deeply fraught with mischief, both by the evil brought upon the immediate victims; and by the alarming sense of insecurity which the prevalence of that crime strikes into the mind of almost every individual in the community. This, the highest of all crimes, assumes an aspect peculiarly terrible in India; where the robbers (in the language of the country *decoits*) form themselves into confederacies, and perform their crimes with a combination of forces which it is not easy to resist. This class of offences did not diminish under the English government, and its legislative provisions. It increased; to a degree, highly disgraceful to the legislation of a civilized people. It increased under the English government, not only to a degree, of which there seems to have been no example under the native governments of India, but to a degree surpassing what was ever witnessed in any country in which law and government could with any degree of propriety be said to exist.

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The testimony of the judges, and other officers of the Company's government, shall be adduced, as much as possible, in their own words. "The crime of decoity" (that is robbery by gangs), says Sir Henry Strachey, in his report as judge of circuit in the district of Calcutta in the year 1802, "has, I believe, increased greatly, since the British administration of justice. The number of convicts confined at the six stations of this division (independent of Zillah twenty-four pergunnahs) is about 4,000. Of them probably nine-tenths are decoits. Besides these, some hundreds have of late years been transported. The number of persons convicted of decoity, however great it may appear, is certainly small, in proportion to those who are guilty of the crime. At Midnapore, I find, by the reports of the police darogas, that, in the year 1802, a period of peace and tranquillity, they sent intelligence of no less than ninety-three robberies, most of them, as usual, committed by large gangs. With respect to fifty-one of these robberies, not a man was taken; and for the remaining forty-two very few, frequently only one or two in each gang. It must not be supposed that decoity prevails in the district of Midnapore to a greater extent than in other districts of this division; on the contrary, I think there is less, except perhaps in Beerbhoom. In Burdwan there is certainly three or four times as much."[1]

The Judge of circuit in the Rajeshahye division in 1808, in a letter to the Register to the Nizamut
Adaulut, says, "It is with much diffidence I address the Nizamut Adaulut on the present occasion; for I have to propose measures, the nature of which they are, I know, generally averse to. I do not wait till the end of the circuit, when, in the course of official routine, I should have to make a report to the court; because the evil which I complain of is great, and increasing; and every instant of delay serves only to furnish new victims to the atrocities which are daily committed.—That decoity is very prevalent in Rajeshahye has been often stated. But if its vast extent were known: if the scenes of horror, the murders, the burnings, the excessive cruelties, which are continually perpetrated here, were properly represented to government, I am confident that some measures would be adopted, to remedy the evil. Certainly there is not an individual, belonging to the government, who does not anxiously wish to save the people from robbery and massacre. Yet the situation of the people is not sufficiently attended to. It cannot be denied, that, in point of fact, there is no protection, for persons or property. Such is the state of things which prevails in most of the Zillahs in Bengal. But in this it is much worse, than in any other I have seen. I am fully persuaded, that no civilized country ever had so bad a police, as that which Rajeshahye has at present."[1]



Mr. Dowdeswell, the secretary to government, in a report which he drew up, in 1809, "On the general state of the police of Bengal," says; "Were I to enumerate only a thousandth part of the atrocities of the decoits, and of the consequent sufferings of the people; and were I to soften that recital in every
mode which language would permit, I should still despair of obtaining credit, solely on my own authority, for the accuracy of the narrative." He goes on to state, that, "Robbery, rape, and
even murder itself, are not the worst figures, in this horrid and disgusting picture. An expedient of common occurrence with the decoits, merely to induce a confession of property, supposed to be concealed, is, to burn the proprietor with straw or torches,

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until he discloses the property, or perishes in the flames. And when they are actuated by a spirit of revenge against individuals, worse cruelties, if worse can be, are perpetrated by those remorseless criminals. If the information obtained is not extremely erroneous, the offender, hereafter noticed, himself committed fifteen murders in nineteen days: And volumes might be filled with the atrocities of the decoits, every line of which would make the blood run cold with horror."[1]

Mr. Dowdeswell inserts an abstract of three trials which had been recently adjudged in the court of Nizamut Adaulut. It is highly proper that one should appear as a specimen. The prisoners, nine in number, were charged, with being the principal actors in a gang of robbers, who on the night of the 27th August, 1808, perpetrated the enormities which the prosecutor related, as follows: "That about twelve o'clock on the night on which the robbery and murders took place, he was sleeping in a house at a short distance from that of his father, and being awoke by the noise of robbers, went out, and saw that a party of about fifty decoits had attacked his father's house; that, from fear, he concealed himself in a plantain garden, within fifty yards of the spot, from whence he saw the robbers drag out from the house his father and mother; and, after binding their hands and feet,



apply lighted straw and torches to their bodies, demanding of them, at the same time, to point out where their money was concealed; that the unfortunate people assured them, they had none; but that the robbers, proving inexorable, went into the house and brought from it a quantity of hemp, which they twisted round the body of Loharam, and, after pouring on it ghee, or clarified butter, to render it more inflammable, set fire to it:—That they then procured a quilt from the house, which they also moistened with ghee and rolled round the body of Loharam:—That the prisoners Balka Sirdar, Nubboo Sirdar, and Kunkye Cupally, at the direction of the prisoner Bulram Sirdar, threw the prosecutor's father on the ground, and keeping him down, with a bamboo which they held over his breast, set fire to the quilt:—That at this time the cries of the unfortunate man were most shocking, the robbers continually calling on him to tell where his money was, and he assuring them that he had none, and imploring them to take his cows, or anything they might find in his house:—That the robbers, however, still proceeded to further cruelty, having procured some mustard-seed, and torn up the flesh of Loharam's breast, by drawing a large bamboo several times across it, pounded the mustard-seed on the sores, with a view to make the torment more excruciating :—That, at the same time the mother of the prosecutor was tortured nearly in the same manner, by the robbers tying hemp round her body, and setting fire to it, and dragging her about from place to place, by the hair of her head, calling on her, all the while, to tell them where her husband's money was concealed; and also calling out on the prosecutor by name, to come and witness the state of his father and mother:—That these cruelties, together



with the plunder of the house of Loharam and other ones adjacent, continued until between three and four o'clock in the morning, at which time the robbers departed; and that the prosecutor, on going up to his father and mother, found them most dreadfully mangled, but still alive; that his father expired about noon, and his mother, not till the following morning. The prisoners whom the prosecutor swore to have recognized, at the murder of his parents, in addition to Bulram Sirdar, Balka Sirdar, Nubboo Sirdar,

and Kunkye Cupally, before mentioned, were;—Dacooa Sirdar, Shookoor Peada, Mudary Peada, Gallichurn Ghose, and Nubboo Sirdar; and he also specified Casinauth Bagdy, and Gudda Barooge."

"Several witnesses on the part of the prosecution (inhabitants of the village) confirmed the circumstances related by the prosecutor.

"The court in consequence, sentenced the prisoners convicted, nine in number, to suffer death."1

The other two cases are of a similar character. One of then relates to the robbery of an English gentleman whose house was plundered, who was himself loaded with indignity, and some of his servants murdered. "An accurate judgment," says the secretary of the Indian government, "of the nature of the evils in question, may be formed from the foregoing documents."

Of the extent of the mischief, this gentleman, however, informs us, that the government had no very accurate knowledge. We are left to judge of it, by the general declarations we receive respecting its prevalency, and respecting the state of alarm in which the people are universally held. From one declaration, to which there is no dissent, we may draw an estimate, beyond which no imaginable evil can easily be found. "To the people of India there is no protection, either of persons or of property."



It is impossible to suppose that the worst of all crimes should grow up to a height of unexampled atrocity, singly, and by itself. That state of things which affords encouragement to one species of delinquency is pretty sure to afford encouragement to other species of delinquency. The case of India confirms the general experience. Beside decoity, which involves a combination of the most dreadful crimes, "burglaries, effected by breaking through the walls of houses; murder from various motives; robberies attended with murder and manslaughter; perjury, and subornation of perjury, practised for the most atrocious purposes; are," say the Select Committee, "not unfrequent in many parts of the country; but the Bengal provinces appear to be, more than any other, characterized by them."1

Sir Henry Strachey says, "Since the year 1793, crimes of all kinds are increased; and I think most crimes are still increasing. The present increase of crimes may, perhaps, be doubtful; but no one, I think, can deny, that immediately after 1793, during five or six years, it was most manifest and rapid; and that no considerable diminution has taken place."2

The Judge of circuit in the Bareilly division, in 1805, warns the government against supposing that the lists transmitted from the courts exhibit an accurate view of the state of delinquency; because the cases are extremely numerous which are never brought before the magistrates, from the negligence or connivance of the police officers, and the aversion of the people to draw upon themselves the burthen of a prosecution. Hence it happens that the less aggravated cases of robbery, with

those of theft and fraud, " are frequently perpetrated, and no records of them remain." Hence the cases of homicide, which least admit of concealment, occupy the largest space in the criminal calendar. "The number of persons," continues the Judge, "convicted of wilful murder is certainly great.—The murder of children, for the sake of their ornaments, is, I am sorry to say, common. So much so, that I submit whether it might not be adviseable to strike at the root of the evil, by taking away, if possible, the temptation to commit the act: I mean, adopting measures to prevent children from wearing gold and silver ornaments. For my own part, being convinced that, under the existing laws, we have no other means of putting an end to the frequent perpetration of this crime, I could wish to see the practice of adorning children with valuable trinkets, altogether prohibited." He adds, "A want of tenderness and regard for life, is very general, I think, throughout the country."[1]

In Sir Henry Strachey's paper of answers to interrogatories, from which we have derived so much important information, he says, "Perjury has increased greatly; and is increasing."[2] In the report of the circuit Judge of the Patna division in 1802, it is stated, that "of the murders charged (at his late jail delivery) only a few, and of the robberies no more than one, really happened. The rest are merely fictitious crimes, brought forward to harass an opposing litigant, or revenge a quarrel. The criminal court is the weapon of revenge, to which the natives of this province resort, on all occasions. Men of the first rank in society feel no compunction at mutually accusing each other of the most heinous offences, and supporting the prosecution with the most barefaced perjuries. Nor does the detection of their falsehood create a blush."[1]



Such a prevalence of the higher crimes implies a complete dissolution of morals. To this also, if it could remain doubtful, the same weight of testimonial evidence is applied. Sir Henry Strachey says, "The people are probably somewhat more licentious than formerly. Chicanery, subornation, fraud, and perjury, are certainly more common. Drunkenness, prostitution, indecorum, profligacy of manners, must increase, under a system, which, although it professes to administer the Mahomedan law, does not punish those immoralities."

In having lessened the quantity of direct oppression which superiors exercised, as a sort of right, over inferiors, consisted, in the opinion of this judge, the whole of the benefit introduced by the English laws. And this, again, he thought, was counterbalanced by the loss of that protection which the superior was accustomed to yield to his dependants; and by exposure to the still more dreadful scourge of decoits, and other depredators and destroyers.[2]

The Judge and magistrate of Burdwan, in his answer to interrogatories in 1802, says, I am sorry that of the moral character of the inhabitants, I cannot report favourably; or give it, as my opinion, that the British system has tended to improve either the Mahomedan or Hindu moral character. Certain it is, that much profligacy, vice, and depravity, are to be found amongst the higher class: and the crimes, committed by the lower, will, I think, be found more prevailing, and in greater number, than under the Mahomedan jurisprudence."[1]

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The magistrates of the twenty-four pergunnahs, on the same occasion, say, "We are sorry that we cannot make any favourable report respecting the moral character of the inhabitants of the districts subject to our jurisdiction. The lower classes are in general profligate, and depraved. The moral duties are little attended to by the higher ones. The system, introduced by the British government, for the administration of the law, and for the conduct of the internal administration of the country, does not, therefore, appear to have improved the moral character of its inhabitants. The use of spirituous liquors, debauchery, and numberless other vices, which formerly met with the severest checks and punishments, are now practised, with impunity, amongst all classes."2

Of this hideous state of society, the causes are now to be explored. That the root was laid in the corruptive operation of the despotism to which in all ages the people had been subject, admits of no dispute, and stands in need of no explanation. The important inquiry to which we are summoned is; why the British regulations, intended for the abatement of delinquency, had been so unfortunate as to increase rather than diminish it.

That penal law in the hands of the English has failed so completely of answering its end, is to be ascribed in a great degree to the infirmities and vices of the law itself. The qualities wherein consist the virtues of a system of law appear to have been little understood in time past by British legislators. Clearness, certainty, promptitude, cheapness, with penalties nicely adapted to the circumstances of each species of delinquency; these are the qualities on which the efficacy of a system of penal law depends; and in all these, without one exception, the penal law set up by the English in India is defective to a degree that never was surpassed, and very rarely has been equalled. Its failure, therefore, and the misery of the people who must depend upon it for protection, are not a subject for surprise.



It is a sort of a mixture of the Mahomedan and English systems, and so contrived as to combine the principal vices of both. With the exception of a change in certain modes of punishment, revolting to English minds, the Mahomedan code, which in penal matters had been exclusively followed by the Mogul government, was still retained. It was the characteristic of the Mahomedan law, as it is of the law of all rude nations, to be unwritten. The standard was the Koran, in which nothing beyond a few vague precepts could be found. To this were added the commentaries of the doctors, of which some had attained the rank of authorities. The vagueness of the commentaries corresponded with the vagueness of the original; and no distinct legislative definition existed. On every occasion, therefore, requiring a decision, the expounder of the law was called upon, for what? Not to point out a passage of the code exclusively containing the appropriate point of law. No such passage existed. What he did, or pretended to do, was, from a general view of what had been taught or decided by preceding doctors, to frame an inference for the particular case of the moment. His business was, not simply to declare, but to make the law, to make a separate law for an individual case, every time that a decision was required; to make it, and under no other restriction than that of some obligation to make the result bear some resemblance to former practice.

In a law existing in this barbarous state, in which there was so little of any thing fixed or certain, a wide field was commonly assigned to the arbitrary will of the judge. All uncertainties in the law operate to the encouragement of crime; because the criminal interprets them, and with an estimate far beyond their value, in his own favour.

With a law of this description to administer, a procedure resembling that of the regular halls or rather closets of judicature in England was adopted for its administration. The English form of practice, or course of procedure, consists of so many operations and ceremonies, to which, however frivolous, or obstructive to the course of justice, the most minute obedience is rigidly exacted, that the administration of English law abounds with delay, is loaded with expense, and paralysed by uncertainty. From only one of the vices of the Mahomedan system, the corruption of the judges, were the people of India now delivered; but they were visited with another, which appears to be to them a much more dreadful calamity, a complicated, tedious, expensive course of procedure, which to a great degree annihilates all the advantages of law.

The evidence we have on this important subject, is the testimony of those of the Company's servants on whom the business of judicature devolves: some of whom, if we may judge by those of their reports which the public have been permitted to peruse, are to a singular degree qualified for that important trust.

In answer to the following interrogatory; "Are you of opinion that the Mahomedan criminal law, with the alterations of that law made by the British government, is administered with two much lenity, or too much severity; and what do you suppose to be the consequences produced by the operation of the spirit, in which the criminal law is in your opinion administered;" "We are of opinion," said the judges of circuit of the Moorshedabad division in 1802, "that, from the discretionary mode in which the Mahomedan criminal law, with the alterations of that law made by the British government, is administered, the administration of it admits both of too much lenity, and too much severity; at any rate of too much uncertainty. An offence, which to one law officer may appear sufficiently punished by a month's imprisonment, shall from another law officer incur a sentence of three or more years. Even in the heinous crime of gang robbery, our records will show sometimes a sentence of fourteen years transportation, and sometimes a sentence of two years confinement. The consequences which we suppose to be produced by the operation of this spirit in which the criminal law is in our opinion administered, are contempt of the law itself, and encouragement to offenders."[1]

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By Sir Henry Strachey, in his report in the same year as judge and magistrate of Midnapore, it is said, "I may here take the liberty to mention a few circumstances which have fallen under my observation, as operating to obstruct the conviction of delinquents under the present system. I think the delay which occurs between the apprehension and the trial is too great. The accused have time and opportunity to fabricate a defence; and very little money will procure false witnesses to suppert it.

The extreme length and intricacy of trials render the full and complete investigation of every case impossible."[2]



The magistrates of the twenty-four pergunnahs in 1802 reported; "The delay attending the administration of criminal justice, and the length of time that elapses before criminal prosecutions are brought to a conclusion, is one of the causes to which the frequent commission of crimes in general, and that of decoity in particular, may, we think, be in a great measure attributed. The trouble, loss of time, and expense, that attends a criminal prosecution on the present system, is in our opinion a serious evil, and not only induces many who have been robbed to put up with the loss they sustain, rather than apply to the police officers for redress, but prevents numbers from coming forward with informations that would be highly beneficial to the community, and would, we have no doubt, in numberless instances be preferred, were the administration of justice more prompt and speedy that at present. The consequence of delay is, that numbers of criminals of the most daring description, against whom, when committed for trial, there is the most full and complete evidence, escape, and are again let loose on society;" owing to the death, removal, loss of memory, or mendacity of the witnesses; a mendacity often purchased, often the fruit of intimidation.[1]

"I am by no means sure," says the Judge of the Calcutta Court of Circuit, the enlightened Sir Henry Strachey in 1803, "of the necessity or propriety of increasing the severity of punishment. Before I can form a judgment of the efficacy of such remedies, I must be certain that the punishment reaches the offenders; at present the punishment does not reach them; they elude conviction; they elude apprehension. We cannot say that men become decoits, because the punishments are too lenient; they become so, because their chance of escaping altogether is so good."[1]

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The report in 1805 of the Judge of circuit in the Bareilly division says, "Attendance on the court, whether as a prosecutor, or witness, is generally regarded as a heavy misfortune; to avoid which, many leave their homes, and submit to infinite inconvenience and vexation; and many more, I presume, pay handsomely to the Nazir or his people, for permission to keep out of the way. Hence crimes are perpetrated, and no records remain of them.—The delay, and expense, of prosecuting, are intolerable to the lower orders."[2]

A system of law, marked by so many infirmities, may, in a country like England, where crimes are easily suppressed, and where the sentiments and manners of the people accomplish more than the law, afford an appearance of efficacy, and get the credit of much of that order which it does not produce; but in a country like India, where crimes are difficult to repress, and where the law receives little aid from the sentiments and manners of the people, a far more perfect system is required.

A system of law, which would really afford the benefits of law to the Indian people, would confer upon them unspeakable benefits. It is perhaps the only great political blessing which they are as yet capable of receiving. But the arbitrary will of a

master, which though it often cuts down the innocent with the guilty, yet prohibits all crimes but his own, is preferable to a mere mockery of law, which lays the innocent man at the mercy of every depredator.

Of the prevalence of crime in India, the first of the causes, therefore, is found, in the vices and defects of the law. The second may be traced to those of the police; by the imperfections of which, because more superficial, and obvious to ordinary eyes, the attention of the Company's servants, and of the Committee of the House of Commons, appears to have been more peculiarly engaged. The main purpose of a system of police, is to serve as an instrument to the courts of justice; providing that no offence shall be committed without the prompt subjection of the offender to the course of law. The English system appears to fail in accomplishing this important end, by two defects. In the first place, the instruments are too feeble. In the next place, they are ill adapted to the end.

"The establishment of an efficient police," say the Select Committee of the House of Commons, "though an object of the first importance, appears to be a part of the new internal arrangements, in which the endeavours of the supreme government have been the least successful. With respect to the darogahs, or head police officers, who under the new system have taken place of the Tannahdars, it is observed of them, that they are not less corrupt than the Tannahdars, their predecessors; and that themselves, and the inferior officers acting under them, with as much inclination to do evil, have less ability to do good, than the Zemindary servants, employed before them. The darogah, placed in a division of the country, comprehending four hundred square miles, is, with fifteen, or twenty armed men, found to be incompetent to the protection of the inhabitants."[1]

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If the agents of police are greatly too few, the obvious remedy is to add to their number. The answer to that exhortation, however, is unhappily the same as that for the multiplication of the courts of justice. The finances of the Company will not endure the expense. In other words, the revenue of the country, instead of being applied to its only legitimate end, the protection of the people, is disposed of in a different way.

Not only are the agents of police defective in point of number, but adequate means are not employed to make them discharge the duties of their office. So far is this from being done, that the darogahs, and their people, add to the very evils which they are intented to suppress. By the Judge of Midnapore, in 1802, we are told, "The darogahs, I believe it is generally confessed, do not perform the duty that was expected. They are clearly either unable, or unwilling. Their insufficiency consists, I think, in a general neglect of duty, in petty rogueries, in a want of respectability, in being destitute of that energy and activity, and that delicate sensibility to character, which ought to characterize a police officer. In the duties of his office, a darogah is hardly occupied half an hour a day: and he often becomes negligent, indolent, and, in the end, corrupt. His dishonesty consists in taking bribes from poor people who have petty foujdarry suits, in conniving at the absconding of persons summoned through him, in harassing ryots with threats, or pretended complaints, creating vexatious

delays in settling disputes, or preventing their being settled, and chiefly in deceiving the poor
and ignorant, with whom he has to deal. The avowed allowances of a police darogah are not sufficiently liberal to render the office worthy the acceptance of men who are fit to perform the duty."[1]



The secretary of government says; "The darogahs of police seldom, if ever, possess any previous instruction as to the nature and extent of their duties, nor any habits of life calculated to enable them to perform those duties with effect. A brahmin, a sirdar, a moonshy, or even a menial servant, is, each in his turn, a candidate for this situation, of their fitness for which it is easy to judge. Their agency, even in furnishing information, a duty which requires no particular exertions or capacity is totally ineffectual. Happy, however, would it be if the defects already noticed were the greatest to be found in the character of the police darogahs. The vices, which render them a pest to the country, are, their avarice, and addiction to every species of extortion."[2]

The description of the following scene of iniquity, in which the police agents are the principal actors, is necessary to convey a just idea of the state of this branch of the government. The Judge of circuit, in the Calcutta division, in 1810, in a paper addressed to the Judge and magistrate of the Zillah, says "The practice, so nefarious and so prevalent, of extorting and fabricating confessions, requires your most serious attention. I remarked, with much concern, that, in every case of decoity brought before me, the proof rested on a written confession, given in evidence at the trial; and regret to add, that all those confessions bear the marks of fabrication. In one of these cases (No. 7 of your calendar), a prisoner, who was perfectly innocent, confirmed, before the magistrate, under
the influence of improper means previously made use of towards him, a confession before a police darogah, which was proved on the trial to be false; and which had, in fact, been extorted by intimidation and violence. An erroneous idea prevails, that a confession is the strongest proof of guilt. This false notion, perhaps, first gave rise to the custom of fabricating them; and the practice appears to have increased, till it has become general and systematic. It would be endless entering into a detail of the different modes in which confessions are fabricated and proved. The usual course appears to be first, to apprehend as many people as caprice may dictate, and then to select from the number those individuals who are to confess, and determine on the purport of their confessions. The preliminaries being thus arranged, the victims are made over to the subordinate agents or instruments of police, to be dealt with according to circumstances; and the rest are discharged. It sometimes happens that they meet with a man whom they are able to deceive, by assurances of immediate pardon, and false promises of future favour and indulgence. In such case, he is usually told, that by signing a paper, prepared by the buckshee for that purpose, or repeating before witnesses what he is instructed to say, he will not only escape hanging, or, at least, perpetual imprisonment, but become one of the chosen of the police, and make his fortune as a goyendah; that all he has to do, is to pretend that he was concerned in the decoity, and say, that the gang was composed of particular individuals who are named to him, and leave the rest to the darogah. In short, the alternative is offered him, either

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of making a friend, or an enemy of the police; either of suffering ignominous death through their power, or of raising himself to a post of honorable ambition and profit by their favour. When these means fail, they have recourse to compulsion. In this event the prisoners are taken out singly, at night; and subjected to every species of maltreatment, till they consent to subscribe before witnesses, to the contents of a confession, drawn up for their signature by the buckshee; or to learn it by heart, and repeat it in their presense. When the prisoner is thus prepared, if there appears no danger of his retracting before morning, he is left at peace for a few hours; but if any apprehension of that sort is entertained, a burkundaaz is sent for three or four people of the village, to witness the confession instantly, and they are roused from their sleep, at all hours of the night for that purpose. It is to be observed, however, that the sending for impartial witnesses does not often occur, except when the darogah has not sufficient weight or talent to keep his place, and at the same time set appearances at defence. A darogah who is sure of his post, will, with the utmost impudence, send in a confession witnessed only by a few pykes, or other police dependants, who, were, perhaps, the very instruments by whose means it was extorted." The fabrication of evidence in general, and the subornation of perjury for that purpose, is declared by the same indubitable authority to have become "a prevailing practice with the agents of police."[1]



When such are the deeds of the very men by whom the crimes of others are to be suppressed, it is easy to judge of the sort of protection which the British government has succeeded in providing for the people of India.

The Secretary, Mr. Dowdeswell, complains, that powers, far too great, are entrusted in the hands of those men. They have not only the executive powers of a constable and sheriff's officer, but those united to them of a justice of the peace: they have the power of receiving charges and information without limit; the power of receiving them on oath, or dispensing with the oath, a power of great moment, considering the prejudices of the natives with regard to an oath; the power of proceeding by summons or arrest, at discretion; the power of referring or not referring the determination to the magistrate; of fixing the amount of bail; of making, or, if they please, causing to be made, a local inquiry upon the recent commission of any robbery or violent offence; and, finally, of apprehending and sending to the magistrates all persons under the vague denomination of "vagrants and suspected persons:" "powers," adds Mr. Dowdeswell, "which never have been confided to any subordinate peace officers in England; and which, indeed, would not be tolerated for a moment in that country: powers, the interposition of which, by the hands of the Indian darogahs, are attended with intolerable vexations."[1]



The means, employed for accomplishing the ends of a police, have, therefore, been ignorantly devised. "It is now," say the Committee of the House of Commons, "unequivocally acknowledged on the proceedings of government, *that the existing system of police has entirely failed in its object.*"[2] The Judge

of Circuit, in the Rajeshahy division, in 1808, with indignation says: “The present wretched, mechanical, inefficient system of police, is a mere mockery.”1

The extraordinary imperfection of the system of police, I rank as the second of the causes of the great prevalence of crime, and the insecurity of persons and property in Bengal.

The next of these causes is an infirmity which adheres to governments in general, to many of them in a greater degree than the Anglo-Indian government; the obstinate determination to believe that every thing which they do is excellent; and, of course, that every institution which they set up must of necessity accomplish its end. This most pernicious propensity appears to have long completely blinded the Indian government to the deplorable imperfections attaching upon, and characterizing, every department of that institution of government which was set up by the regulations of 1793. The imperfections of even the system of police, those which were the most obvious to ordinary eyes, they not only continued determined not to see; but, such was the pernicious influence of their authority, that individuals were deterred either from allowing themselves to believe, or, at any rate, from the important duty of making known, the vices of the system. “What,” says the Judge of Circuit, in the Benares division, in 1808, after a long display of the evils to which those horrid vices were giving birth, “may be thought of the weight of the preceding reasoning, I know not. A very few years back, I should have been afraid, in advancing the arguments which I have offered, of exposing myself to the imputation of singularity. I have now the satisfaction to find that some of my conclusions, at least, are sanctioned by the highest authority. The
preamble to Regulation Twelfth, of 1807, declares, that the police establishments in the provinces, those establishments on which we have relied for sixteen years, are inefficient.”1 The Committee of the House of Commons, with some indignation, remark, that, “though the letters from the Bengal government, down to April, 1806, represent the commission of crimes, particularly perjury, to be increasing rather than the contrary; there is nothing said to excite any particular apprehension for the security of person and property enjoyed by the natives under the British government, or to create any doubt in regard to the new system of police having secured to the natives the benefits which were intended for them by its introduction.”2



Another cause, a natural consequence of the former, is, the temptation under which the servants of the state are placed, to represent in a flattering light the proceedings of government; to keep back, or explain away, the disagreeable consequences; to exaggerate those that are pleasant; and, very often, to suppose and describe such as never exist. Governments are thus deceived, and remain in ignorance of what above all things it imports them to know; the extent to which the institutions of government fall short of accomplishing the ends for the sake of which they exist. What is stated by Mr. Dowdeswell is worthy of particular attention, and indelible remembrance; That this unhappy propensity, which is a power of such extensive and such pernicious operation in all governments, is the foremost among the causes of the disgraceful state of Anglo-India. “The *principal*

cause," says the Secretary, in his instructive report on the police of Bengal, "why the measures, hitherto adopted for the protection of the people against robbery by open violence, have been ineffectual, is, the very imperfect information which government, and the principal authorities under government, possessed, respecting the actual state of the police.—The defect here noticed," he continues, "may arise, either from the very imperfect information which the local magistrates themselves possess respecting the state of the police, or from an ill-judged, but not an unnatural, solicitude, to represent the districts in the most favourable state possible."[1] It is also in the highest degree worthy of being pointed out to general attention, that the Select Committee of the House of Commons, appointed in 1810 to inquire into the affairs of India, have selected this prevailing vice in almost all governments, as the object of their particular reprobation. "Your Committee," they tell the House, "must here express their opinion of the dangerous tendency of indulgence in the disposition alluded to; of representing districts, or things, to be in a more favorable state than they really are: As this may lead; First, to a postponement of the communication of unpleasant circumstances; Next, to the suppression of information; And finally, to the misrepresentation of facts."[2] Of one thing, however, we may remain assured, as of a law of nature, that so long as the wisdom and virtue of governments are in too low a state to recognize the indication of defects as the most useful information which it is possible for them to receive; the dependants of government, who hence find it their interest to report what is agreeable, will be sure to mislead.



A sufficient antidote would exist, in a free press, under the unsparing operation of which governments would remain ignorant of none of their defects. Solid objections may indeed be started to the institution as yet of a free press in India, though objections of much less weight than is generally imagined. But the existence of a free press, in any state of society, or under any circumstances, it is the constant, strenuous, and wicked endeavor of almost all governments, utterly to prevent.

The parliamentary committee carry their investigation to the highest source; they accuse the Indian government, itself, of acting under the influence of this destructive vice; and, in its representations to the authorities at home, of describing things in India as in a far better situation than they really are. From general knowledge, the experienced mind would easily infer the existence of this deceptive propensity, and its operation, to a great extent. It is necessary to have studied particularly the documents of our Indian history, to know with what unusual strength it operates in the breast of almost every man who has been connected with the government of India; in a word, to have any conception to what an extent the British people have been deluded, and continue to be deluded, with flattering accounts of what is described as "their empire in India." In the whole correspondence of the Bengal government with the Court of Directors, down to April, 1806, the Committee remark, that not a syllable is found expressive of any failure in the system of police, though from the year 1801, "the reports of the circuit judges, at the conclusion of each session, evinced the prevalence of gang robbery, not only in a degree sufficient to attract the notice of the government, but to call forth its endeavors to suppress it."[1]

Another cause of the disorders of India, a cause too of which it is highly important to convey a just idea, is the overweening estimate, which our countrymen are prone to make, not only of their own political contrivances in India, but of the institutions of their own country in the mass. Under the influence of a vulgar infirmity, That *Self* must be excellent, and every thing which affects the pride of *Self* must have surpassing excellence, English institutions, and English practices, have been generally set up as a standard, by conformity or disconformities with which, the excellence or defect of every thing in the world was to be determined. With moderate taxes, under a government which protects from foreign violence, the only thing necessary for the happiness and the rapid improvement of the people of India, is a good administration of justice. But to this great object the circumstances of the people, and the moral habits left in their minds by superstition and despotism, oppose a formidable resistance. To afford in any tolerable degree the protection of law to the people of India is a far more difficult process than it is in England; and for its accomplishment, a far more perfect system of legal and judicial provisions, than what is witnessed in England, is indispensably required. Of this the rulers in India have not attained the slightest conception; and hence the many-ill contrived measures to which they have had recourse.

Of part of the difficulties under which the administration of justice labours in India, some conception may be formed, from the description which has already been given of the agents of police. The state of the people is such, that trustworthy instruments cannot be found. In a more favorable state of the human mind, that large portion of the field of action which it is impossible to reach with the terrors of law, is protected by the sentiments of the people themselves: they distribute towards individuals their favour and abhorrence, in proportion as those individuals observe or violate the general rules on the observance of which the happiness of society depends; and of so much importance to every man are the sentiments with which he is regarded by those among whom he lives, that without some share of their good opinion, life itself becomes a burthen. In India there is no moral character. Sympathy and antipathy are distributed by religious, not by moral judgment. If a man is of a certain caste, and has committed no transgression of those ceremonies by which religious defilement or degradation is incurred, he experiences little change in the sentiments of his countrymen, on account of moral purity, or pollution. In employing the natives of India, the government can, therefore, never reckon upon good conduct, except when it has made provision for the immediate detection and punishment of the offender.



The proneness of the natives to mendacity and perjury, renders the evidence of judicial facts in India so weak and doubtful, as extremely to increase the difficulties of judication. The intelligent Judge of Circuit, in the Rajeshahy division, in 1808, thus describes the state of evidence in the Indian courts. “Every day’s experience, and reflection on the nature of our courts, and the minds and manners of the natives, serve to increase my doubts, about our capacity to discover truth among them. It appears to me, that there is a very great deal of perjury, of many different shades, in our judicial proceedings; and that many common rules of evidence would here be in applicable and absurd. Even the honest men, as well as the rogues are perjured. The most simple,

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and the most cunning, alike, make assertions that are incredible, or that are certainly false. If the prosecutor, in cases of decoity, was always to be disbelieved because there was perjury, scarce a decoity would be convicted. By cross-examination, you may draw an honest witness into as many absurdities and contradictions as you please. It is not easy to detect the persons who come forward as eye-witnesses, in cases of decoity. Their story is all true—but one point; the identity of the persons whom they accuse: and how can you discover whether this is true or false? Some witnesses are loquacious, some taciturn; some frigid, some over zealous; some willing, some unwilling; some bold, some timid, some scrupulous: some come to give false evidence, in favour of a friend, or master; some to ruin an enemy; and the signs of the different modes that disguise truth are so very equivocal, and often so unintelligible, that nothing can be depended on. There is not one witness in a dozen on whom you can rely for a purely true story. It has very often happened, that a story, which, by attending only to the plain direct course of things, I believed to be true, has, by examining into matters apparently connected in a very distant degree with the case, turned out to be entirely false. I am afraid that the evidence of witnesses in our courts is, for the most part an instrument in the hands of men: and not an independent, untouched source of truth."[1]

"In the course of trials," says Sir Henry Strachey, "the guilty very often, according to the best of my observation, escape conviction. Sometimes, an atrocious robbery or murder is sworn to, and in all appearance clearly established by the evidence on the part of the prosecutors; but when we come to the defence, an *alibi* is set up; and though we are inclined to disbelieve it, if two or three witnesses swear consistently to such *alibi,* and elude every attempt to catch them in prevarication or contradiction, we are thrown into doubt, and the prisoners escape. Very frequently the witnesses on the part of the prosecution swear to facts in themselves utterly incredible, for the purpose of fully convicting the accused; when, if they had simply stated what they saw and knew, their testimony would have been sufficient."[1]



In another place he declares; "A rich man can seldom be convicted of a crime at a goal-delivery. If committed on the strongest positive testimony before the magistrate, he without difficulty brings twenty witnesses on his trial to swear an *alibi,* or any thing else, that may suit his case; or he can bribe the prosecutor, or his material witnesses. He has besides a very good chance of escaping by the mere contradictions of the witnesses against him; particularly if what they have to depose to is long or intricate, or happened at a distant period; or was seen and heard by many witnesses of different descriptions and characters; or if many facts, names, and dates, are to be recollected. No falsehood is too extravagant or audacious to be advanced before the Court of Circuit. No case, at least no rich man's case, is too desperate for a defence, supported by counter-evidence; and if once doubts are raised, no matter of what kind, the object of the accused is gained, and he is secure. Perjury is extremely common, and though it occurs much more frequently on the part of the accused than of the prosecutor, yet I have known several instances of conspiracies and false complaints supported by perjury. The judge who has once had experience of a case of this kind is soon plunged into doubt and perplexity, continually awake to the possibility of the

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witnesses against the accused being forsworn: and as he of course leans to the favourable side, the consequence must be, that the guilty frequently escape."[1]

When ever you fail to a certain extent in assuring protection to the innocent, and punishment to the guilty, the criminal is enabled to employ the great instruments of government, punishment, and reward, in his own defence. Such is the *military* strength of the British government in Bengal, that it could exterminate all the inhabitants with the utmost ease; such at the same time is its *civil* weakness, that it is unable to save the community from running into that extreme disorder, where the villain is more powerful to intimidate than the government to protect. The judge of circuit of the Rajeshahy division in 1808, says: "The decoits know much better than we how to preserve their power. They have with great success established a respect for their order, by speedy, certain, and severe punishments, and by judicious arrangements for removing obstacles, and for facilitating the executions of their plans. There are two grand points for the dacoits to effect; first, to prevent apprehension; second, to prevent conviction. For the first, they bribe the Zemindary and police officers. For the second, they torture and murder the informers, prosecutors, and witnesses, who appear against them. The progress of this system is dreadful: The decoits become every thing; and the police, and the criminal judicature, nothing."[1]



"This we know," says the same enligtened Judge in another passage, "that a sirdar decoit has generally the means of saving himself from conviction: and that, although all the world say that he is a notorious robber and murderer, not an individual can be found who will give evidence against him. This is a dreadful state of things: and so it must remain, till confidence is restored to the people by removing their well grounded fears, by extirpating the sirdars, and giving a real efficiency and vigour to the police."[2]

"The terror of decoits among the ryots," says Sir Henry Strachey, "is excessive. Persons who have families and property deem it extremely rash and dangerous to prosecute, or to appear as witnesses against men of such desperate character as the decoits of this country. Indeed it is with the utmost difficulty they can be prevailed upon to come forward, even in cases where they have received personal injury, and where they have not to speak to the persons of the prisoners, but merely to identify the property found in their possession."[3]

Such is the nature, such the extent, and such the causes of the evil. The remedies surely constitute an important object of inquiry. The government attempted to oppose the torrent by changes in the rules of police, and by adding to the severity of punishment.



Under these expedients, enormities continued to increase till 1807, when a more efficacious remedy was thought to be required. The Zemindars, who formerly exercised a power almost despotic over the districts consigned to their care, and who maintained a large establishment of armed men, with a commission for the suppression of crimes, were enabled, as often as they had activity and good will, to suppress by arbitrary execution all violent offences but their own. One robber in a district was better than a multitude.

But Lord Cornwallis, impressed with the evidence of the abominable use made of this power by the Zemindars, in exercising oppression on the people submitted to their jurisdiction, resolved to deprive them of all exercise of any of the powers of government; and laid it down as a rule, that the union of the functions of revenue with those of police or judicature, was a fundamental error, from which nothing but misgovernment could ensue. Notwithstanding this, the rulers of 1807, with that sort of empirical impulse, by which the vulgar tribe of rulers are usually conducted, took up the notion, that if the Zemindars had once preserved the country from decoits, the Zemindars truly might do so again. In spite of the grand rule of Lord Cornwallis, the Zemindars, farmers of land, and others of the principal inhabitants, received the title of aumeens of police, and were vested with the same authority as the darogahs for the apprehension of offenders, but without the judicial powers entrusted to the darogah in the case of petty offences and disputes.

Not only was this expedient for the suppression of crimes attended with no good effects; it was attended with so many of a contrary description, that in 1810 it was abolished. Other expedients in the mean time had been invented and tried. In 1808, a superintendent of police was appointed; whose labours were expected to have the effect of concentrating information, and giving unity and combination to the efforts of the magistrates in the separate districts. A regular establishment was also organized of police spies called *goyendas,* with a species of superintendents called *girdawars* who had in some degree been employed from 1792. The office of the goyendas was to point out the robbers: that of the girdawars to apprehend them.[1]



So imperfectly were those means adapted to the end in view, that in a dispatch of the Governor-General, under date the 29th of May, 1810, the extent of the mischief is thus described: “The evidence lately adduced, exclusive of a multiplicity of other proofs, establishes beyond a question, the commission of robberies, murder, and the most atrocious deliberate cruelties: in a word an aggregate of the most atrocious crimes. Nor let it be supposed, that these offences were of rare occurrence; or confined to particular districts. They were committed, with few exceptions, and with slight modifications of atrocity, in every part of Bengal.”[2]

The inconvenience which attended the employment of goyendas was of the same nature with that which attended the employment of darogahs: instead of protectors, they themselves became the plunderers and murderers of the people. Sir Henry Strachey informs us, that “the people are harassed by the vexatious visits and outrage, and the plunder of goyendas and girdawars; who, constantly, when supported by the least colour of authority from the magistrate, intimidate, extort, suborn, and rob, under pretence of bringing offenders to justice.”[3]

To the villainy of the police agents is attached a considerable danger, lest, being employed by the magistrates, and necessary to their functions, the magistrates should contract a reluctance to believe in their guilt. It is in evidence, that the reality of this evil is but too frequently experienced. The Judge of circuit, reporting on the state of the twenty-four pergunnahs in 1810, says: “Several petitions were presented to me in the course of the session. Those of the greatest public importance complain of the

rapacity, oppression, and gross and daring acts of illegal violence and rapine committed by goyendas; and strong disinclination evinced on the part of the magistrate to redress grievances of that description."2

To remedy the defects of the provision made by Lord Cornwallis, for the administration of penal justice, such were the supplemental measures employed till 1810, and such their effects. It is proper also to consider what proposals were made of other means for the attainment of the same end.

One thing recommended was, to re-invest the Zemindars with powers of police; and among the interrogatories circulated by government in 1801, the opinion of the judges was asked, on "the expediency of granting to Zemindars, farmers, and other persons of character, commissions empowering them to act as justices of the peace." Among the most intelligent of the Company's servants, one opinion, on this subject, seems alone to exist. "I am persuaded," says the magistrate of Burdwan, "that to vest the Zemindars and farmers of this district with the powers proposed, would not only prove nugatory for the objects intended, but be highly detrimental to the country, and destructive of the peace of the inhabitants. Few of the Zemindars and farmers, of any respectability, reside on their estates and farms. Allow them to exercise a power equal to the purposes, and to vest with it, by delegation, their agents or under farmers, the worst and most mischievous consequences are to be apprehended from their abuse of it."1 On the same occasion, the magistrates of the twenty-four pergunnahs say, "From the general character of the Zemindars, farmers, and other inhabitants of these districts, we do not think that it would be adviseable to vest any of them with the powers of justices of the peace. On the contrary, we are of opinion, that such a measure, so far from being in any way beneficial to the police of the district, would be a source of great oppression to the lower class of the inhabitants, and of innumerable complaints to the magistrate."2



They add, "We have reason to believe, though it is difficult to establish proof against them, that the Zemindars, not only, in many instances, encourage and harbour decoits, but frequently partake of the property plundered by them. The *chokedars* and *pykes* employed by them are concerned in almost every decoity committed in the districts subject to our jurisdiction."3

To the same purport, the Judge of circuit in the Rajeshahy division says, in 1808: "My informants attributed the success of the decoits to the same cause that every body else does; namely, the protection given them by the Zemindars and police officers, and other people of power and influence in the country. Every thing I see, and hear, and read on this subject, serves to convince me of the truth of this statement."1



Sir Henry Strachey, as usual, reasons with much intelligence upon this subject. "It is extremely difficult," he says, in his reply to the same interrogatory, "I may, I believe, say it is not possible to arrange an effectual plan of association and co-operation, among the higher orders, for purposes of police, or for any other purpose. We have

few large towns; no societies exercising or capable of exercising municipal authority.—There are no gentlemen, in whose honour and probity, in whose spirit and activity, government can repose confidence—There exists not, between the common people and the rulers, a middle order, who feel a common interest in the prosperity of the state; who love their countrymen, who respect their rulers, or are by them respected; who either could, or, if they could, would, even in a case of the greatest exigency, exert themselves heartily and effectually, each in his own sphere, for the public good. Such a set of men in the society is here unknown. Government is unable to direct, or in any way to make use of, the power of the individuals composing the community. Hence our extreme ignorance of all that passess; our complete inability to detect and apprehend offenders; to explain to the public what we wish should be known; and persuade them what should be done. Hence the long continuance of enormous
abuses, without its being possible for government, or for the magistrate, to prevent or to discover them."[1]



"It should," he says in another place, "be the study of government, in my opinion, to form, if possible, a body of gentry, such as exists in other countries; an intermediate order, between the governors and the governed, to whom the one might look down, and the other might look up. At present, no such order exists. Most of the men who once possessed rank and wealth, are gone to ruin. The men of property who do exist are, for the most part, such as have lately risen. That the magistrate can maintain the peace over a million or more of persons, without the help of a considerable number whose interest or sense of duty should induce them to assist him, is plainly impossible."[2]

The Judge of circuit in the Benares division, in 1808, descants with great warmth upon the same topic; the extreme difficulty of maintaining order in any country, without the assistance of a superior class of inhabitants incorporated with the people, and possessing that influence, which superior property, and education, confer, over others deprived of those advantages. "In maintaining this opinion I may," says he, "unless I greatly deceive myself, appeal to the general practice of almost all nations, originating, doubtless, in circumstances and feelings common to all mankind. The natural mode of managing men is to employ the agency of those, whom, from the relation in which they stand to them, they regard with respect and confidence. Accordingly all governments seem to have made the authority of these native leaders the basis of their police: and any hired police establishment which they maintain are not intended
to supersede the native police, but to superintend, watch, and aid its efforts. To take an example with which we are all familiar. In our own country we all know what services the society
contributes to its own protection. We know how much vigour is conferred on its police, by the support which it receives from native gentry, from respectable landholders, from the corporations in towns, and from substantial persons of the middle class in the villages. We can form some conception of the mischief which would ensue, if that support should be withdrawn, and an attempt made to compensate it by positive laws and artificial institutions."

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Such is the extreme difficulty of distributing justice to a people without the aid of the people themselves! Such, at the same time, is the utter impractibility, under the present education, circumstances, and character, of the people of India, of deriving from them the aid which is required! Without a tolerable administration of justice, however, which the people of India are so far from enjoying, every man will acknowledge, that all attempts to improve either their circumstances or their character, must be attended with disappointment. What then is the inference? Are the government and the people, to go on, for ever, in their present deplorable situation; the people suffering all the evils of a state of anarchy; the government struggling, with eagerness to help them, but in vain?

If it were possible for the English government to learn wisdom by experience; which governments rarely do; it might here, at last, see, with regret, some of the effects of that illiberal, cowardly, and short-sighted policy, under which it has taken the most solicitous precautions to prevent the settlement of Englishmen in India; trembling, forsooth, lest Englishmen, if allowed to settle in India, should detest and cast off its yoke![1] The most experienced persons in the government of India describe, what to them appears the difficulty, almost or altogether insuperable, of affording protection either to person or property in that country, without the assistance of persons of the requisite moral and intellectual qualifications, rooted in the country, and distributed over it in every part. They unite in declaring that there is no class in India who possess these qualifications; that the powers necessary for an efficient police cannot be entrusted to the Zemindars, without ensuring all the evils of a gross and barbarous despotism. And they speak with admiration of the assistance rendered to government by the gentlemen distributed in every part of England. Is it possible to avoid seeing; and seeing not to acknowledge, the inestimable service which might have been derived, in this great exigency, from a body of English gentlemen, who, if they had been encouraged to settle, as owners of land, and as manufacturers and merchants, would at this time have been distributed in great numbers in India? Not only would they have possessed the requisite moral and intellectual qualifications, a thing of inestimable value; but they would have possessed other advantages of the highest importance.



The representation of Lord Teignmouth is lamentably true, That the civil servants of the Company, enclosed in government offices, from the time of their arrival in India, have neither leisure nor opportunity to become acquainted with the people; and that the periods of their residence, from their being in a state of perpetual change, come to an end, before they are able to acquire either local knowledge or experience.[1] Among the circumstances to which the best of the Company's servants ascribe their deplorable inability to afford protection to the people, their own ignorance of the local manners, character, and circumstances, occupy a conspicuous rank. In an enumeration of the causes which concur to prevent the due administration of justice, Sir Henry Strachey says; "Another impediment, though of a very different nature from those I have mentioned, and much more difficult to remove, is to me too palpable to be over-looked: I mean, that arising from Europeans, in our situation, being necessarily ill qualified in many points, to perform the duties required of us, as judges and

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magistrates. Nothing is more common even after a minute and laborious examination of evidence on both sides, than for the judge to be left in utter doubt respecting the points at issue. This proceeds chiefly from our very imperfect connexion with the natives, and our scanty knowledge, after all our study, of their manners, customs, and languages. The judge of circuit, and his assistant, are strangers, and quite unacquainted with the character of the persons examined, and the credit due to them; and always on that account less competent to discover truth among volumes of contradictary evidence."2 On another occasion, he asks, "What judge can distinguish the exact truth, among the numerous inconsistencies of the natives he examines? How often do those inconsistencies proceed from causes, very different from those suspected by us? How often from simplicity, fear, embarassment in the witness? How often from our own ignorance and impatience? We cannot study the genius of the people, in its own sphere of action. We know little of their domestic life; their knowledge, conversation, amusements, their trades and casts, or any of those national and individual characteristics, which are essential to a complete knowledge of them. Every day affords us examples of something new and surprising: and we have no principle to guide us in the investigation of facts, except an extreme diffidence of our opinion; a consciousness of inability to judge of what is probable or improbable." He adds, "The evil I complain of is extensive, and, I fear, irreparable. The difficulty we experience in discerning truth and falsehood among the natives may be ascribed, I think, chiefly to our want of connexion and intercourse with them; to the peculiarity of their manners and habits;—their excessive ignorance of our characters—and our almost equal ignorance of theirs."1



It is impossible to reflect upon the situation of English gentlemen, settled in the country, as proprietors of land, and as manufacturers, without perceiving how advantageously they would be situated for acquiring that knowledge of the natives, in which the Company's servants are proved to be so defective; and for giving that aid in the administration of justice, without which a good administration is not to be attained. Such men would be forced into an intimate intercourse with the natives, whence, under the necessity of employing them, and of transacting and conversing with them in almost all the relations of life, an intimate knowledge would arise. They would have a local influence of great efficacy. They would be useful, beyond all calculation, in maintaining order in a wide circle around them, among a people in such a state of society as that at present found in Bengal.1



Though in most of their reports, the Judges regard a remedy as hopeless; yet there is one recommendation in which a considerable number of them concur. As trials are delayed, and crimes escape punishment, by a deficiency in the number of tribunals, the periodical visits of the judges of circuit being inadequate to the demand for justice, it is proposed, that the magistrates in the Zillahs should be vested with the powers of penal judication. To this recommendation, however, several weighty objections apply. In the first place, the civil judicature in the Zillahs is already a duty far too heavy for the judges to discharge; and the arrear of causes produces a delay, which approaches to a denial, of justice. If in the hands of

those judges the business of penal judicature were to be added to that of civil judicature, the number of them ought to be doubled; and that, we are told, the finances of the Company will not allow. Besides; according to the routine of the Company's service, the judges in the Zillahs are generally too little advanced in years and experience, to be entrusted with the powers of life and death, or any powers approaching to that importance, under so many chances of error as accompany judicature in India.

As the number of darogahs and their establishments would be far too small to prevent the disorders of the country, even if they were faithful to their trust, some of the judges propose, that their numbers should be increased, and their salaries augmented. To this too, the objection of the government would be, that the finances cannot admit the expense. A more legitimate objection is, that by increasing the number of darogahs they would only increase the number of privileged plunderers: and that it is one of the most imbecile of vulgar prejudices to suppose, that large salaries make honest men. So long as things were so miserably organized, that gain, unbalanced by danger, would accrue to the darogahs, by violating their duties, they might be expected to violate them, if their salaries were as large as those of the Governor-General.

Some of the Company's servants, among other Mr. Dowdeswell, argue strongly for the employment of spies and informers. Their abstract, general arguments, to show that informers are useful auxiliaries to justice, are good and conclusive. Make justice certain, immediate, unexpensive, at the tribunals, and every act which spies and informers can perform, will be an act of utility. But if, in India, your securities for justice are so wretched, that, by employing spies, you only create a new class of robbers, and let loose upon



the people an order of men who carry on their depredations with the arms of government, you increase instead of diminishing the disorders of the country.

Contemplating this accumulation of difficulties, the Company's servants in general appear to regard the case with a kind of despair; or at least to contemplate the evil as rooted so deeply in the moral character of the people, that it cannot be removed, unless by the slow improvements which it may be possible for education to effect.

After the recommendation of some of the above expedients, of the efficacy of which his hopes were but too sanguine, Mr. Dowdeswell said; "I am at the same time sensible that a great deal more must be done in order to eradicate the seeds of the crimes most injurious to the peace and happiness of society. The real source of evil lies in the corrupt morals of the people. Under these circumstances, the best laws can only have a partial operation. If we would apply a lasting remedy to the evil, we must adopt means of instruction for the different classes of the community."[1]

In answer to the interrogatory, "Do any measures occur to you, the adoption of which would, in your opinion, contribute progressively to the improvement of the moral character of the inhabitants of the division;" the judges of Moorshedabad replied; "The moral character of a nation can be improved by education only. All instruction is

unattainable to the labouring poor: whose own necessities require the assistance of the children, as soon as their tender limbs are capable of the smallest labour. With the middle class of tradesmen, artificers and shopkeepers,
education ends at ten years of age, and never reaches further than reading, writing (a scarcely legible hand) on a plantain leaf, and the simplest rules of arithmetic. We are not prepared to suggest
any measures, the adoption of which would, in our opinion, contribute progressively to the improvement of a people thus circumstanced."[1] In reply to the interrogatory which respected the effect produced by the operation of the English government on the moral character of the natives, the same judges observe; "The general moral character of the inhabitants of our division seems, in our opinion, much the same, as we have always known the moral character of the natives in general. Ignorance; and its concomitant, gross superstition; an implicit faith in the efficacy of prayers, charms, and magic; selfishness, low cunning, litigiousness, avarice, revenge, disregard to truth, and indolence, are the principal features to be traced. It does not strike us, that the system established by the British government, for the administration of the laws, and the conduct of the internal administration of the country, can have any influence on the moral character of the inhabitants, in general, either by way of improvement, or otherwise."[2]



On this, as on other occasions, Sir Henry Strachey evinces superior powers of reflection, and penetrates farthest below the surface. "To attempt," says he, "any material improvement or alteration in the moral character of the natives, by the intervention of legislative measures, I look upon as vain. They no longer consider the laws as a part of their religion. I do not even see that, with us, law and morality have much connexion. It is the province of the magistrate to quell disorders and preserve peace; but, as to good
morals, I am not aware, that, either by precept or example, we are capable of producing any effect whatever. The vices and the crimes of the people proceed from their poverty and ignorance. And I do not conceive they are likely to grow much richer or wiser, while the present state of things exists.—This assertion, however, that the vices and crimes of the people proceed from their poverty and ignorance, I would wish to be understood with limitations. Where considerable numbers are collected and associate together,—especially if there happens to be much inequality of rank and fortune,—the morals of the people are worst: The same may be observed respecting such persons as have occasion to attend our cutcherries; they get into bad habits. It is not always, therefore, that the people are the worst where they are the poorest and most ignorant; nevertheless, the assertion is, in my opinion, generally speaking, true. It is certain that where labour is amply rewarded, where all can easily get employment, and where the poor are provided for, the people lead industrious and virtuous lives; and it will be observed that in remote parts, where debauchery and dissipation are little known, very few, except from necessity, resort to depredation on the public. Most, but not all, decoits begin their evil practices from necessity. A ryot, finding some difficulty to subsist, either from his imprudence or ill fortune; a peon, or other servant, losing his place, and unable to procure another; a cooly finding no employment: Such persons, of whom in this populous country there are always many thousands, often take to

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stealing; are corrupted by vicious companions; drink spirits; and are gradually led on, from impunity and habits of idleness, to become decoits, and depend on robbery alone for subsistence."[1] This is an important passage, which will afford evidence for some interesting conclusions in a subsequent page.



We have now seen the extent and dreadful nature of the evil; the inefficacy of the remedies which have been applied; and the sort of despair entertained by the functionaries of government that better can be found. That there is no impossibility, however, in establishing a good administration of justice, even in such a state of things as exists in India, we may infer without much danger of mistake, or even of contradiction. If much of the difficulty has arisen from the dominion of English prejudices, and especially that deep-rooted prejudice, that English law is the standard of perfection to which every thing should be fitted, considerable progress towards improvement will be made, as soon as we have emancipated ourselves from those prejudices.

In the first place, as the law, according to what we have already seen, is in a state in which it is to a great degree incapable of performing the offices of law, and must remain almost wholly impotent, in a situation in which the deficiencies of law are not supplied by manners, let the law be reformed, and put into that state in which alone it is adapted to answer the ends for which it is intended. Let the laws, whatever they may, for the security of existing rights, or the attainment of future advantages, be determined to be, receive what alone can bestow upon them a fixed, or real existence; let them all be expressed in a written form of words; words, as precise and accurate as it is possible to make them, and let them be published in a book. This is what is understood by a code; without such a code there can be no good administration of justice: in such a state of things as that in India, there can, without it, be no such administration of justice as consists with any tolerable degree of human happiness or national prosperity. In providing this most important instrument of justice, no further difficulty will be found, than the application of the due measure of virtue and intelligence; not to be looked for in the classes, whose interests the vices of the law promote. Sir William Jones, and others, recognized the demand for a code of Indian law; but unhappily thought of no better expedient than that of employing some of the natives themselves; as if one of the most difficult tasks to which the human mind can be applied, a work to which the highest measure of European intelligence is not more than equal, could be expected to be tolerably performed by the unenlightened and perverted intellects of a few Indian pundits. With no sanction of reason could any thing better be expected than that which was in reality produced; a disorderly compilation of loose, vague, stupid, or unintelligible quotations and maxims, selected arbitrarily from books of law, books of devotion, and books of poetry; attended with a commentary, which only adds to the mass of absurdity and darkness: a farrago, by which nothing is defined, nothing established; and from which, in the distribution of justice, no assistance beyond the materials of a gross inference, can for any purpose be derived. To apply the authority of religion, or any other authority than that of the government, to the establishment of law, is now unnecessary; because the great and multiplied changes which the English have made in all the interior regulations of society,

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have already destroyed in the minds of the natives the association between the ideas of religion and the ideas of law. But, at any time, for combining the authority of religion with that of law, nothing more was required, than what might still be advisable; namely, to associate the most celebrated of the pundits. For digesting the law into an accurate code, such men would be altogether unqualified; but they might lend their peculiar and local knowledge to him to whom the task is assigned; and they might easily and effectually annex the authority of religion to his definitions, by subjoining quotations from their sacred books, and declaring the words of the code to be the true interpretation of them. The law of the natives, and the minds of its interpreters, are equally plaint. The words, to which any appeal can be made as the words of the law, are so vague, and so variable, that they can be accommodated to any meaning. And such is the eagerness of the pundits to raise themselves in the esteem of their masters, that they show the greatest desire to extract from the loose language of their sacred books, whatever opinions they conceive to bear the greatest resemblance to theirs. It would require but little management to obtain the cordial co-operation of the doctors, both Moslem and Hindu, in covering the whole field of law with accurate definitions and provisions; giving security to all existing rights, and the most beneficial order to those which were yet to accrue.

For the distribution of justice, there is required not only an accurate expression of what is to be observed and obeyed as law; but an adequate judicial establishment; or, an appointment of judges, and other ministers of justice, sufficient, on every occasion, which calls for a decision, to declare what the law is, and to carry it into effect, with the smallest possible burthen,
in the way either of delay, vexation, or expense.



For this important purpose, it is evidently necessary, that the number of tribunals should bear a due proportion to the business which they are called upon to perform; and that, whenever the causes which offer themselves for decision exceed the number of those which it is possible for the existing tribunals to decide, addition should be made to the number of them, till they are sufficient for the prompt investigation of every case on which the judicial decision is required. From no government, surely, ought this language to be heard; that it does indeed see the necessity of a greater number of tribunals, in the inability of the existing number to investigate the suits of the people; but that it has something else to do with the money which it takes from the people, than to expend it in perfecting the administration of justice.

Nor is it enough, that the tribunals be sufficient in number to perform without delay the judicial business of the country; they ought to be sufficiently near each other, to enable every suitor to have recourse to them without that obstruction to justice which arises from the necessity of any considerable journey to perform. Of the value of this attribute of a judicial establishment no illustration is required.[1]

Another important condition to the excellence of a judicial establishment is, that in its mode of conducting

the judicial business, all forms, all ceremonies, which create delay, trouble, and expense, or any one of them, without any corresponding advantage, should be carefully and completely retrenched; and nothing whatsoever left, but those plain and rational operations, which are recognized by all the world as useful, and alone useful, in the investigation of a matter of fact. It will remove the necessity of a longer explanation to observe, That the mode of procedure, which is called summary, and followed in the small debt courts in England, is an example of the mode of procedure which is divested of ceremonies, and retains only such plain and simple operations as form the ordinary steps of a rational inquiry: That the mode of procedure, on the other hand, which is called regular, and followed in the superior courts, is an example of the mode of procedure which is loaded with superstitious ceremonies and observances; and complicated by a multitude of operations, altogether different from the recognized steps of a rational inquiry. The consequence of this load of superstitious observances, and this multiplicity of operations, is, not to lead with more certainty to the discovery of truth, but with less certainty: while the people are driven from the courts of justice by the terror of delay, trouble, and expense; and every species of injustice flourishes under the prospect of impunity and success. In the summary mode of procedure, in its perfect shape, is included every operation conducive to the elucidation of truth; every thing which is necessary for securing and bringing forward the evidence, and for presenting it to the mind of the judge, in its greatest possible plenitude, and most perfect possible shape. To add to these operations a multitude of others, which have no tendency whatsoever to improve the state in which the evidence is presented to the mind of the judge, can have no tendency to

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aid the discovery of truth. It must have a sure tendency to give it obstruction, in ways too numerous here to recount. Among the bitter fruits of a complicated mode of procedure; the loss of evidence, by the death, removal, and feeble memories of witnesses; and the successful efforts made by the guilty to intimidate or corrupt them; are enumerated, by the Indian judges, as evils, with which their experience had made them minutely acquainted. Were there nothing more than the complexity, which a multitude of nice and puzzling operations produces, it would be hurtful to the discovery of truth, by diverting and confusing the mind of the judge. But when those multiplied niceties and observances are superstitiously elevated, as they uniformly are, into matters of chief and primary importance; when the mind of the judge is more vigilant to observe whether every one of the words and actions which enter into a multitude of frivolous ceremonies has been exactly observed, than to elicit every particle of evidence, and assign to it the proper station in his mind, it is impossible to estimate the injury which is done to the discovery of truth, and thence to the interests of justice, by a technical mode of procedure. Even by the servants of the Company, who have remarked with so much intelligence the shocking state of justice in India, I observe that “precipitate” is the epithet applied to the summary, or rational mode of procedure; “deliberate,” that applied to the regular or ceremonious. It is a proof of the defects of their education, when such an illusion could pass upon minds of so much strength. That which is done with thought, is that which is done deliberately. That which is done without thought, is that which is done precipitately. It is of no consequence how long a thing remains undone,

provided thought all the while is never applied to it. During the delay which takes place by the performance of the superstitious ceremonies of regular procedure, is it supposed by any body that the judge turns a thought to the merits of the cause? Deliberation is performed by the non-existence of thought, according to the theory of those who account delay and deliberation the same thing. The judge deliberates upon the question, at least to any valuable purpose, only during the time when he is receiving and digesting the evidence; for, as to the law, if it were all clearly expressed and written in a book, there never could be any considerable doubt. If any point was found to be really doubtful, the case should either be suspended, or decided provisionally, till the determination of the legislature, removing the doubtfulness, should be applied for, and received. But with regard to evidence, and the light which it yields, the only article of real importance in the pursuit of truth, the judge is far more favourably situated, in the summary mode of procedure, than in the regular; because, in the summary mode, it is the light of evidence to the collecting and presenting of which, in its most complete and trust-worthy state, the force of every operation is directed. In the regular mode, so far is this from being the primary object, that a great proportion of the ceremonies have the unavoidable effect of compelling the evidence to be presented, in not the best possible, but a very inferior, state. With regard even to *time* for deliberation, the situation of the judge, under tardy, is worse than that of the judge under expeditious procedure. Of the greater proportion of causes the evidence may all be received and thoroughly understood in a very limited space of time. But causes do every now and then occur, in the case of which time is required, not only to receive, but complete the evidence; as



when, by the hearing of one article of the evidence, other articles are indicated which time is required to produce. As often as occasions of this description occur, the rational mode of inquiry directs, that the judge should allow himself that portion of time, whatever it is, which is suited to the exigence of the case. Under the regular mode of procedure, the judge is tied down to fixed times and seasons; and must decide upon the evidence which he has been able to hear, whether it is complete and well digested, or the contrary. The nature of regular or superstitious procedure, therefore, is to produce the opposite evils of delay and precipitation. The nature of rational procedure is to shun both evils; to retrench every moment of the time and labour expended in the performance of useless ceremonies; to ensure in the fullest measure all the time which is necessary for the most perfect reception and understanding of the evidence.

It is probable that the words “summary,” and “regular,” impose upon persons who give to the subject only a precipitate glance. They are very ill chosen; that is to say, they very inaccurately describe the objects which they are employed to denote. Summary has very frequently the same import, as the term abridged. Now an abridged mode of procedure naturally means a mode of procedure in which some of the steps are left out; and if all the steps were useful, such a mode of procedure would be undoubtedly precipitate. But if no steps are left out, except those which are useless and pernicious; and all those which are of any use are much more carefully and much more perfectly performed, the summary mode of procedure is in reality the least precipitate; and also the most regular, if the exact adjustment of means to their ends, be the standard of regularity. Better names would be; the

superstitious, instead of the regular, mode of procedure; and the rational, instead of the summary.

Thus far the way for the government of India is clear. For the performance of what is thus shown to be necessary, all that is wanting is the will. If this were done, let us then consider how much would be gained. The mass of causes, that mass which, in India, smites, by its magnitude, the administration of justice with impotence, divides itself into two classes: First, that of the causes which derives themselves from the vices of the law: Secondly, that of those which derive themselves from the vices of the people. There are few other; there can be but few other. How great the proportion of those which are derived from the vices of the law; the complaints of the judges and other functionaries in India abundantly disclose. We learn that the great body of the people are excluded from the courts of law by means of the expense; that oppression reigns because the people are unable to sue for redress; that universal encouragement is given to one man to withhold from another what is his due, by the certainty of delay, and the two chances, first of not being prosecuted, and secondly of baffling the plaintiff by the uncertainties of the law. We also learn that a wide field of impunity is ensured to every species of crime, the most atrocious not excepted: first, because the people, upon whom the expense and trouble, arising out of the dilatory and costly proceedings of the courts, impose a burthen greater than they are able to bear, fly from the duty of appearing as witnesses or prosecutors against delinquents; secondly, because delay produces the frequent destruction of evidence; and, together with the uncertainties of an unwritten law, and the complicated ceremonies of a superstitious mode of procedure, affords the greatest chance of escape. From the whole then of these evils; to which is in a great measure to be ascribed the destructive anarchy which exists under the government of India; from the whole, I say, of that part of the mass of litigation which grows out of the vices of the law, and all the evils with which both are attended, the reform of the law, that is, an accurate code, an adequate judicial establishment, and a rational mode of procedure, would effect a complete deliverance.

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No litigation would then remain, to prevent the effectual administration of justice, but that which would arise from the vices, intellectual or moral, of the people. The number of difficulties being greatly diminished, the power of coping with them would be greatly increased. It is also an important consideration, how much the vices of the people depend upon the vices of the laws, and how necessarily the vices of the people diminish, as the virtues of the laws are increased. Of this no man will doubt; that the most effectual step which can be taken by any government to diminish the vices of the people is, to take away from the laws every imperfection by which the vices, to impart to them every perfection by which the virtues, of the people may receive encouragement. On a former occasion we have heard Lord Cornwallis declare, that the *prosperity* or *decline* of any people may always be referred to the laws, as their source.[1] To the same copious fountain of all that is good, or all that is evil, with still greater certainty may their *vices* and *virtues* be traced.

The vices among the people of India which tend most to enfeeble the arm of justice, are two; their proneness to perjury; and their perfidy as agents of police: the one rendering it extremely difficult to convict offenders upon satisfactory evidence; the other, shielding them from detection and apprehension. One would think it was not an effort beyond the reach of the human mind to find remedies of considerable efficacy for those diseases.



First in regard to perjury; the powers with which government, in this, as in other cases, is capable of acting upon the human mind, are three; the power of instruction; the power of reward; and the power of punishment.

On the subject of perjury it appears, that the people stand peculiarly in need of instruction. Under the native systems, legal or religious, particularly the Hindu, perjury was treated as a very trifling and venial offence. The most effectual measures should be adopted to make them clearly comprehend, that there is no crime, upon which the present government looks with more abhorrence; and that there is no quality which will be employed as a more certain mark to distinguish the objects of its favour and disfavour. Effectual modes of communicating this knowledge would not be difficult to find. It is observable, that wherever governments are in earnest about the communication of any article of knowledge to the people, they seldom remain destitute of means. They are seldom baffled, we see, in communicating a complete knowledge of what they wish to be done by the people, how complicated soever it may be, in making payment of taxes. It would be easy in India, for example, to print upon the receipt of taxes, or any other paper of general distribution, a short and clear description of the crime of perjury; with a notification, in the most impressive terms possible, of the deep abhorrence in which it is held by the government, and the severe punishment, both direct and indirect, to which it is exposed. To secure attention to this or any other article of information, many expedients might be found; rendering it, for example, necessary to answer certain questions, before any one could be admitted to perform certain acts. Where the manners of the people suffer any important condition to be placed before the permission to contract a marriage, it might be rendered conductive to many good effects.

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In regard to the application of rewards and punishments, the channel in which the conceptions of the Reformer should run, is all that can here be easily shown. In the first place it is obvious, that every man, whose veracity in a court of justice appears without suspicion, should be treated by the court with peculiar respect, and pointed out as an object of honour and esteem. He might be asked, if he had any favour to request, or any service to point out, which the court could render him, to testify its opinion of his virtue: he might be furnished with some honorary badge of distinction; and might even receive a ticket which should point him out as an object of favour to all the instruments of government, and to all those who wished to make the government their friend.

The punishments which have been applied to this offence appear, by the complaints of the Indian judges, not to have been skillfully chosen, and to have been attended with

little advantage. To prevent a crime of which the mischievous effects are so great, one would be willing to go to the expense of considerable severity, provided it were well adapted to the end. We are informed that severity of punishment has greatly diminished the prevalence of perjury before the Supreme Court; but the information is too general to enable us to ascertain the value of the fact. One circumstance there is which renders severity of punishment peculiarly inapplicable to this crime; and that is, the uncertainty of proof. In the greater number of cases, perjury is rather strongly suspected than clearly proved; and a judge, whose humanity is considerable, will not execute a terrible punishment, where he is not perfectly assured of guilt. The conconsequence is, that in the great majority of cases, the perjurer, for want of certain evidence, escapes and the crime receives encouragement. On the other hand, if the punishment were mild, and the evil not incapable of reparation in case of mistake, a strong suspicion would suffice for the inference of guilt, and few delinquents would be suffered to escape. There is another consideration, of the highest possible importance; That perjury is not an offence which in every instance implies the same degree of guilt. In different instances, it implies all possible varieties of guilt, and very often, among the people of India, no guilt at all. Such, in many of them, is their imbecility of mind; so faint are the traces of their memory; so vivid the creations of their imaginations; so little are they accustomed to regard truth in their daily practice; so much are they accustomed to mingle fiction with reality in all they think, and all they say; and so inaccurate is their language, that they cannot tell a true story, even when they are without any inducement to deceive.[1] Again, perjury is always committed as an instrument in the service of some other crime; and bears the character of guilt, in a low or a high degree, according to the nature of the crime for the sake of which it is perpetrated. It may be committed in exculpation of one's self, or of a near relation or friend; and for a slight or an atrocious offence; it may be committed for the accomplishment of a petty fraud; or it may be committed for the deliberate purpose of taking away the life of an innocent person. It is evident, that in these cases, there is the greatest possible difference in point of guilt; and the feelings of our nature revolt at the thought of inflicting the same punishment upon all. In the case of this, as of other accessary crimes, common good sense, not to speak of legislative wisdom, directs that it should be punished in some proportion to the principal crime;—the crime the benefit of which was the motive to the transgression.



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In tracing the truth, through the mazes of Indian evidence, there is required in the judge, not only much acuteness and sagacity, but great acquaintance with the habits and manners of the people; that he may be able to interpret the innumerable indications, which are given by peculiar modes of expression and deportment. The grammatical construction of the sounds which pass through the lips of a witness, is often the least part of the instruction which a penetrating judge derives from him. Even in the native country of the Judge, experience gained from long practice in the modes of thinking, acting, and speaking, of the principal class of depredators. is found to give him important advantages in extracting the evidence of guilt. The extraordinary disadvantages, under

which Englishmen, totally unacquainted with the manners of the Indians, lie, when they begin to seek their way through the labyrinth of Indian testimony, can be easily conceived. This ignorance is, accordingly, singled out, by some of the most intelligent of the Company's servants, as a source, and one of the principal sources, of the wretched administration of justice. The civil servants of the Company, who ascend to the office of Judge in the routine of service, have, in general, no opportunity of obtaining any considerable acquaintance, with the modes of thinking of the natives, and the evidence which their peculiarities import.

Another consideration, which ought to be impressed upon the minds of those who have it in their power to amend the legislation of India, is; That well to perform the service of a judge, skilfully to extract, and wisely to estimate every article of a complicated mass of evidence, not only peculiar experience, and that acuteness and dexterity, which are acquired by habitual practice are of the greatest importance, but also an enlightened acquaintance with those general principles regarding law and the administration of justice, which have their foundation in the general laws of human society, and which ought to run through and form the ground-work of the laws of all nations. In a situation where the body of law is complete, and well adapted to its ends, the absolute necessity is not so great for this species of knowledge in the judge, because he has rules for his guidance in every thing. He has few rules for his guidance in India, where every judge must in a great measure, be the rule to himself. Here, it is evident, he has the greatest possible occasion for the guidance of those general principles, which an enlightened education alone can give. The youth who is destined to the great and delicate duties of a judge, in India, cannot be too carefully disciplined in that philosophy which gives the best insight into the principles of human nature; which most completely teaches the ends which the administration of justice has it in view to accomplish, and the means which are best adapted to the ends. This sort of education is of importance not only for imparting a knowledge, to the youths who become judges, of what ought to be done; but for imparting to them a love for the ends of justice; and thus creating a grand set of motives for ensuring the performance of what ought to be done. If those on whom the legislation for India depends are in earnest for the establishment of a good administration of justice, a good education for judges is one of the first reforms they will undertake. This reform, too, will be without difficulty; because all that is wanting is a good choice of means. The cost would not be exorbitant. Here also is another of the occasions which so frequently occur, of remarking the bitter effects of that wretched policy, by which the settlement of Englishmen in our Indian dominions has been opposed. Had all parts of India been stocked, as under a system of freedom would have been the case, with Englishmen, settled, in the various occupations of agriculture, manufactures, and trade, there would have been in the country a sufficient number of English gentlemen, thoroughly conversant with the manners and character of the natives; many of them born and bred among them; gentlemen, to whom it would have added dignity, to be vested with the powers of judicature; and who would have been well pleased to discharge its duties for a moderate reward.

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By these, or expedients such as these, it will probably be allowed, that the difficulties, arising from
the prevalence of perjury in India, might, to a great degree, be overcome. It is next to be inquired, what is capable of being done for the improvement of the police; that is, for the best
organization of the powers necessary to detect and apprehend offenders, and to guard the people against the mischief they pursue.



Although, in a situation where the moral sanction operates with so little effect as in India, where the intellects of the people are too weak to distribute their love and esteem, their hatred and contempt, with operative energy, upon the acts, respectively, by which society is benefitted, or injured, the difficulty of ensuring a tolerable discharge of the duties of the men employed as agents of police is greatly enhanced; yet, in every situation, agents will violate their duties, if it is their interest to do so; and if in India it is made their interest not to violate them, we may count, with tolerable certainty, upon their being performed. We see the end, then, for which the means remain to be provided. On the subject of those means, a few general suggestions are all that can here find an appropriate place. Much both of local and of appropriate knowledge is required for details.

One observation there is, of which it is of importance that the weight should be felt. Were the business before the tribunals well performed, by removing the imperfections of law and judicature, the difficulties of police would be greatly reduced. As every offender will be pretty sure to suffer, who was actually detected and apprehended, the number of crimes would be so far diminished, and the agents of police more afraid to transgress. If the people were not punished for giving information, by a load of expense and trouble, they would afford means of great
value for detecting and apprehending the authors of crime. Their apathy might be overcome by appropriate instruction, and by gentle applications of both punishment and reward. Protection indeed would he required against the vengeance of the decoits; and this should be one of the first objects of government. No exertion of its powers can be too great, to pursue immediately, and incessantly, the gang by which any enormity has been committed in revenge for information. It should be seen and felt, by the whole community, that government will never rest, till it has seized the men by whom a crime, in so high a degree injurious to society, has been perpetrated, and till it has inflicted upon them the punishment which the repression of so dreadful an enormity requires. As one great end would be, to interest and rouse the people, might they not be called forth, in such a pursuit, in the mode of a *posse comitatus?* One expedient will naturally suggest itself to every body. The army could not be more usefully, nor more honourably employed, than in protecting the people who maintain them, from internal, as well as external, foes. All that would be necessary would be to distribute the men with their officers according to a skilful organization, combining their operations, in the smallest parties, with their operations in a body. The organization of people called *gens-d'armes* in France, would afford the instruction of an example. The concurrence of their will might be ensured by reward, as well in other shapes, as in that of honour, which would be so justly their due. Against the abuse of their powers, a well-ordered plan, and certainty of punishment, might afford a pretty

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effectual security. Objections will be drawn from the danger to the morals and discipline of the soldiers; but the same securities which preserved them from the abuse of their powers, would also preserve them from the loss of their virtue. A more serious difficulty would be, to supply their place when called away by the demands of war.



The best remedy to this, as to many other difficulties which baffle, and, without it, will long continue to baffle, the powers of the Indian government, would be found among the admirable effects of colonization. If Englishmen were mixed in considerable numbers among the natives, it would be easy to find a sufficient number of men, whose intellectual and moral qualities would fit them for guiding the native agents in the functions of police; and through whom it would be possible to prevent the abuse of the powers of those agents by insuring its detection and punishment. The parent which begets the crimes of the darogahs, as of the decoits, is their knowledge of the inability of government to punish them.

When the business of detection and conviction is accomplished, punishment remains. On this subject a few observations are still to be made. As crimes have multiplied, increasing severity of punishment has been tried, and the multiplication of crimes has not been diminished. Beside the general experience and arguments which prove the inefficacy of severe punishments for the repression of crime, peculiar reasons apply to the case of India. Under the infirmities which diminish the evidentiary force of almost all Indian testimony, the cases are comparatively few in which the guilty can receive conviction on very satisfactory evidence. The feelings of no humane judge will permit him to inflict a cruel punishment, such as death, or any thing approaching to death, when the evidence is not complete. His only alternative is, to acquit; the consequence is, that in a great proportion of cases, the guilty escape; and crime receives that effectual encouragement, which uncertainty of punishment always affords.[1] For such a combination of circumstances as that which India presents to the hand of the legislator, the rational course of expedients would undoubtedly be, to apply that lenity of punishment with which alone it is found that certainty can be combined; to prescribe no punishment which, upon strong presumption of guilt, the mind of a good man would revolt provisionally to apply; to make use of no punishment the evil of which cannot be repaired, if the innocence of the prisoner should afterwards appear; and then to prescribe unsparing conviction as often as the balance of probability inclines to the side of guilt.



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That admirable instrument for the application of all sorts of reparable punishments, and not only of reparable punishments, but what is infinitely better, of reformative punishments, punishments under the operation of which the restoration to society of hardly any offender would be an object of despair; the Panopticon penitentiary house, invented and described by Mr. Bentham, an organ of justice so well adapted to the exigencies of every community, would, with extraordinary advantage, apply itself to the extraordinary circumstances of Bengal. For individuals, under every species of guilt, and every legal degree of suspicion, an appropriate place would be found in one

of these important hospitals for the mind; and society would no longer be exposed to danger from any individual to whom probable evidence of a mischievous character attached.[1]



Under the existing system the penal contrivances appear to be no better adapted, to their end than those which we have already contemplated. In the report from Moorshedabad, in 1803, "The number of crimes," say the judges, "committed annually in the division under our jurisdiction, appears to have increased since the year 1793. The causes to which we ascribe the increase, are; the want of a preventive police; and the inefficacy of imprisonment, as a punishment, for either reformation, or example. We do not perceive any effects from the regulation which declares persons, convicted of the crime of perjury, liable to be marked on the forehead. In the course of our judicial duties, we still meet with the same barefaced disregard of truth, which always characterized the natives of India. The punishment of transportation, introduced by the British government, falls chiefly on decoits. And yet the crime of decoity has not decreased, in the division under our authority. To judge, therefore, of its operation by this result, it would follow,—that the punishment is of no effect; and the terror of it must daily diminish."[2]

A government which would render honesty and justice prevalent among its subjects must itself be honest and just. Sir Henry Strachey, who looked upon the evils of India with eyes more enlightened than ordinary, complains, that "no provision is made for the return of those convicts to their country, who are transported beyond seas for a limited time, although it is well known, that hardly any native possesses the means of procuring a passage for himself."[1] What is this, but, under the false pretence of a sentence of a limited number of years, to pronounce, in all cases of transportation, a sentence for life? Is it possible that a class of delinquents who know themselves exposed to become the victims of this injustice should not be hardened to greater ferocity, and, on account of the wrongs which they are liable to receive, regard with less remorse the wrongs which they commit? Is it possible, that the most impressive of all examples, the example of the government, should fail of its effect, in imbuing the minds of the people with a reverence or contempt of justice?



There is another remedy for the evils of that delinquency which, to so dreadful a degree, prevails in India; a remedy which some of the agents of the Company's government have wisely and virtuously brought to view, and which from every consideration both of humanity and policy deserves the most profound regard. We have already learned from Sir Henry Strachey, that the vices of the people arise from their poverty and ignorance; and especially their poverty; because he expressly affirms, that "where labour is amply rewarded, where all can easily get employment, and where the poor are provided for, the people lead industrious and virtuous lives."[2] He frequently recurs to this important topic. On another occasion he says, "In a year of plenty, like the present, when few are in want of food or employment, decoity will certainly less prevail, than in a year of scarcity."[1] The connexion between poverty and crime is one of the laws of society on which, to a peculiar degree, the attention of the legislator ought to be fixed.

None of the links in the moral constitution of our nature is more indissoluble; on none do a greater number of important consequences depend. That a perpetual struggle with the miseries of poverty and want operates with baneful effect upon the moral character, no man who has observed the laws of human nature will dispute. When a man has nothing to lose and every thing to gain by disregarding the laws of society, by what power is he to be restrained? As soon as death by hunger stares him in the face; with regard to him, the law is deprived of its power; for what is the evil with which it meets him, to the evil from which he runs? Another thing ought to be well remembered, That extreme misery, and above all things the miseries of poverty, diminish the value of life; and that the man to whom life is a burthen is but little affected with the prospect of losing it. Whoever has had an opportunity of witnessing, with any habits and powers of observation, the deaths of the poor and the rich, must have been struck with one extraordinary distinction: In most cases the rich part from life with great reluctance; the poor, except just in the morning of hope, with a kind of satifaction, a sort of pleasurable anticipation of the rest of the grave; an expression among those of them at least who have entered the vale of years, than which there is none more common, none to which the feelings are more truly attuned.



It it also a matter of general experience, that the man whose thoughts are perpetually harassed with the torment of immediate, or the dread of future want, loses the powers of benevolent sympathy with his fellow-creatures; loses the virtuous feelings of a desire for their pleasures and an aversion to their pains; rather hates their pleasures, as rendering the sense of his own misery the more pungent; desires their pains, as rendering the sense of that misery the less. This is the account which all the wisest interpreters of nature have rendered of that cruel and ferocious character, which uniformly accompanies the hardships of the savage life. The man who sets little value on his own life is not likely to be much affected at the thought of taking away the life of another. The man who rather desires the pains than the pleasures of others, is not likely to deny himself any gratification, on account of the sufferings to others of which his pleasure may be the cause. Another result of immediate suffering is, that it produces an extraordinary greedidess of immediate gratification; a violent propensity to any sensual indulgence which is within the reach. This is a result, which deserves the greatest attention; and which is a recognized, experienced principle of human nature. The animal nature of man, when it is under suffering, impels him, with a force which is almost irresistible, to afford himself some compensation, in the way of animal pleasure; any pleasure whatsoever, rather than none; that which he can most easily command; that which most completely takes from him a while the grating recollection of his own wretchedness. It is a rule, accordingly, that the poorest people are the most intemperate; the least capable of denying themselves any pleasure, however hurtful, which they are able to command; hence their passion for intoxicating liquors; and hence, because still more wretched, the still more furious passion of the savage for those pernicious drugs. Nor is this all. The great restraining power, the happy influence which keeps the greatest part of mankind within the bounds of virtue, is the love of esteem, and the dread of contempt; the passionate desire, which is natural to man, for the favourable regards, the dread and horror with which he contemplates the unfavourable regards, of his fellow-creatures. The favourable regards, however, of mankind can only be obtained, by pursuing a line

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of conduct which is useful to mankind; their unfavourable regards can be avoided, only by abstaining from every line of conduct which is hurtful to them. But it deserves to be regarded with very great attention, that it is only in a state of some ease and comfort, that this salutary feeling exists in any considerable strength. And the wretchedness of poverty is attended with this evil consequence, that it excludes those favourable regards of mankind, the desire of which constitutes the strongest motive to virtue. It plunges a man into that state of contempt into which misconduct would have placed him; and out of which no virtues which he can practise are sufficient to raise him. The favourable or unfavourable regards of mankind, therefore, operate with little effect to restrain him from any course of action to which he is impelled. What, then, upon the whole of this induction, is the general result? That, in a state of extreme poverty, the motives which usually restrain from transgression; respect for the laws, dread of the laws, desire of the esteem and affection, dread of the contempt and abhorrence of mankind, sympathy with the pains and pleasures of our fellow-creatures, lose their influence upon the human mind, while many of the appetites which prompt to wickedness acquire additional strength.



If, therefore, the government of India would lessen the tendency to crime, which is manifested among its subjects to so extraordinary a degree, it must lessen the poverty which prevails among them to so extraordinary a degree.

If the state of crime be, as it undoubtedly is, a sort of criterion of the state of property, the people of India have been falling, since the year 1793, into deeper poverty and wretchedness. Knowing, then, what we thus know, of the progress of delinquency in India, what are we led to think of the unintermitting concert of praises, sung from year to year, upon the Indian government, and upon the increasing happiness of the Indian people, of which that government is the cause?

The mode of increasing the riches of the body of the people is a discovery no less easy than sure. Take little from them in the way of taxes; prevent them from injuring one another; and make no absurd laws, to restrain them in the harmless disposal of their property and labour. Light taxes and good laws; nothing more is wanting for national and individual prosperity all over the globe. In India, where there is yet uncultivated a prodigious quantity of good land, the inference will suggest a doubt to no instructed mind. In more fully peopled countries, the effect has never yet been seen of good laws in keeping the pace of population back to the pace of food. The laws of human nature, clearly read, no less ensure the one result than they do the other.

The government of Bengal lost an opportunity, than which a finer was never enjoyed, of accelerating the acquisition of riches, and hence the growth of virtue, and decline of vice, in the great body of the people; when it declared the Zemindars, and not the ryots, the proprietors of the soil; when it sought by coercive and artificial means to create that vast inequality of fortunes, of which the corruption of the great body of the people is the never-failing result.

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It is actually singled out, by the most intelligent of the Company's servants, among the causes of the prevalence of crime in India, as one, the operation of which is very particularly and distinctly felt. "Where considerable numbers," says Sir Henry Strachey, "are collected and associate together, especially if there happens to be much inequality of rank and fortune, the morals of the people are worst, though, compared to the inhabitants of other parts of the same country, they may be said to be neither indigent nor uninformed."1 That nothing should be done to prevent inequality of fortune, the good of society, because the encouragement of production, requires. Laws for the purpose of creating and preserving a forced, unnatural inequality, are the result of a desire of making slaves of the many to make lords of the few. The original laws of India follow in this important respect the dictates of nature. By permitting a man to dispose of his property as he pleases during his life, and leave it to any person, or any number of persons, after his death; and by dividing it equally among his children, or his relatives of equal proximity, if no disposition of it is made by himself, they favour that freedom of disposal, that perfection of ownership, that circulation and distribution of property, by which the benefits derived from property are in greatest perfection attained.

It has been alledged above, that most of the Indian judges point to education, as the only power from the operation of which a favourable change can be expected in the moral character of the people; on this subject, however, if Sir Henry Strachey is excepted, their views are superficial. The most efficient part of education is that which is derived from the tone and temper of the society: and the tone and temper of the society depend altogether upon the laws, and the government. Again; ignorance is the natural concomitant of poverty; a people wretchedly poor, are always wretchedly ignorant. But poverty is the effect of bad laws, and bad government; and is never a characteristic of any people who are governed well. It is necessary, therefore, before education can operate to any great result, that the poverty of the people should be redressed; that their laws and government should operate beneficently. The education of the poor is not extended beyond the use of written, in addition to that of spoken language.



Now this, considered nakedly by itself, and without regard to the exercise made of it, cannot be regarded as of any great value. In Europe, where books are so happily diffused, the faculty of written language, imparted to any people, must of necessity prove to them a source of new and useful ideas. But in India, of what sort are the books to which alone it can introduce them? The tales about their gods, from which they can derive nothing but corruption. In fact, the natives of India, and other parts of Asia, are very generally taught the use of written language;1 and have been so from time immemorial; yet continue the ignorant and vicious people, of whose depravity we have so many proofs. No; if the government would make the faculty of reading useful to the people of India, it must take measures for giving them useful books. There is one effectual measure for this purpose; and there never was, and never will be another; and that is the freedom of the press. Among the other admirable effects of a free press, one is, that it makes it the *interest* of government that the people should received the highest possible instruction; compels the government to exert itself to the utmost in giving them instruction; to the end, that the people may not be in danger of being misled by misrepresentation; and that the government may be assured of their attachment,

whenever it deserves it. The Indian government, however, if a conclusion from its past may be drawn to its future conduct, will not choose a free press for the first of its ameliorating agents. Considering the mental state of the people of India, it is possible that among them, at the present moment, the unrestrained use of the press might be attended with inconveniences of a serious nature,
and such as would surpass the evils it would remove. There is no people, however, among whom it may not be introduced by degrees. The people of India, it is certain, ought to receive, as one of the indispensable instruments of improvement, as much of it as they can bear; and this would soon prepare them, if properly encouraged, for the receipt of more, and hence, by rapid steps, for the enjoyment of it, in all its fulness, and all its efficiency. The government of India is told, indeed, by one of its own servants, from whose recorded instructions it might learn much, that something far beyond the power of mere schooling, a power which in India cannot be strong, is required to work any beneficial change in the character of the people committed to its charge. "The vices and the crimes of the people," says Sir Henry Strachey, "proceed from their poverty and ignorance; and I do not conceive they are likely to grow much richer or wiser, *while the present state of things exists.*"[1] By the present state of things he undoubtedly means, the present state of the laws, and the government; on which every thing else depends. What he declares, therefore, is, that under the present state of the laws and government, the improvement, either of the circumstances, or of the morals of the people, is utterly hopeless; and that a fundamental change must take place in these, the primary sources of good and evil, before any change can take place in the streams they send forth. Next to the direct operation of ameliorated laws upon the intellectual and moral character of the natives, would be that diffusion of Englishmen in the society, by
means of colonization, from which we have already seen that so many important consequences would flow.[1]



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After the voyage of Lord Cornwallis to Madras, in 1793, he did not return to Bengal; but sailed for England in the month of August. To complete the view of his administration, the financial situation in which he left the Company, is all that remains to be described.

In the year ending April 1793, the whole of the receipts of the Company in India amounted to 8,225,628*l.;* the difference is 1,218,578*l.;* the profit, or gain, which accrued to the Company upon the transactions of that year. In the receipts were included the subsidies from Indian Princes, and collections from the ceded and conquered countries, to the amount of 1,911,492*l.;* and in the expenses were included the interest of debts in India, and the money supplied to Bencoolen and the other distant settlements, amounting to 702,443*l.* The debts in India were 7,971,665*l.* The debts in England, exclusive of the capital stock, were 10,983,518*l.* To the capital stock, another million had been added in 1789, which subscribed at 174 per cent., yielded, 1,740,000*l.* The capital stock, on which was now paid a dividend of ten and a half per cent., amounted to 5,000,000.[2] The financial results of this administration, when compared with the financial results of that of Mr.
Hastings,[1] exhibit a decrease of the net surplus, but to compensate for this, the extinction of a small portion of debt.

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The financial state of the Company, as it appeared on the face of the accounts, is thus a little better in one respect, but worse in another; and the point of deterioration more material, doubtless, than that of improvement. As the government of India was, however, now the government of the ministry, it was the interest of the ministry to praise it. In this particular, they were accordingly, by no means wanting to themselves. The influence of the ministry in parliament has been almost always sufficient to make the praises bestowed by the ministry be accepted in parliament as principles of belief; and the influence of ministry and parliament was combined, to give them an ascendancy over the belief of the nation at large. Mr. Dundas, no ordinary master in the oblique arts of ruling the minds of men, represented these financial results, as an object not only of rejoicing and triumph, but even of astonishment. He endeavoured to persuade, and succeeded in persuading, the parliament and the nation, that India had fairly begun to be, what India would continue to be, a vast source of wealth to the nation, affording a surplus revenue, sufficient to enrich the East India Company, and contribute largely toward the maintenance of the British government itself. Such were the strains which year after year were sung in the ears of the nation; and dictated the legislative proceedings. In fact, however, the favourable symptoms, inferior as they were to those exhibited in 1786, lasted for only a year or two. In 1797, a permanent deficit began, and the rapid accumulation of debt exceeded all former example. The joy, indeed, which was expressed upon the financial prospects of India, wherever it was real and not pretended, was founded from the beginning upon ignorance. Large sums had been obtained from new-made conquests, and the charge to be incurred for their government was not yet ascertained. As soon as that charge had time to swell to its natural, that is, its utmost limits, the disbursements of the Indian government outran its receipts.



end of vol. v.

[1]For these facts, see the Third Report of the Select Committee formed in 1781; and Mr. Macpherson’s Letter to the Court of Directors, dated Calcutta, 30th of March, 1783, printed by order of the House of Commons, among the papers laid before them in 1787.

[2]Letter to Major Palmer, printed among extracts from papers in No. 2, vol. vii. presented to the House of Commons on the 13th of March, 1786.

[2]Copy of a letter to the Court of Directors, dated 10th August, 1786, printed by order of the House of Commons.—The Select Committee of the House of Commons in 1810, in their Third Report, p. 370, say, “The effects of the war which ended in the year 1783 were particularly prejudicial to the financial system of India. The revenues had been absorbed, the pay and allowances of both the civil and military branches of the service were greatly in arrear; the credit of the Company was extremely depressed: and, added to all, the whole system had fallen into such irregularity and confusion, that the real state of affairs could not be *ascertained* till the conclusion of the year 1785–6.” Such is the state, in which India was left, by the administration of Mr. Hastings.

[1]In all 112,950l. of which 22,800l. was in salary to Major Palmer alone. The expense of the residency, under Mr. Bristow, which Mr. Hastings had represented as frightfully enormous, amounted to 64,202l. See Burke's Charges, No. 16, sect. 89.

[2]See the letter to Major Palmer, quoted in the preceding page.

[1]Letter from Major Brown to Mr. Hastings, dated at Delhi, 30th December, 1783.

[2]The papers on this subject were refused by ministry, or rather by the House of Commons, under the guidance of the minister. See the Debates in Parliament, under date March 7th and 18th, 1786.

[1]The insinuations of Mr. Burke that the negotiation of the Governor-General with the Mogul covered an insidious design to betray him into the hands of Scindia, receives its greatest confirmation from what Mr. Pitt was brought to say in the House of Commons, on the 18th of March, 1786, in the debate on the production of Delhi papers. "If he were inclined to lay open secrets which the interests of the country required should be concealed, he!could easily prove, he said, "that the junction of the Mogul with the Mabratta powers was of the highest advantage to the Company," Tow other objects, which were always found an efficient source of terror, a terror is always, in such hands, a most convenient instrument of persuasion, were, on this occasion, brought forward by the minister. These were, Tippoo Saib, and the French. These two, he said, were, at that time, plotting against the Company; and Tippoo was making efforts, by holding out dazzling projects to the Mogul, to realize the great advantage of the imperial authority and name. "In order to counteract this," said Mr. Pitt, "it became necessary for the servants of the Company to exert them-selves to the utmost to ingratiate themselves with the Court of Delhi, and by that means secure to their employers that great body of strength and influence which would naturally result from the countenance of the Shah." Ibid. It was "a body of strength and influence" on which Mr. Hastings, set a high value, in his instructions for the negotiation with Scindia!

[1]Extracts from Papers in No. 2, vol. vii. ut supra.

[1]Mr. Hastings's Answer to the Nineteenth, Eighteenth, and Seventeenth articles of Charge.

[1]Letter from the agent in Outde, dated Lucknow, 1st April, 1785; Extracts from Papers, ut supra.

[1]*"Made up,"* means augmented by the addition interest due.

[1]Beside the Parliamentary Papers, these documents are found in the Appendix to Burke's speech on the Nabob of Arcot's Debts.

[1]How wretched his foresight, if he really was sincere in this opinion, and how little he was capable of calculating the effects of his own measures, soon appeared by the event. "The actual loss," says Mr. Hume, "by this proceeding of the Board of Control is not limited to the large sum which has been paid: for the knowledge of the fact, that

Mr. Dundas had in that manner admitted, without any kind of inquiry, the whole claims of the consolidated debt of 1777, served as a strong inducement to others, to get from the Nabob obligations or bonds of any description, in hopes that some future good-natured President of the board of Control would do the same for them. We accordingly find that an enormous debt of near thirty millions sterling was very soon formed after that act of Mr. Dundas, and urgent applications were soon again made to have the claims paid in the same manner." Speech of Joseph Hume, Esq. at a general Court of Proprietors at the East India House, on the 9th of June, 1814, p. 23.

[1]Mr. Hume applied to the Directors in 1814, for information relative to the money which had been paid by the Company, under this decision of the Board of Control; also for a copy of the instructions which the Directors proposed to send out to the Presidency for separating the true from the fraudulent debts, and which instructions the Board of Control superseded. In both instances the application was unsuccessful; and Mr. Hume, from the best information be could obtain, places the amount at nearly 5,000,000*l.* "These claims," he says, "for what was called the consolidated debt of 1777, 'of which the Directors had never heard until 1776, and had never been able to obtain any satisfactory information,' amounted, with high interest made up to the end of 1784, to the sum of 54,98,500 pagodas, or 2,199,400*l.:* And, agreeably to the orders of the Board of Control sent out at that and subsequent periods, the total had been paid in 1804, with nearly twenty years' interest amounting in the whole to near five millions sterling." Speech, at supra, p. 22.

[1]Second Report of Select Committee, 1781.

[1]See Tenth Report of Commissioners, the last which has yet come to my hand, p. 469. Mr. Hume says, "The claims which formed the consolidated debt of 1777, amounting to 2,199,400*l.* were considered equally objectionable in 1774, as these new claims in 1806; and if Mr. Dundas had permitted a proper inquiry to be instituted in 1785, as the act of 24 Geo. III. duected, there is every reason to conclude that a much larger proportion of the old than the new debt would have been rejected….We are fully warranted in drawing the above conclusion, as the court of Directors, and all the Governors in India, had invariably declared these clams of 1777 to be shameful, and such *as could not bear the light.* And, in 1781, the claimants had so had an opinion of their right to the whole, that they made a voluntary offer to the government in Bengal to take *off one fourth* from the amount of their claims, and to agree to any kind of settlement, without interest, if the Company would but sanction their title to the remainder. There is also very little doubt, I think, but that the debt of 1767, and also the cavalry debt, if properly examined, would have turned out very objectionable. And it was the duty of Mr. Dundas to have ordered the necessary inquiry into the justice of the whole, agreeably to Mr. Pitt's bill, which made no distinction in the debts of 1767 and 1777." Speech, at supra, p. 24, 25.

[1]Letter from Lord Macartney to the Committee of Secrecy of the Court of Directors, dated Calcutta, 27th July, 1785. How much Lord Macartney and his Council agreed with Mr. Burke, respecting the springs which in all these transaction moved the machinery, still further appears from the following words: "The Ameer al Omrah and Mr. Benfield were well known to each other: Mutual esteem did not appear to attract

them to each other; but as soon as the objects of their antipathies were the same, they united at once. In this partnership, Mr. Benfield has brought his knowledge of ministers, his interest in parliament, to the former experience of his successful intrigues upon the spot." Copy of Letter from the government of Fort St. George to the of Bengal, dated 28th May, 1783.

[1]"I considered the assignment as the rock of your strength in the Carnatic, and therefore had guarded it with vigilance against the assaults of the durbar and the menaces of Bengal. It had contributed largely to your support through the war, and might have secured the stability of your commerce and dominion on the coast. DIIS ALITER VISUM EST! I had long since expressed my hope of not being made a witness or an accessary to a premature surrender of it; and indeed no man could be less properly qualified on such an occasion than myself, being personally disagreeable to the Durbar, and from my knowledge of their duplicity, disaffection, and politics, totally unqualified for any negotiation that required the slightest degree of confidence to be reposed in them." Letter to the Secret Committee, 27th July, 1785.

[1]Letter to the Secret Committee, 27th July, 1785.

[2]Barrow's Life of Lord Macartney, i. 282.

[3]The conduct of Lord Macartney in this business is displayed in a series of official documents, entitled "Papers relating to the affairs of the Carnatic," vol. ii. printed by order of the House of Commons in 1803.

[1]Letter of Lord Melville, in Barrow's Macartney, i,330.

[1]"The magnitude of the trial would overwhelm," he said, "the varying multitude of lesser causes, of *meum* and *tuum,* assault and battery, conversion and trover, trespass and burglary," &c.

[1]For a profound elucidation of what he calls Investigatorial Procedure, see Mr. Bentham's treatise, entitled Scotch Reform.

[1]The following are the words of the eight of the resolutions, which he moved in 1781, "That too strong a confirmation cannot be given to the sentiments and resolutions of the Court of Directors and the Court of Proprietors, *in condemnation* of the Rohillawar:—That the conduct of the President and Select Committee of Bengal appears, in almost every stage of it, to have been biased by an *interested* partiality to the Vizir, to transgress their own, as well as the Company's positive and repeated regulations and orders:—That the extermination of the Rohills was not necessary, for the recovery of forty lacs of rupees:—And that, if it was expedient to make their country a barrier against the Mahrattas, there is reason to believe, that this might have been effected by as easy, and by a less iniquitous, interference of the government of Bengal; which would, at the same time, have preserved the dominion to the *rightful* owners, and exhibited an attentive example of justice, as well as policy, to all India."

[1]The cause is variously conjectured; some turn in the cabinet; or in the sentiments of the King, whose zeal for Mr. Hastings was the object of common fame; an increasing dread of unpopularity, from the progress of indignation in the public mind.

[2]The contemporary historian says, "The conduct of the minister on this occasion drew upon him much indecent calumny from the friends of Mr. Hastings. They did not hesitate to accuse him, out of doors, both publicly and privately, of treachery. They declared it was in the full confidence of his protection and support, that they had urged on Mr. Burke to bring forward his charges: And, that the gentleman accused had been persuaded to come to their bar, with an hasty and premature defence. And they did not scruple to attribute this conduct in the minister to motives of the basest jealousy." Annual Register for the year 1786, ch. vii.

[29.]26 Geo. III. c. 16.

[1]Cobbetts Parl. Hist. xxv. 1276. In the same speech Mr. Burke said, "What he, from the experience derived from many years' attention, would recommend as a means of recovering India, and reforming all its abuses, was a combination of these three things—a government by law—trial by jury—and publicity in every executive and judicial concern." Ibid. Of these three grand instruments of good government, what he meant is not very clear as to any but the last; of which the importance is, undoubtedly, great beyond expression.

[2]26 Geo. III. c. 25.

[1]26 Geo. III. c. 57.

[2]The following is a curious testimony to the importance of the clause which was now repealed. Major Scott, the famous agent of Mr. Hastings, in the debate of the 7th of February, 1788, on the impeachment of Sir E. Impey, counteracting the panegyrics which had been pronounced on Mr. Francis, said, "Before I join in applauding the integrity of the Hon. Gent., I require it to be proved *by the only possible way in which his integrity can possibly be proved.* Let him come fairly, boldly, and honestly forward, as Lord Macartney has done; let him state that he left England in debt, that he was six years in India, that his expenses at home and abroad were so much, and his fortune barely the difference between the amount of his expences and the amount of his salary. When the Hon. Gent. shall have done this, I will join the committee of impeachment with cheerfulness, in pronouncing Mr. Francis to be one of the honestest men that ever came from Bengal. But until he shall submit to *this only true test* of his integrity, I shall pay no attention to the animated panegyrics of his friends." Cobbett's Parl. Hist. xxvi. 1425. I wish I could have availed myself of this testimony, without repeating the surmise of a man who would not have confined himself to surmise against Mr. Francis, had he had any thing stronger to produce.

[1]26 Geo. III. c. 62.

[1]There were several pecuniary transactions with individuals, such as a contract for supplying the army with bullocks, a contract for feeding elephants, an agency for the

supply of corn, a contract for the Company's opium, which were laid hold of by the accusers of Mr. Hastings, as either not having been performed agreeably to the rules and orders of the service, or in some way implying corruption on the part of the Governor-General, and thence included among the subjects of criminal charge. As the indications of criminality in these transactions appeared to me to fall short of proof; and as they were matters of that degree of detail, to which the limits of history do not allow it to descend, no account of them is included in the narrative of Mr. Hastings's Indian Administration.

[1]See Parliamentary Hist, *ad dies.*

[1]Mr. Baring said, that "when the bill of 1784 was in agitation, it had not been intimated to the Directors, that the bill gave any such power to the Commissioners of Control, as was now contended for: If they had so understood it, they would not have given their support to a bill, that tended to annihilate the Company, and deprive them of all their rights and powers." Parl. Hist. xxvii. 67.

[1]Take the following account, from the publication entitled, Trial of W. Hastings, Esq. &c. p. 1.—"Previous to their Lordships' approach to the Hall, about eleven o'clock, her Majesty, with the Princesses Elizabeth, Augusta, and Mary, made their appearance in the Duke of Newcastle's gallery. Her Majesty was dressed in a fawn-coloured satin, her head-dress plain, with a very slender sprinkling of diamonds. The royal box was graced with the Duchess of Gloucester and the young Prince. The ladies were all in morning dresses; a few with feathers and variegated flowers in their head dress, but nothing so remarkable as to attract public attention.

"Mrs. Fitzherbert was in the royal box.

The Dukes of Cumberland, Gloucester, and York, and the Prince of Wales, with their trains, followed the Chancellor, and closed the procession.

Upwards of 200 of the Commons, with the Speaker, were in the gallery.

The Managers, Charles Fox and all, were in full dress.

But a very few of the Commons were full dressed—some of them were in boots. Their seats were covered with green cloth—the rest of the building was "one red."

Mr. Hastings stood for some time—On a motion from a Peer, the Chancellor allowed, as a favour, that the prisoner should have a chair—And he sat the whole time—but occasionally, when he spoke to his Counsel.

His Counsel were Mr. Law, Mr. Plomer, Mr. Dallas.—For the Commons—Dr. Scott and Dr. Lawrence; Messrs. Mansfield, Piggot, Burke, and Douglas.

A party of horse-guards, under the command of a Field Officer, with a Captain's party from the horse-grenadiers, attended daily during the trial.

A body of 300 foot-guards also kept the avenues clear, and a considerable number of constables attended for the purpose of taking offenders into custody."

[1]The words of the quotation are taken from the short account of the speech which is given in the History of the Trial of Warren Hastings, Esq. published by Debrett. The account, though short, is the best which I have been able to procure. The report to which I have had access, in the MS. of the short-hand writer, is exceedingly confused, and indistinct. Upon this passage, the compiler of the History of the Trial adds in a note, "In this part of his speech Mr. Burke's descriptions were more vivid—more harrowing—and more horrific—than human utterance on either fact or fancy, perhaps, ever formed before. The agitation of most people was very apparent—and Mrs. Sheridan was so overpowered that she fainted.

On the subject of the Ministers of these infernal enormities, he broke out with the finest animation!

'My Lords,' exclaimed Mr Burke, 'let me for a moment quit my delegated character, and speak entirely from my personal feelings and conviction. I am known to have had much experience of men and manners—in active life, and amidst occupations the most various! From that experience, I now protest—I *never* knew a man who was *bad,* fit for service that was *good!* There is always some disqualifying ingredient, mixing and spoiling the compound! The man seems *paralytic* on that side! His muscles there have lost their very tone and character!—They cannot move! In short, the accomplishment of any thing good, is a physical impossibility for such a man. There is decrepitude as well as distortion—he COULD NOT if he would, is not more certain, than he WOULD NOT, if he could!'

Shocking as are the facts which Mr. Burke related, and which he says he finds recorded in the account taken by Mr. Patterson, who was appointed Commissioner to inquire into the circumstances of this dreadful business, and of a rebellion which took place in consequence, Mr. Burke says, of the above-mentioned cruelties; our readers must see that Mr. Hastings cannot be responsible for them, unless it shall be proved that he was privey to, and countenanced the barbarities."

[1]Short-hand writer's report, MS in the, writer's hands.

[1]MS. ut supra.

[1]Minutes of the Trial of Warren Hastings, MS. The reader may however consult the printed History, ut supra, which differs in nothing material from the original document in my hands.

[1]For a specimen of just, ideas on this, and other parts of the subject of evidence, see an unfinished work, entitled, "Rationale of Evidence by J. Bentham, Esq." For a complete elucidation, the public must wait for that more voluminous production, which he announced as nearly prepared, so long ago as in the first edition of the Letters to Lord Grenville on Scotch Reform.

[1]Minutes of the Evidence taken at the Trial of Warren Hastings, Esq., p. 321.

[1]Minutes of the Trial of Warren Hastings, Esq. MS. of the shorthand writer.

[2]Ibid. twentieth day.

[1]Letter, dated 28th of August, 1771; Minutes, ut supra, 973.

[1]See a letter, dated 30th September, 1765, from the President Lord Clive and Council, in which her son by the Nabob is treated as a bastard. Minutes, ut supra, p. 976.

[1]President's Minute in Consultation, 28th July, 1772. Minutes of Evidence, ut supra, p. 973–976.

[1]Minutes, ut supra, p. 978–980.

[1]The circumstances respecting the proposal to produce this letter, and the decision upon it, appear more distinctly in the Hist. of the Trial of Warren Hastings, Esq. part ii. p. 57, than in the Minutes of Evidence, where there is obscurity, and probably an omission.

[1]With respect to Mr. Hastings personally, I am anxious to observe, that this affords a presumption of innocence; at least of the truth of his allegation, that the sum in question, which was given him for entertainment money, as he had never denied it, so he never meant to conceal.

[1]The expressions are here taken from the report of the speech, in the History of the Trial, ut supra, part ii. p. 64. Mr. Burke, on this occasion, took pointed notice of a circumstance of some importance in the history of the public life of Mr. Hastings. Having warned the Lords of the wide door they laid open for the escape of guilt, by sustaining the disavowals which the guilty found it convenient to make; "In the case of Mr. Hastings, he said, there appeared to be a system of *disavowals.* The prisoner once appointed an agent, who, in *his* name, made a formal resignation of the Government of Bengal. But the principal afterwards disavowed this act of his agent, and strenuously resisted it, though the ruin of the British empire in the East might have been the consequence of it.

"At another time he delivered at the bar of the House of Commons, *(as his own)* a written defence against the charges then pending against him in that House. But afterwards at their Lordships' bar, he *disavowed* this defence, and produced evidence to prove that it had been drawn up by others, and not by *himself,* and that, therefore, he ought not to be accountable for the contents of it.

"In the case immediately before their Lordships, it had appeared in evidence, that Major Scott was the agent of the prisoner, and that his powers were as unlimited as words could make them, except in one point only. This agent delivered to the Committee of the House of Commons, the papers of which he was then speaking;

certainly with some view, and probably to serve his principal, for he delivered them *unasked.* But now he *disavowed* all authority for such delivery."

[1]History of the Trial, ut supra, part ii. p. 62.

[1]History of the Trial, ut supra, part ii. p. 62, 63.

[1]See the Minutes of Evidence, ut supra, p. 953–1101, with the History of the Trial, ut supra, part ii.

[1]The whole of this scene, us given by the historian of the trial, is curious, and forms an important incident in the History of Mr. Hastings.

"Mr. Burke said, that he must submit to their Lordships' decision, but he must say, at the same time, that he had heard it with the deepest concern: for if ever there was a case in which the honour, the justice, and the character of a country were concerned, it was in that which related to the horrid cruelties and savage barbarities exercised by Deby Sing, under an authority derived from the British Government, upon the poor forlorn inhabitants of Dinagepore; cruelties and barbarities so frightfully and transcendently enormous and savage, that the bare mention of them had filled with borror every description of people in the country.

"The impression that even the feeble representation which his slender abilities had been able to produce had made upon the hearts and feelings of all who had heard him, was not to be removed but by the evidence that should prove the whole a fabrication.—The horror which the detail of those cruelties had produced in the minds of all classes of people was indescribable; the most dignified ladies of England had shuddered, and some had fainted at the bare recital; and was no evidence now to be received to prove the existence of those acts of barbarity which had shocked the whole nation?

"Mr. Law said, it was not to be borne, that the Right Hon. Manager should thus proceed to argue in reprobation of their Lordships' judgments solemnly given.

"Mr. Burke said, nothing could be further from his intention than to reprobate any decision coming from a Court for which he entertained the highest respect. But he was not a little surprised to find, that the learned Counsel should stand forth the champion for their Lordships' honour;—they were themselves the best guardians of their own honour; and it never could be the intention of the Commons to sully, much less to call in question, the honour of the House of Peers. As their *co-ordinate* estate in the Legislature, the Commons were perhaps not less interested than their Lordships themselves in the preservation of the honour of that noble House; and therefore he never could think of arguing in *reprobation* of any of its decisions.

"But the truth was, that the decision upon which he was then speaking was not upon a question put by the Commons: the Lords had no doubt decided properly; but it was certainly upon their own question, and not upon that of the Commons. If the Commons had been suffered to draw up their question themselves, they would have

worded it in a very different manner, and called for the judgment of the House upon a question very differently stated from that on which the decision had just been given.

"It was true that the cruelties charged in the article were not stated, *eo nominc,* to have been exercised by Deby Sing; but the article charged Mr. Hastings with having established a system which he knew *would* be, and in point of fact *had* actually been, attended with *cruelty* and *oppression.*—The article did not state by whom the acts of cruelty had been committed, but it stated cruelty in general; and of such cruelty, so charged, the managers had a right to give evidence.

"He observed, that their Lordships must perceive a difference in the case thus stated, from that which they had stated themselves, and on which they had decided. He begged, therefore, that they would consider seriously what effect this decision would have upon this part of the article, and upon the general character of the country.

"If they were entirely to shut out all evidence of those acts of cruelty, what would the world say? what would be the opinion of mankind? It would astonish the surrounding nations, that the door should be shut upon the proof of cruelties, the bare recital of which had barrowed up the souls of all who had heard it. The character of the nation would suffer, the honour of their Lordships would be affected, if, when the Commons of England stood ready to prove the existence of barbarities that had disgraced the British name, and called for vengeance on the guilty heads of those who were in any degree instrumental in them, they should be stopped, and told that no evidence could be received in proof of those barbarities. A Noble Lord, deservedly high in the opinion of his Peers, had said, when he heard those savage cruelties detailed, that, compared with the *enormity* of them, all the articles of the impeachment weighed not a feather; that if the detail was founded in truth, no punishment could be too severe for whoever should be found to have had any part in exercising them.

"The same Noble Lord, Mr. Burke observed, had said, that if the Hon. Manager did not make good this most horrid of all charges, he ought to pass for the most daring calumniator.

"Upon that issue, said Mr. Burke, I am ready to put my character: suffer me to go into the proofs of those unparalleled barbarities; and if I do not establish them to the full conviction of this house and of all mankind, if I do not prove their immediate and direct relation to, and connection with the system established by Mr. Hastings, then let me be branded as the boldest calumniator that ever dared to fix upon unspotted innocence the imputation of guilt."

"Earl Stanhope called Mr. Burke to order. His Lordship said, that the *time* of the House must not be wasted in arguments upon questions on which their Lordships had already decided."

"Mr. Burke said, that it was his object to save the HONOUR and the CHARACTER of their Lordships, and not their TIME: and it could not have entered his head, that whilst he was pursuing so great an object, he could be supposed to be wasting their TIME, which, though certainly precious, could not weigh a feather against their

HONOUR and CHARACTER.

"However, let that be as it might, he had done: he had endeavoured to rescue the character and justice of his country from obloquy; if those who had formerly provoked inquiry, if those who had said that the savage barbarities which he had detailed had no other existence than that which they derived from the malicious fertility of his imagination, if those who had said that he was bound to make good what he had charged, and that he would deserve the most opprobrious names if he did not afford Mr. Hastings an opportunity of doing away the impression which every part of the nation had received from the picture of the savage cruelties exercised by Deby Sing; if, he repeated, they now shrunk from the inquiry for which they had before so loudly called, if they now called upon their Lordships to reject, and not listen to the proofs which they before had challenged him to bring, the fault was not with him; he had done his duty to his country, whose honour and justice had been outraged; to the House of Commons, who had sent him to their Lordships' bar to express their abhorrence of cruelties, and to point the vengeance of the law against those who had been instrumental in practising them; and he had done what he owed to himself, in offering to prove all that he had advanced on the subject, on pain of being branded, if he should fail in his proofs, as a bold and infamous calumniator.—'Upon the heads of others therefore (said he), and not upon those of the Commons of Great Britain, let the charge fall, that the justice of the country was not to have its victim. The Commons have shown their readiness to make good their charges.—But the defendant shrinks from the proof, and insists that your Lordships ought not to receive it.'

"Mr. Law, with unexampled warmth, whether real, or assumed in consequence of instructions in his brief, we cannot pretend to say, replied to Mr. Burke. He said that the Right Hon. Manager felt bold, only because he knew the proof which he wanted to give *could* not be received; that, from the manner in which the charge was worded, their Lordships *could not,* if they *would,* admit them, without violating the clearest rules and principles of law. 'But (said he) let the Commons put the detail of those shocking cruelties into the shape of a charge which my client can meet, let them present them in that shape at your Lordships' bar, and then we will be ready to hear every proof that can be adduced. And if, when they have done that, the Gentleman for whom I am now speaking does not falsify every act of cruelty that the Honourable Managers shall attempt to prove upon him, Maythe hand of thisHouseand the hand ofGodlight upon him!'

"After this ejaculation, delivered in a tone of voice not unlike that of the theatric hero, when he exclaims, 'Richard is hoarse with calling thee to battle!'—this part of the business ended." History of the Trial of Warren Hastings, Esq. part iii. p. 54–56.

Beside what Mr. Burke had thus declared, Mr. Fox, in the speech in which he summed up the evidence on this article, said, "The Counsel for the defendant had, upon this subject, invoked the judgment of their Lordships, and the vengeance of Almighty God, not on their own heads, but on the head of their client, if the enormities of Devy Sing, as stated by his Right Hon. Friend, should be proved and brought home to him. He knew not how the defeudant might relish his part in this imprecation which the Counsel had made; but in answer to it, if the time should come

when they were fairly permitted to come to the proof of those enormities, he would, in his turn, invoke the most rigorous justice of the Noble Lords, and the full vengeance of Almighty God, not on the head of his Right Hon. Friend, but on his own, if he did not prove these enormities and bring them home to the defendant, in the way which his Rt. Hon. Friend had charged them upon him; and this he pledged himself to do, under an imprecation on himself, as solemn as the Counsel had invoked on their client." As these passages, and the passages from the introductory speech of Mr. Burke, have been presented to the reader, it is fair that he should also receive what Mr. Hastings said in his defence.

"I will not detain your Lordships by adverting, for any length, to the story told by the manager who opened the general charges relative to the horrid cruelties practised on the natives of Dhee Jumla by Deby Sing.—It will be sufficient to say, that the manager never ventured to introduce this story in the form of a charge, though pressed and urged to do so, in the strongest possible terms, both in and out of Parliament.—Mr. Paterson, on whose authority he relied for the truth of his assertions, and with whom, he said, he wished to go down to posterity, has had the generosity to write to my attorney in Calcutta, for my information, 'That he felt the sincerest concern to find his reports turned to my disadvantage, as I acted as might be expected from a man of humanity throughout all the transactions in which Deby Sing was concerned.'—Had the cruelties which the manager stated been really inflicted, it was not possible, as he very well knew at the time, to impute them, even by any kind of forced construction, to me.—My Lords, it is a fact that I was the first person to give Mr. Paterson an ill opinion of Deby Sing, whose conduct upon former occasions had left an unfavourable, and perhaps au unjust, impression upon my mind. In employing Deby Sing I certainly yielded up my opinion to Mr. Anderson and Mr. Shore, who had better opportunities of knowing him than I could have. In the course of the inquiry into his conduct he received neither favour nor countenance from me, nor from any Member of the Board. That inquiry was carried on principally when I was at Lucknow, and was *not* completed during my government, though it was commenced and continued with every possible solemnity, and with the sincerest desire, on my part, and on the part of my colleagues, to do strict and impartial justice. The result I have read in England; and it certainly appears that though the man was not entirely innocent, the extent of his guilt bore no sort of proportion to the magnitude of charges against him. In particular, it is proved that the most horrible of those *horrible* acts, so artfully detailed, and with such effect, in this place, *never were committed at all.*

"Here I leave the subject, convinced that every one of your Lordships must feel for the unparalleled injustice that was done to me by the introduction and propagation *of that atrocious calumny.*" How far these allegations of a man in his own favour, who would not allow them to be submitted to proof, are entitled to weigh, is the question which remains.

[1]The words of Mr. Burke, as reported by the historian of the trial, are as follow: "At the revolution, the people had taken no other security for that preservation, and for the pure and impartial administration of justice, than the responsibility of ministers and judges to the High Court of Parliament. An impeachment by the Commons was the mode of bringing them to justice, if the former should attempt any thing against the

constitution, or the latter should corruptly lend themselves to measures calculated to set aside the government by law, or should attempt to pollute the source of public justice.

"If in the pursuit of such criminals the Commons, who could have nothing in view but substantial justice, were to be stopped at every step by objections drawn from technical rules and forms of pleading, then would the greatest and most dangerous criminals escape the vengeance of offended justice; parliamentary impeachments, which were the principal, if not the only security for the preservation of the constitution, would become nugatory and vain; and the most corrupt ministers might, without check or control, pursue the most anti-constitutional career, unawed by responsibility, or an impeachment from which they could have nothing to fear." History, ut supra, part iii. p. 58.

[1]On this head of the proceedings, have been followed the printed Minutes of Evidence, ut supra, p. 1103–1301, and the Hist. of the Trial, ut supra, part iii.

[1]On this article of charge, see printed Minutes of evidence, ut supra, p. 1303–1458; History of Trial, ut supra, part iv. p. 64–80.

[1]He asserted, "The resources of India cannot, in time of war, meet the expenses of India." He denied that loans could be obtained: "I could not borrow to the utmost extent of my wants, during the late war, and tax posterity to pay the interest of my loans. The resources to be obtained by loans (those excepted for which bills upon the Company were granted,) failed early in my administration, and will fail much earlier in Lord Cornwallis's."

[2]The Nizam.

[3]Moodajee Bonsla.

[4]Madajee Scindia.

[1]The Mahrattas.

[2]Tippoo Sultan.

[1]See, for this head of the trial, Minutes of Evidence, ut supra, p. 1465–1822; Hist. of the Trial, part v.

[1]Hist. of the Trial, ut supra, part vi. p. 42.

[2]Minutes, ut supra, p. 1823–2090; Hist. ut supra, part vi. p. 38–55.

[1]Report of the Committee of the House of Commons (which Committee were the managers) appointed 5th March, 1794, to report on certain matters in the impeachment of Mr. Hastings.

[1]Minutes, ut supra, p. 2090–2323; Hist. of Trial, ut supra, part vi. p. 55–78.

[1]See Appendix at the end of this chapter.

[1]For the evidence, and incidents on the reply, see the printed Minutes, ut supra, p. 2479–2854; History of the Trial, ut supra, part vii.

[1]In this concluding part of the business of the impeachment, has been followed a volume in quarto entitled "Debates of the House of Lords, on the Evidence delivered on the Trial of Warren Hastings, Esquire; Proceedings of the East India Company, in consequence of his Acquittal; and Testimonials of the British and Native Inhabitants of India, relative to his Character and Conduct whilst he was Governor-General of Fort William in Bengal."—This was a volume compiled and distributed under Mr. Hastings' directions, and at his expense, but never published. The contents of it, however, are found almost verbatim in the History of the Trial, (part viii.) to which reference has been so frequently made.

[1]Debates of the House of Lords, &c. ut supra, p. 331–495.

[1]What Mr. Burke said upon the subject of this attack deserves attention; though his strictures fall greatly short of the mark, because his mind was deluded by the fallacy—of respect for bad Judges, and bad laws. On the day after the speech of Lord Thurlow was delivered in the House of Lords, he thus addressed the House of Commons:

"The licence of the present times makes it very difficult to talk upon certain subjects in which Parliamentary Order is involved. It is difficult to speak of them with regularity, or to be silent with dignity or wisdom. All our proceedings have been constantly published, according to the discretion and ability of individuals, with impunity, almost ever since I came into Parliament. By prescription people had obtained something like a right to this abuse. I do not justify it. The abuse is now grown so inveterate, that to punish it without a previous notice would have an appearance of hardship, if not injustice. These publications are frequently erroneous as well as irregular, but not always so: what they give as Reports and Resolutions of this House, have sometimes been fairly given.

"It has not been uncommon to attack the proceedings of the House itself, under colour of attacking these irregular publications; and the House, notwithstanding this colourable plea, has, in some instances, proceeded to punish the persons who have thus insulted it. When a complaint is made of a piratical edition of a work, the author admits that it is his work that is thus piratically published; and whoever attacks the work itself in these unauthorized publications, does not attack it less than if he had attacked it in an edition authorised by the writer.

"I understand, that in a place which I greatly respect, and by a person for whom I have likewise great respect, a pamphlet published by a Mr. Debrett has been very heavily censured. That pamphlet, I hear (for I have not read it), purports to be a Report made by one of your committees to this House. It has been censured (as I am told) by the person and in the place I have mentioned, in very harsh and very unqualified terms. It has been said, and so far very truly, that at all times, and particularly at this time, it is

necessary for the preservation of order and the execution of the law, that the characters and reputation of the Judges of the Courts in Westminster Hall should be kept in the highest degree of respect and reverence; and that in this pamphlet, described by the name of a Libel, the characters and conduct of those Judges upon a late occasion had been aspersed, as arising from ignorance or corruption.

"I think it impossible, combining all the circumstances, not to suppose that this speech does reflect upon a Report which, by an order of the committee on which I served, I had the honour of presenting to this House. For any thing improper in that report I am responsible, as well as the other members of the committee, to this House, and to this House only. The matters contained in it, and the observations upon them, are submitted to the wisdom of the House, that it may act upon both in the time and manner that to your judgment may seem most expedient, or that your may not act upon them at all, if you should think it most useful to the public good. Your committee has obeyed your orders; it has done its duty in making that Report. I am of opinion with the eminent person by whom that Report is censured, that it is necessary, at this time very particularly, to preserve the authority of the Judges. This, however, *does not depend upon us, but upon themselves.* It is necessary to preserve the dignity and respect of all the constitutional authorities. This too, depends upon ourselves. It is necessary to preserve the respect due to the House of Lords: it is full as necessary to preserve the respect due to the House of Commons: upon which (whatever may be thought of us by some persons) *the weight and force of all other authorities within this kingdom essentially depend.* If the power of the House of Commons is degraded or enervated, no other can stand. We must be true to ourselves; we ought to animadvert upon any of our members who abuse the trust we place in them: we must support those who, without regard to consequences, perform their duty.

"For your committee of managers and for myself, I must say, that the Report was deliberately made, and does not, as I conceive, contain any very material error, or any undue or indecent reflection upon any person. It does not accuse the Judges of ignorance or corruption. Whatever it says, it does not say calummously. This kind of language belongs to persons whose eloquence entitles them to a free use of epithets. The report states, that the Judges had given their opinions *secretly,* contrary to the almost uninterrupted tenor of Parliamentary usage on such occasions. It states that the opinions were given, not upon the *Law,* but upon the *Case.* It states that the mode of giving the opinions were *unprecedented, and contrary to the privileges of the House of Commons.* It states, that the committee did not know *upon what rules and principles the Judges had decided upon those cases,* as they neither heard them, nor are they entered upon the Journals. It is very true, that we were and are extremely dissatisfied with those opinions, and the consequent determinations of the Lords; and we do not think such a mode of proceeding at all justified by the most numerous and the best precedents. None of these sentiments are the committee, as I conceive (and I full as little as any of them) disposed to retract or to soften in the smallest degree.

"The report speaks for itself. *Whenever an occasion shall be regularly given to maintain every thing of substance in that Paper, I shall be ready to meet the proudest name for ability, learning, or rank, that this kingdom contains, upon that subject.* Do I say this from any confidence in myself? Far from it! It is from my confidence in our

cause, and in the ability, the learning, and the constitutional principles, which this House contains within itself, and which I hope it will ever contain; and in the assistance which it will not fail to afford to those who, with good intention, do their best to maintain the essential Privileges of the House, the ancient Law of Parliament, and the public Justice of the Kingdom." Hist. of Trial, part vii. p. 117, 118.

No reply or observation was made on the subject by any other member.

[1]See Papers relating to the East Indies, printed by order of the House of Commons in 1806, No. 2. p. 1–14.

[1]Copy of a Letter from Earl Cornwallis to Sir Archibald Campbell, dated Calcutta, 30th of May, 1788. Ordered to be printed 1792. Wilks's Hist. Sketches, ii. 535–559; iii. 36.

[1]"As his Highness's political situation with the Mahrattas has long approached almost to a state of dependance upon the Poonah government, we could make no alteration in the terms of our agreement with the Nizam, without its being construed by the Peshwa's ministers as an attempt to detach him from them." Lett. Cornwallis to Secret Committee, 1st of November, 1789. We are informed by Col. Wilks, that at the same time with this embassy to the English government, the Nizam sent one Tippoo, to propose an alliance offensive and defensive; whether to supersede the agreement with the English, or as a further security, does not appear. Tippoo proposed the adjunct of a matrimonial connexion between the families; but this, not suiting the family pride of the Nizam, broke off the negotiation. Hist. Sketches, iii. 26, 36.

[2]The Governor-General imputes bad faith to those who inserted them, as well as the clause relating to the grant of the Carnatic Balaghaut, and the consequent peshcush: "The sixth and twelfth articles are couched in terms which do not manifest a very sincere intention in the framers of the treaty to perform them." Minute of Governor-General, 10th of July, 1789.

[1]Letter, Cornwallis to the Nizam, 7th of July, 1789.

[1]Sir John says further, "that such ideas were entertained by Tippoo, from the moment he heard of the conclusion of this engagement, there cannot be a doubt. It would indeed appear by a letter from the resident at Poonah, that the minister of that Court considered this engagement *as one of an offensive nature,* against Tippoo Soltaun." Sketch, ut supra, p. 68.

[1]Malcolm's Sketch, ut supra, p. 66–69. See the papers relative to this treaty, laid before parliament in 1792. To the same purpose, another enlightened Indian Soldier: "It is highly instructive to observe a statesman, justly extolled for moderate and pacific dispositions, thus indirectly violating a law, enacted for the enforcement of these virtues, by entering into a very intelligible offensive alliance." Wills's Hist. Sketches, iii. 38.

[1]Written Ayacottah, by Col. Wilks.

[1]Lett. Gov. Gen. to the Secret Committee, 1st Nov. 1789.

[1]Dispatch to Mr. Malet, 28th Feb. 1790.

[1]See the dispatch to the Resident at Poonah, dated the 22d of March.

[2]On the point of investment the Governor-General afterwards retracted his censure, as it was explained, that nothing more had been done than what was necessary to fultil the contract with the Philippine Company.

[1]In his letter of the 16th of November.

[1]Letter dated 8th March, 1790.

[2]Letter to Gen. Medows, Governor in Council, dated 17th March, 1790. The papers lard before Parliament, relative to the commencement of this war, have furnished the materials of the preceding narrative.

[1]Colonel Wilks says, “In plain fact he was unprepared for war.” And yet the Colonel supposes, that “he had calculated on possessing every part of Travancore in December, 1789, when the option would have been in his hands of a sudden invasion of the southern provinces at once from Travancore in Dindigul, and Carour; and of being ready, by the time an English army could be assembled, to commence the war with the Caveri as his northern frontier towards Coromandel.” Hist. Sketches, iii. 65.

[1]For the facts of this campaign, Col. Wilks is undoubted authority; but for opinions, his partialities deserve to be watched.

[1]See a volume of papers, on this subject, ordered by the House of Commons to be printed on the 16th of March, 1792.

[1]See a volume of papers, ut supra, p. 17, 19, and 50.

[1]See a volume of papers, ut supra, p. 24.

[1]Lett. to Gov. Gen. 1st May, and 7th June, 1790. See a volume of papers, ut supra, p. 91 and 102.

[2]Letter from the Presidency of Madras to the Gov. Gen. in Council, dated 7th June, 1790. Ibid. p. 103.

[1]Letter from the Gov. Gen. in Council, to the Gov. in Council of Fort St. George. Ibid. p. 114.

[2]“For the real and substantial good of his subjects make a voluntary surrender” of his sovereignty! The Governor-General and his Council could not be simple enough to expect it. Where would he have found a prince, in much more civilized countries, capable of that sacrifice?—”We trust that before long his Highness will be fully sensible of the interested and criminal motives of his advisers.” What prince is

without such interested and criminal advisers? And what can be expected from the advisers of any prince—advisers who, as long as they have the wielding of his power, how destructive soever to the community, gain by its magnitude; would lose by its diminution?—"While his people will be treated with justice and humanity, a liberal fund will be secured for his own family and dignity." If every prince, upon the securing of a liberal fund for his family and dignity, would consent to lose all that portion of his power which obstructs the exercise of humanity and justice to his people, what a different world should we speedily behold! That the doctrine, however, of Lord Cornwallis, so earnestly preached to this Indian prince, and recommended to his acceptance by more effectual means, when preaching would not suffice, was a doctrine which ought to be recommended to princes, few will dispute. But history provides for a just judgment upon Mahomed Ali, and his advisers; who certainly deserve no *peculiar* measure of disapprobation for preferring the existence to the annihilation of his power, notwithstanding the claims of humanity and justice, which I fully admit, with respect to his people.

[1]Letter, ut supra, ibid. p. 117.

[1]*English virtue*—his Lordship is not restrained by the common cry, that an Englishman should never speak of *English virtue* except with praise, from pointing out where English *want of virtue* has been productive of undesirable effects. "I am sensible," says he, "that many individuals, conceiving that they are actuated by the best of motives, will differ with me in the sentiments which I have taken the liberty to offer upon this subject, and I cannot be confident that they will meet with a favourable reception from the nation at large.—The Nabob's age, his long connexion with us, his rights to the possession of the country; and exaggerated accounts of his former services, may furnish topics for popular declamation, and may possibly engage the nation, upon mistaken ideas of humanity, to support a system of cruelty and oppression. But whilst I feel conscious that I am endeavouring to promote the happiness of mankind, and the good of my country, I shall give very little weight to such considerations: And should conceive, that I had not performed the duty of the high and responsible office in which you did me the honour to place me, if I did not declare—That the present mixed government cannot prosper; even in the best hands in which your part of it can be placed: And that, unless some such plan as that which I have proposed, should be adopted, the inhabitants of the Carnatic must continue to be wretched; the Nabob must remain an indigent bankrupt; and his country an useless and expensive burden to the Company and to the nation." Ibid. p. 58.

[1]Letter from Lord Cornwallis to the Court of Directors, dated 10th August, 1790. Ibid. p. 57, 58.

[2]Ibid. p. 55.

[3]See the vol. of papers on the subject, ordered to be printed by the House of Commons, on the 2d of April, 1792, p. 5.

[1]Court's Political Letter to Fort St. George, dated 6th May, 1791.

[1]Court's Political Letter to Fort St. George, dated 6th May, 1791.

[1]"The casualties of the English on this day," (says Colonel Wilks, iii. 125) amounted to 131, but no loss made so deep an impression as that of Lieutenant-Colonel Moorhouse" (he commanded the artillery) "who was killed at the gate. He had risen from the ranks. But nature herself had made him a gentleman. Uneducated, he had made himself a man of science. A career of uninterrupted distinction had commanded general respect; and his amiable character universal attachment. The regret of his general, and the respect of his government, were testified by a monument erected at the public expense in the Church at Madras." This is a generous tribute to singular worth; and deserves remembrance on account of both parties.

[1]Moore's Narrative of the Operations of Captain Little's Detachment, p. 30, 32.

[1]This is the statement of Major Dirom, who was Deputy Adjutant-General of his Majesty's forces in India, and with the army at the time. Lieutenant Moore thinks that the army of the Bhow is thus considerably under-rated.

[2]Papers (No. 4) ordered by the House of Commons to be printed, 16th February, 1792.

[1]The passion with which soldiers are averted from peace is a phenomenon awfully interesting. The arrival of these presents indicated a good understanding; which, if it existed, might be supposed to exist, on grounds deemed more favorable to the nation than war. "It will be difficult," says Colonel Wilks, "for the reader to conceive the intense delight with which on the ensuing morning the whole army beheld the loads of fruit untouched, and the camel unaccepted, returning to Seringapatam." The fact is, that the English in India, at that time, had been worked up into a mixture of fury and rage against Tippoo, more resembling the passion of savages against their enemy, in fact more resembling his passion towards them, than the feelings with which a civilized nation regards the worst of its foes.

[1]The words of Major Dirom.

[1]On this occasion, as well as on that of the overture on the 27th of May, Major Dirom is careful to mention the joy which pervaded the army when the overture was rejected.—It is another, among the many proofs of a most remarkable fact, that whole masses of men are capable of desiring the death of thousands of their fellow creatures, at once, simply for their own profit. Had the negotiation proceeded and been productive of peace, it might have been supposed, by an army which had confidence in Lord Cornwallis, that the peace, which he deliberately approved, was better for their country than war. *Better for their country.*—Yes. But not better for them, because it precluded the acquisition of plunder, promotion, and glory.

[1]When the hour was approaching, some person said, in the hearing of the troops, that a mine was reported to be near the breach. General Medows, anticipating the effect upon their minds, cried aloud, "If there be a mine, it is a mine of gold."

[1]Colonel Wilks accuses the Mahrattas, rather than the Nizam, of causing delay. "The demonstrations of Tippoo Sultaun," he says, "to the northward had induced his Lordship to request, that Purseram Bhow should advance simultaneously on the direct road from Sera, as well to prevent a detachment to Goorumconda, which actually occurred, as to form a column on his right to unite at the proper time with General Abercromby: but the general purposes of the war were of secondary consideration in all the movements of this chief: he had a political illness which produced an embarrassing correspondence, and it was the necessity of delay arising from this circumstance which induced Lord Cornwallis to occupy the time intended for advance in the siege of Savendroog, which he had determined to leave in his rear from the great improbability of being able to reduce it; and thus in the actual result the delay was useful." Historical Sketches, iii. p. 212.

[1]It had also been found an improvement of the greatest importance, to harness the bullocks to the heavy guns four a-breast, instead of two; carrying back the chain by which they drew, to the axle of the gun instead of that of the limber. In the first campaign, a few eighteen pounders created the greatest difficulty and delay. At this time, the battering train moved with a facility not much less than that of the rest of the army.

[1]The Commander-in-Chief paid a heart-felt compliment to the spirit and fidelity of General Medows. When the enemy began to attack him, "If General Medows," said he, "be above ground, this will bring him." The harmony of these leaders is one of the finest features of the campaign: the zeal with which Medows strove to perform the duties of the second, after being deprived of the honours of the first command; and the pleasure which Cornwallis displayed in proclaiming the merit of General Medows, and the importance of the services which he received from him.

[2]By an ambiguity of the orders, says Col. Wilks. iii. 220.

[1]The story is told somewhat differently by Colonel Wilks and by Major Dirom. Major Dirom says, that the interference of Hyder, between the brothers, being admitted, he destroyed the family of the elder brother, carried that of the younger to Seringapatam, and took possession of the country. In the year 1785, the son of that brother made his escape. He had been a prisoner in Seringapatam from his infancy. It was part of the policy or piety of Tippoo, to make converts to his religion; and that by force as well as persuasion. The occasion was not omitted in the case of the young Rajah. He was subjected to the painful rite of the Mussulman religion, and enrolled among the *Chelas,* or corps of slaves; of whom he had, though strictly guarded, the nominal command of a battalion, at the time of his escape.

[1]The words of the article were, "One half of the dominions of which Tippoo Sultan was possessed before the war, to be ceded to the allies, from the countries adjacent, according to their situation."

[2]When Tippoo sent out the vakeels with the documents finally prepared, he charged them with a remonstrance on the subject of the outrage which had been committed by Purseram Bhow; and with a request that he might be recalled, with his 20,000 horse,

across the river, and made to answer for his conduct; or, "which would be a still greater favour," added the Sultan, "that Lord Cornwallis would be pleased to permit me to go out and chastise him myself." When the eldest of the Princes delivered the treaty, we are told, that a manly acquiescence appeared in the manner of performing the delivery to Lord Cornwallis; that an air of compulsion and dislike was observed to accompany the ceremony when repeated towards the vakeels of the allies; and that some expressions, not distinctly heard, which the boy took for words of disrespect or dissatisfaction, falling from one of the vakeels, he asked "at what he muttered;" adding, "You may well be silent; your masters have reason to be pleased." Dirom's Narrative, p. 246.

[1]For the history of this war, the principal materials, as yet accessible, are the papers lard before parliament; the official statements in the Gazette; Dirom's Narrative, which, beside a very minute account of the last campaign, contains a retrospect of the previous operations of the war; Mackenzie's Sketch of the War with Tippoo Sultan; the instructive volumes of Wilks; Moore's Narrative of the Operations of Captain Little's Detachment; and the contemporary historians. Particular references for notorious facts were deemed unnecessary, and would have been troublesome by their number. Of the view of Indian politics which was taken in England at the time of the conclusion of the treaty of Cornwallis, an instructive judgment may be drawn from the following passage in the Annual Register (1792, chap. x. last paragraph). "The advantages which have accrued to the Company from this treaty, amply appear to counterbalance the enormous expense of the war. By the acquisitions in the neighbourhood of the Carnatic, and the consequent possession of the several passes from Mysore, a considerable augmentation of revenue, and a greater protection from hostile incursions, have been obtained in a very important quarter; whilst on the Malabar coast, where we owned but little before, a portion of rich territory has been allotted to us, which, exclusive of its own commercial consequence, by being attached to the Presidency of Bombay, will at once tend to increase the security of that Presidency, and enhance its value. The wise moderation of these counsels, which directed only a partial division of the conquered countries, cannot be too much praised. For had not a sufficient extent of territory been left to Tippoo Sultan, to make him respectable, and still in some degree formidable to his neighbours, the balance of power in India might have been again materially affected, the future adjustment of which would have led to new wars. The treaty was a return as far as circumstances would admit, to our old and true policy."

[1]Rennell's Memoir, Introd. p. cxxxix.

[2]Moore's Narrative of the Operations of Captain Little's Detachment, p. 197. That officer, having a mind above the ordinary standard, thus describes the defamatory *mania* of his countrymen. "Of late years, our language has been ransacked for terms in which well-disposed persons were desirous to express their detestation of his name and character; vocabularies of vile epithets have been exhausted; and doubtless many have lamented that the English language is not copious enough to furnish terms of obloquy sufficiently expressive of the ignominy wherewith they in justice deem his memory deserves to be branded. Ibid. p. 193.

[1]The following passages from the two intelligent officers to whom we are chiefly indebted for our knowledge of this war, are so honourable to the writers, and instructive to their countrymen, that the insertion of them cannot be declined, "When a person," says Lieutenant Moore, "travelling through a strange country, finds it well cultivated, populous with industrious inhabitants, cities newly founded, commerce extending, towns increasing, and every thing flourishing, so as to indicate happiness, he will naturally conclude it to be under a form of government congenial to the minds of the people. This is a picture of Tippoo's country; and this is our conclusion respecting its government. It has fallen to our lot to tarry some time in Tippoo's dominions, and to travel through them as much if not more than any other officer in the field during the war; and we have reason to suppose his subjects to be as happy as those of any other sovereign: For we do not recollect to have heard any complaints or murmurings among them; although, had causes existed, no time would have been more favourable for their utterance, because the enemies of Tippoo were in power, and would have been gratified by any aspersion of his character. The inhabitants of the conquered countries submitted with apparent resignation to the direction of their conquerors, but by no means as if relieved from an oppressive yoke in their former government; on the contrary, no sooner did an opportunity offer, than they scouted their new masters, and gladly returned to their loyalty again." Moore's Narrative, p. 201. "Whether from the operation of the system established by Hyder, from the principles which Tippoo has adopted for his own conduct, or from his dominions having suffered little by invasion for many years, or from the effect of these several causes united, his country was found every where full of inhabitants, and apparently cultivated to the utmost extent of which the soil was capable; while the discipline and fidelity of his troops in the field, until their last overthrow, were testimonies equally strong, of the excellent regulations which existed in his army. His government, though strict and arbitrary, was the despotism of a politic and able sovereign, who nourishes, not oppresses, the subjects who are to be the means of his future aggrandisement: And his cruelties were, in general, inflicted only on those whom be considered as his enemies." Dirom's Narrative, p. 249.

[1]Sir John Malcolm, whose loyalty offends not commonly on the score of weakness, seems to regard it as one of the principal advantages of the war, that it displayed Lord Cornwallis's contempt for the act of parliament. "The policy" (says that writer, Sketch of the Political History of India, p. 94) "of Lord Cornwallis was neither directed to obtain a delay of hostilities, nor limited to the object of repelling the immediate danger, with which the state over whose counsels he presided, was threatened." That is to say, it was not confined to the express object to which he was limited by act of parliament. "When fully satisfied of the designs of Tippoo, he hastened to attack him; he saw the great advantages which were likely to result from early offensive operations; and the moment he resolved on war, he contemplated (as appears from the whole tenour of his correspondence previous to the commencement of hostilities) the increase of the Company's territories in the quarters of the Carnatic and Malabar, as a desirable object of policy." The grand object indeed of Sir John's intelligent work, is to point out the impolicy of the restricting act of parliament; to demonstrate that the most eminent of the Indian governors, Mr. Hastings, Lord Cornwallis, and Lord Wellesley, have treated it with uninterrupted contempt; and received applause for every successful violation of it.

[1]Sir John Malcolm, ut supra, p. 114.

[1]The fate of Mr. Francis, and of Mr. Francis's ideas, formed a contrast. He himself had been treated by the powers which were, with any thing rather than respect. But his plan of finance was adopted with blind enthusiasm, with a sort of mechanical and irresistible impulse.

[2]Afterwards Sir John Shore, and finally Lord Teignmouth.

[1]The words are worth transcribing. They meet some obstinate prejudices, and some pernicious ideas. "If we consider the form of the British government in India, we shall find it ill calculated for the speedy introduction of improvement. The members, composing it, are in a constant state of fluctuation; and the period of their residence often expires, before experience can be acquired, or reduced to practice—Official forms necessarily occupy a large portion of time, and the constant pressure of business leaves little leisure for study and reflection, without which no knowledge of the principles and detail of the revenues of this country can be obtained.—True information is also procured with difficulty; because it is too often derived from mere practice, instead of being deduced from fixed principles.—Every man who has long been employed in the management of the revenues of Bengal, will, if candid, allow, that his opinion on many important points has been often varied, and that the information of one year has been rendered dubious by the experience of another. Still, in all cases, decision is necessary. And hence, precedents, formed on partial circumstances and perhaps, on erroneous principles, become established rules of conduct. For a prudent man, when doubtful, will be happy to avail himself of the authority of example. The multiplication of records, which ought to be a great advantage, is, in fact, an inconvenience of extensive magnitude; for in them only the experience of others can be traced, and reference requires much time and labour." Mr. Shore's Minute on the Bengal revenues, paragraph 2d, in the Appendix, Fifth Report of Committee on India Affairs, 1810, p. 169. If the multiplication of documents is troublesome to the Company's servants, what must it be to the historian, whose field is so much wider? It is worth remarking, that the Committee in 1810 not only inserted the whole of the Minute, in the Appendix to the Report above quoted, but laid so much stress upon this particular passage, as to incorporate it with the Report p. 11.

[1]Letter from Lord Cornwallis to the Court of Directors, 2d August, 1789; printed by H. of C. 8th March, 1790. The following document contains a similar affirmation, respecting the failure of former regulations. "By the rules established in 1772, all *nuzzers* or *salamies* (free gifts) which had been usually presented (to the Company's servants) on the first interview (with the natives), as marks of subjection and respect, were required to be totally discontinued, the revenue officers were forbidden to hold farms, &c.—This regulation, as far as related to the unavowed emoluments of the Company's servants, does not appear to have been effectual." Fifth Report, ut supra, p. 11.

[1]By the Committee on Indian affairs in 1810, Fifth Report, p. 16.

[2]*Hapoikia.*

[1]Mr. Thackery, in his Report on the comparative Advantages and Disadvantages of the Ryotwar and Zemindary settlements, dated 4th August, 1807; Fifth Report, ut supra, App. 31. p. 990.

[1]This is even the language of English law. “By a grant of the profits of the land,” say the English lawyers, “the whole land itself doth pass. For what is the land but the profits thereof?”

[1]Governor-General’s Minute, 18th Sept, 1789, Fifth Report, ut supra, p. 472.

[2]Vide supra, p. 399.

[1]See a good book, Travels in France by Arthur Young, Esq. passim.

[1]Fifth Report, p. 25.

[2]It may be remarked with pleasure, as a sign of progressive improvement, that the Select Committee in 1810, have twice, in their Fifth Report, held forth this boast about abstract theories, as an object of contempt.

[3]Appendix No. 9 (A) to Second Report of Select Committee, 1810.

[1]Preamble to Regulation II. of 1793.

[1]It may appear to be ludicrous; but as a far better expedient than this, I should very seriously recommend the determination of the matter by lot. Suppose the Court can find time to decide upon twenty appeals in a month, and that sixty arrive. By cutting off the forty in which the amount of property is least, you make it visible to the inferior judge in what cases he may commit iniquity, free from that check which the prospect of appeal imposes. Reject the forty, by lot, and as the inferior judge can never know, on which of his decisions the review of the Superior Court will attach, the check is, with some degree at least of efficiency, spread over the whole of his decisions. At any rate the suitors are treated impartially, and the interest of those with the small lots of property is not sacrificed, as, according to all systems of law, that ever yet have had any existence, it has been very generally sacrificed, to the interest of those with the large.

[1]See his address to the Court of Directors, dated the 2d of August, 1789, printed by order of the House of Commons, 8th of March, 1790.

[2]Letter from Lord Cornwallis to the Court of Directors, ordered to be printed by the House of Commons, 16th May, 1791. He had, in a preceding letter, dated the 2d of August, 1789, expressed himself in similar language. “The system for the administration of criminal justice has long attracted my serious attention, and is in my opinion in a most exceptionable state.—I feel myself called upon, by the principles of humanity, and a regard for the honour and interest of the Company, not to leave this government, without endeavouring to take measures to prevent, in future, on one hand, the cruel punishments of mutilation, which are frequently inflicted by the Mahommedan law, and on the other, to restrain the spirit of corruption which so

generally prevails in native courts, and by which wealthy offenders are generally enabled to purchase impunity for the most atrocious crimes…I conceive that all regulations for the reform of that department would be nugatory, whilst the execution of them depends upon any native whatever." Ordered to be printed by the House of Commons, 8th March, 1790.

[1]See The Parliamentary History, for the speeches on Indian affairs of the ministers in general, more especially those of Mr. Henry Dundas, the President of the Board of Controul.

[1]Fifth Report, p. 65.

[2]Ibid.

[1]Preamble to Regulations xli. of 1793.

[1]As authorities for the account of these institutions, see the Code of Regulations, published in 1793, and the Fifth Report of the Committee on Indian Affairs in 1810.

[1]Fifth Report, ut supra, p. 56.

[2]Vide sum total, supra, p. 417.

[3.]Answer to Interrogatories, parag. 7, in the Fifth Report, ut supra, p. 537.

[1]Letter from the Collector of Burdwan to the Board of Revenue, dated 9th January, 1794; Fifth Report, ut supra, p. 59, and App. No. 8.

[1]Fifth Report, p. 60.

[2]Answer to Interrogatories, 30th Jan. 1802, Ibid. p. 536.

[1]Mr. Thackeray's Memoir, April, 1806, Fifth Report, p. 914.

[1]Mr. Thackeray's Memoir, Apil, 1806, Fifth Report, p. 917

[1]Answer of Mr. Thompson, Judge and Magistrate of Burdwan, Fifth Report, p. 544.

[1]Report by Sir. H. Strachey, in 1802; Fifth Report, p. 564.

[1]Sir H. Strachey's Answer to Interrogatories, Fifth Report, ut supra, p. 528.

[2]Fifth Report, ut supra, p. 55.

[3]Ibid p. 37.

[1]Fifth Report, ut supra, p. 57.

[1]Fifth Report, ut supra, p. 61.

[1]See, below, under the head of justice, p. 458, 459.

[1]Nothing is more remarkable than the propensity of all sorts of persons connected with the Indian government, to infer from any thing, or every thing, "the flourishing state of the country." Here is one instance of the curious premises from which the inference is apt to be drawn. The man who explores, with any degree of attention, the documents of Indian history, will be at no loss for others. Another is adduced by Sir Henry Strachey, on the same occasion, and its insufficiency pointed out. "To those who are tolerably well acquainted with the internal state of the country, it is known," says he, "that the population, unless checked by some great calamity, constantly increases very fast. Increasing cultivation necessarily follows population. The want of courts of justice, of a regular system of police, prevents not the prosperity of the provinces subject to the Mahrattas. Where no battles are fought, where the ryots remain unmolested by military exactions, where the Zemindar or his agent are seldom changed, the lands of the Mahrattas, in the neighbourhood of this district (Midnapore,) are in a high state of cultivation, and the population is equal, frequently superior to ours. From the circumstance of increasing population alone, we cannot, as many pretend, draw an inference of very high prosperity and good government." In fact, where marriage at the earliest marriageable age is a religious duty of the strongest obligation, and to die without having a son, the greatest of misfortunes, nothing but extreme misery can prevent the rapid increase of population; and when a vast quantity of good land still remains to be cultivated, nothing can be the cause of such misery but bad government. "To imagine," continues the same enlightened observer, "that the population has increased, solely in consequence of our system of internal administration, appears to me most erroneous. Under the native government, the population had reached its utmost height, or very near it. Thirty years ago, nearly half the people were swept away, by the greatest famine recorded in history. Ever since that period, except in 1790, when a partial famine happened, the numbers have been gradually increasing. I do not know that the increase has been more rapid, during the last ten years than during the twenty preceding; although most of the abuses of the native governments, and many new abuses of our government, prevailed throughout the greater part of the last-mentioned period. Supposing the country to enjoy peace, I cannot easily conceive internal mismanagement so excessive, as to stop the increase of population." See for these, and the quotations in the text, Answer to Interrogatories in 1802, Fifth Report, ut supra, p. 530—532.

[1]The Committee complain that they still remain in the dark respecting this important article of knowledge; and that the estimates formed by the best informed of the Company's servants, betrayed by their discrepancy ignorance so profound of the field of inquiry. The first estimate, upon the acquisition of the Duannee, made the population of the three provinces, Bengal, Bahar, and Orissa, 10,000,000. By Sir William Jones it was computed to be 24,000,000. Mr. Colebrooke made it 30,000,000. The Committee take the medium between the conjectures of Jones and Colebrooke, and call it 27,000,000. Report, ut supra, p. 62.

[1]Fifth Report, p. 63.

[1]In India the actual state of the facts is asserted, upon the experience of Sir Henry Strachey, one of the most respectable of the Indian judges, and an honour to the judicial character, to be this; That "out of 100 suits, perhaps in five at the utmost," the plaint of the prosecutor is unfounded. In ninety-five then, out of every 100 cases, the plaintiff has a right to a decision. In all that vast proportion of cases, with the small exception of those in which the point of justice may be doubtful, the defendant is an injurer; and every thing which has a tendency to prevent the law-suit, has a tendency to defraud the innocent, reward the guilty. Answer to Interrogatories, Fifth Report, ut supra, p. 526.

[1]"The expense and delay," says Sir Henry Strachey, "to which ryots are subject in prosecuting their suits are, to my knowledge, excessive. For the truth of this, I would refer to the records of any Register in Bengal. The duty of deciding revenue causes, for a small amount, under the operation of the present regulations, has fallen chiefly on the Registers. The rights of the inferior ryots are seldom discussed in the superior courts. The welfare of those from whom all revenue, and even subsistence, must be derived—who are the poorest, the weakest, and most numerous—is a matter of importance; and not unworthy of the notice of government. I have therefore thought it my duty to dwell on this subject with some minuteness.—It must, I am sure, constantly happen, that a ryot gives up his prosecution in despair, on finding his power of continuing it beyond his power to sustain!—Exaction of revenue is peculiarly difficult of proof. Either no engagements exist, and no accounts can be found; or they are extremely defective and perplexing. It is not the original fee, on the institution of the suit; but the subsequent charges, on exhibits, and on witnesses, that appear to me intolerable. I have often seen a suitor, when stripped of his last rupee, and called upon for the fee on a document, produce in court a silver ring or other trinket, and beg that it might be received as a pledge; and after all, perhaps, he was cast for want of money to bring proof." On the subject of delay, this Judge observes; "The cultivators are unable to support themselves at the Sudder, during a procedure of two or three months. They cannot return to their houses without submitting to their oppressor. They must have speedy justice, or none."

The pretended relief afforded by the power of suing in *formâ pauperis,* he shows, is more burthensome than paying the fees. The number too of the persons who sue in this form suggests important reflections. "Half the complainants, in the Dewanny Adaulut of this Zillah, appear as paupers, although these find much difficulty in complying with the regulation intended for the relief of paupers. No man can be admitted to prosecute as a pauper, till he brings two witnesses to attest his poverty, and two securities for his personal appearance; and no one can well do this without, at least, maintaining himself and them, during their absence from home. But the expense of such maintenance must exceed that of the fees and stamp paper."

On the pretext of checking litigiousness by expense; he asserts, that there are *no litigious plaintiffs,* or at most very few, and that lawsuits are almost always produced by the dishonesty of the defendant. Checking litigiousness, then, by expense, is merely fining a plaintiff for seeking justice; compelling the honest man to remain a prey to the cheat. In some few prosecutions, the dishonest intention is on the side of the plaintiff, when false demands are supported by false evidence. But he asserts, that

the proportion of false and frivolous demands, both taken together, amount not to five in a hundred of those which are just and substantial. Contrary to the usual prejudice, he affirms, “The complaints of these people are seldom or never litigious, brought forward merely from the quarrelsome disposition of the prosecutor.”

If suits, he said, were prevented, by increasing the expense, all that could be inferred was, that few could afford to pay: “but a man is disabled from sustaining expense, in proportion as he is poor, and not in proportion as he is litigious.”

The notions of this Indian Judge, on the subject of judicature, were very different from those of the governing men in India and in England. “It is my opinion,” said he, “that the nearer we approach to the rule of granting to all speedy justice, without any expense whatever, the nearer we shall, in our judicial system, approach perfection. It will not, I imagine, be denied, that it is desirable, the least tedious, and least expensive mode of obtaining redress, should be open, where an injury has really been suffered. When a poor man has been oppressed, he should be freed from trouble and expense, and assisted and encouraged, as far as possible, in prosecuting his complaint. He is not, in such a situation, a fair object for taxation. It does not become the ruling power to add to his misfortune by levying impositions upon him. It is clear that a ryot, from whom undue rent has been exacted, must feel the charge of stamp and fees to be a severe aggravation of his distress.” What is the consequence? That which must of necessity follow—that which might be expected to call forth all the attention of Englishmen—but which to this late period appears to have called forth none: “That the ryots, though now more independent (not from oppression) are much worse protected from distress than heretofore.” For these quotations, from Sir Henry Strachey, see the Fifth Report, ut supra, p. 525 to 532.

Sir Henry Strachey is not the only one of the Judges in India from whom a British parliament and British rulers, both in London and Calcutta, might receive important lessons. The report from the Judges of the Court of Circuit and Appeal at Moorshedabad, consisting of Mr. Colebrooke, Mr. Pattle, and Mr. Rocke, in 1802, says, “The increased expense of law-suits has never been found to check litigiousness. On the contrary, it has been generally observed, that litigiouspenss is encouraged thereby in the hope that the certainty of the expense, added to the uncertainty of the result, might deter parties from defending even just rights. On comparing the half-yearly reports of the several adauluts in this division, it does not appear that the number of suits, filed since the establishment of the fees and stamp duties, differs much from the number filed, in a similar period, previous thereto.” Fifth Report, p. 519.

[1]See for the above quotations, the Fifth Report, ut supra, p. 63, 64.

[1]See for the above quotations, the Fifth Report, ut supra, p. 65.

[1]Fifth Report, p. 65.

[1]Fifth Report, p. 559

[1]Fifth Report, p. 586.

[1]Fifth Report, p. 603.

[1]Fifth Report, p. 606.

[1]Fifth Report, p. 66.

[2]Answer to Interrogatories, Fifth Report, p. 533.

[1]Fifth Report, p. 565, 566.

[2]Ib. p. 540.

[1]Fifth Report, p. 68.

[2]Ib. p. 527.

[1]Fifth Report, p. 546.

[2]Ib. p. 551.

[1]Fifth Report, ut supra, p. 524.

[2]Ibid p. 534.

[1]Fifth Report, ut supra, p 552, 554.

[1]Fifth Report, p. 561. Sir Henry continues, “A robber even in Bengal is, I presume, a man of courage and enterprise; who, though he roughly estimates the risk he is to run by continuing his depredations on the public, is rather apt to under-rate that risk—small as in reality it is.”

[2]Ibid. p. 565, 567.

[1]Fifth Report, p. 71.

[1]Fifth Report, p. 538.

[2]Mr. Dowdeswell’s Report on the Police of Bengal, in 1819, ibid. p. 611, 612.

[1]Fifth Report, p. 595, 596.

[1]Report on the Police of Bengal, Fifth Report, p. 611, 612.

[2]Fifth Report, p. 73. This expression, if authority can give it force, deserves peculiar attention. It was first employed by Mr. Lumsden, a member of the Supreme Government, recorded on the 13th of June, 1808; it was quoted, as authority, confirming the declaration of his own opinion, by Mr. Secretary Dowdeswell, in his

Report in 1809, on the Police of Bengal; and lastly it is quoted, as expressing the result of their own inquiries, by the Committee of the House of Commons.

[1]Fifth Report, p. 586.

[1]Fifth Report, p. 577, 578.

[2]Ibid. p. 73.

[1]Fifth Report, p. 607.

[2]Ibid. p. 73.

[1]Fifth Report, p. 73, 74.

[1]Fifth Report, p. 589.

[1]Fifth Report, p. 561.

[1]Fifth Report, p. 534.

[1]Fifth Report, p. 587. "On my way through the northern parts of this Zillah," he continues," I had some conversation with a Zemindar, and a police darogah, who have distinguished themselves by their exertions to apprehend decoits; they told me that it was impossible to get any information about the great decoits; that the houses of all the principal inhabitants were open to them: yet that nobody dared mention their names for fear of being murdered." Ibid.

[2]Ibid. p. 591.

[3]Ibid. p. 661, 554, 534.

[1]Fifth Report, p. 74.

[2]Ibid. p. 72.

[3]Ibid. p. 361.

[1]Fifth Report, ut supra, p. 75.

[2]Ibid. p. 597.

[1]Fifth Report, ut supra, p. 549.

[2]Ibid. p. 555.

[3]Ibid. p. 554.

[1]Fifth Report, ut supra, p. 587.

[1]Fifth Report, ut supra, p. 537.

[2]Ibid. p. 561.

[1]It is wonderful to see how the English government, every now and then voluntarily places itself in the station of a government existing in opposition to the people; a government which hates, because it dreads the people, and is hated by them in its turn. Its deportment with regard to the residence of Englishmen in India speaks these unfavourable sentiments with a force which language could not easily possess.

[1]Mr. Shore's Minute, Fifth Report, p. 169.

[2]Answer to Interrogateries, Fifth Report, p. 534.

[1]Answers to Interrogatories, Fifth Report, p. 562.

[1]As an additional proof, if any additional proof were wanting, of the benefit which might be derived from the multiplication of English settlers; it may be mentioned, as a matter of present experience, that the Englishmen, the most thoroughly conversant with the language and manners of the people, are generally those who have been tolerated, as private adventurers, in some line of industry in the country. A conspicuous example lately appeared. A gentleman, of the name of Blacquiere, not in the service of the Company, but who had lived in India in the pursuit of private objects, was found so much better qualified than any of the servants of the Company, by his knowledge of the language and manners of the country, and had actually rendered so much service as a magistrate of Calcutta, that he was vested with extensive powers over several districts. After the private traders in India, the officers of the sepoys, from their intercourse with their men, are the best acquainted with the natives; and would very often form the best judges and magistrates. Lord Cornwallis, not finding a man among the civil servants of the Company at Madras, tolerably acquainted with the language and manners of the country, appointed sepoy officers to be collectors and managers in the newly acquired districts; and the great success of the experiment proved the wisdom of the choice. The services which were rendered by such officers as Read and Munro, in establishing order in extensive countries, show to what practical excellence the government of India might be carried, if Englishmen, incorporated with the natives as landlords and manufacturers, were entrusted with the powers of police.

[1]Fifth Report, p. 617.

[1]Fifth Report, p. 524.

[2]Ibid. p. 520. See to the same purpose the answer of the Judge and Magistrates of Burdwan, p. 550.

[1]Fifth Report, p. 539.

[1]What is here observed on the properties desirable in a judicial establishment, are only such general deductions from the science of legislation, as can find a proper

place in a critical history. The analysis of the whole subject is seen in great perfection, in a work entitled, “Draught of a new Plan for the Organization of the judicial Establishment in France,” by Jeremy Bentham, Esq.

[1]Vide a, p. 345.

[1]The following is a case so analogous as to afford some instruction. “He that goes into the Highlands with a mind naturally acquiescent, and a credulity eager for wonders, may come back with an opinion very different from mine; for the inhabitants, knowing the ignorance of all strangers in their language and antiquities, perhaps are not very scrupulous adherents to truth; yet, I do not say that they deliberately speak studied falsehood, or have a settled purpose to deceive. They have inquired and considered little, and do not always feel their own ignorance. They are not much accustomed to be interrogated by others; and seem never to have thought upon interrogating themselves; so that if they do not know what they tell to be true, they likewise do not distinctly perceive it to be false.—Mr. Boswell was very diligent in his inquiries; and the result of his investigations was, that the answer to the second question was commonly such as nullified the answer to the first.” Johnson’s Journey to the Hebrides.

[1]Fifth Report, p. 588, 589, where we find the following excellent remarks, addressed, by E. Strachey, Esq. one of the Moorshedabad Judges, to the Court of Nizamut Adaulut, under date 19th Aug. 1808.

“I must again entreat the attention of the Court to some suggestions with respect to the police, and to the operation of the more immediate causes of decoity; and to a consideration of the reasons, why the sanction of the criminal law is become inefficient in the way of example, and can no longer deter from the commission of crimes, of affect any criminals, except those who, in justice, are not deserving of severe punishment.

“I consider it as out of the question, to improve the moral and religious principle of the people, by direct positive institutions. We are too ignorant of the natives to attempt any thing so artificial without imminent risk. We do not understand the operation of such institutions on their minds, or their tendency, with respect to the frame of the society. As for the criminal law, I believe the impolicy and inefficacy, even the mischief of very severe punishments, is generally acknowledged, as well as the injustice of inflicting punishment, where other remedies might have been used with equal effect. With respect to increasing the severity of the criminal laws we have before our eyes an admirable example. In 1803, and again in 1805, this principle was expected to prove a remedy for decoity. It has been tried, and it has utterly failed. As it is impossible to conceive a case more directly in point, or a more full, simple, convincing proof of the insufficiency of the means to the end; I trust no increase in the severity of the criminal law will ever be again resorted to.

“As punishments are more severe, stricter proof of the crime is required; and consequently a proportionally greater number of criminals escape conviction. Besides, the terror of the severe punishment makes the criminal more careful to guard against

being taken; and as it has no tendency to increase the activity of the police, but the contrary, the number of offenders apprehended will, of course, be less than before. The decoits now guard against the danger of apprehension and conviction, by corruption and terror. They would give more bribes, and commit more murders, if they thought more precaution necessary: and the consequence would he, that the difficulties of apprehending and convicting decoits would increase, and people who had been robbed and tortured would still be compelled to perjure themselves that they might not be murdered.

"And with respect to the administration of the laws, are not the judges now entrusted with as much power as is proper? And if the law was made more severe, would it not be necessary to extend their power still further! And are we all fit persons to be entrusted with discretionary power to inflict punishments which are by many considered to be worse than death?

"Persons who are entrusted with such powers ought to be appointed from no other consideration whatever, but that of the fitness of the man for the place. But I would ask, whether all our appointments have ever been so filled? And whether it is probable, from the nature of our service, that they ever will be? We may all be judges, learned and unlearned."

[1]The want of this important instrument of judicature is felt, though not distinctly understood, by some of the Company's judges. The answer to the interrogatories, in 1802, from the magistrates of the twenty-four pergunnahs, says; "A number of the convicts at this station are employed in repairing some of the public roads in the vicinity of Calcutta, &c. The number of guards requisite to superintend and watch the convicts, thus employed, prevents our keeping so many of them to work, as we could wish, and as the preservation of their health seems to require. The construction of a house of correction, in the vicinity of the jail, where all the convicts who are capable of work might be kept to constant labour, would remedy the evil, and appears to us to be a preferable mode." Fifth Report, ut supra, p. 553.

[2]Ibid. p. 521, 524.

[1]Fifth Report, ut supra, p. 558.

[2]Vide supra, p. 339, 340.

[1]Fifth Report, p. 559. In another place he says, "Great population, and poverty, produce misery and crimes; particularly in a country where there is no public; and consequently, no certain and regular provision for the poor: Where there are, I may almost say, more poor than in any country: And where the *ability,* and disposition, of private individuals to support them, are continually diminishing." Ibid p. 533.

[1]Fifth Report, p. 539.

[1]Fifth Report, p. 539.

[1]Fifth Report, p. 539.

[2]Ibid. p. 527.

[1]See Malcolm's History of Persia, and Elphinstone's Caubul.

[1]Fifth Report, p. 71.

[1]Beside the official documents, which I have quoted as I went on, there is information of infinite importance, on the state of delinquency in India, on its causes, and on its remedies, in the work of a young Indian judge, lost to the world too soon, the work formerly quoted, on the "Political State of India," by Alexander F. Tytler, Esq.

[2]See the accounts of the E. I. C. for 1793, presented to parliament in 1794. See also the Third and Fourth Reports of the Select Committee on India affairs, in 1810, with the accounts in the Appendixes.

[1]Vide supra, ii. 675.

[1]What Mr. Burke said upon the subject of this attack deserves attention; though his strictures fall greatly short of the mark, because his mind was deluded by the fallacy—of respect for bad Judges, and bad laws. On the day after the speech of Lord Thurlow was delivered in the House of Lords, he thus addressed the House of Commons:

"The licence of the present times makes it very difficult to talk upon certain subjects in which Parliamentary Order is involved. It is difficult to speak of them with regularity, or to be silent with dignity or wisdom. All our proceedings have been constantly published, according to the discretion and ability of individuals, with impunity, almost ever since I came into Parliament. By prescription people had obtained something like a right to this abuse. I do not justify it. The abuse is now grown so inveterate, that to punish it without a previous notice would have an appearance of hardship, if not injustice. These publications are frequently erroneous as well as irregular, but not always so: what they give as Reports and Resolutions of this House, have sometimes been fairly given.

"It has not been uncommon to attack the proceedings of the House itself, under colour of attacking these irregular publications; and the House, notwithstanding this colourable plea, has, in some instances, proceeded to punish the persons who have thus insulted it. When a complaint is made of a piratical edition of a work, the author admits that it is his work that is thus piratically published; and whoever attacks the work itself in these unauthorized publications, does not attack it less than if he had attacked it in an edition authorised by the writer.

"I understand, that in a place which I greatly respect, and by a person for whom I have likewise great respect, a pamphlet published by a Mr. Debrett has been very heavily censured. That pamphlet, I hear (for I have not read it), purports to be a Report made

by one of your committees to this House. It has been censured (as I am told) by the person and in the place I have mentioned, in very harsh and very unqualified terms. It has been said, and so far very truly, that at all times, and particularly at this time, it is necessary for the preservation of order and the execution of the law, that the characters and reputation of the Judges of the Courts in Westminster Hall should be kept in the highest degree of respect and reverence; and that in this pamphlet, described by the name of a Libel, the characters and conduct of those Judges upon a late occasion had been aspersed, as arising from ignorance or corruption.

"I think it impossible, combining all the circumstances, not to suppose that this speech does reflect upon a Report which, by an order of the committee on which I served, I had the honour of presenting to this House. For any thing improper in that report I am responsible, as well as the other members of the committee, to this House, and to this House only. The matters contained in it, and the observations upon them, are submitted to the wisdom of the House, that it may act upon both in the time and manner that to your judgment may seem most expedient, or that your may not act upon them at all, if you should think it most useful to the public good. Your committee has obeyed your orders; it has done its duty in making that Report. I am of opinion with the eminent person by whom that Report is censured, that it is necessary, at this time very particularly, to preserve the authority of the Judges. This, however, *does not depend upon us, but upon themselves.* It is necessary to preserve the dignity and respect of all the constitutional authorities. This too, depends upon ourselves. It is necessary to preserve the respect due to the House of Lords: it is full as necessary to preserve the respect due to the House of Commons: upon which (whatever may be thought of us by some persons) *the weight and force of all other authorities within this kingdom essentially depend.* If the power of the House of Commons is degraded or enervated, no other can stand. We must be true to ourselves; we ought to animadvert upon any of our members who abuse the trust we place in them: we must support those who, without regard to consequences, perform their duty.

"For your committee of managers and for myself, I must say, that the Report was deliberately made, and does not, as I conceive, contain any very material error, or any undue or indecent reflection upon any person. It does not accuse the Judges of ignorance or corruption. Whatever it says, it does not say calummously. This kind of language belongs to persons whose eloquence entitles them to a free use of epithets. The report states, that the Judges had given their opinions *secretly,* contrary to the almost uninterrupted tenor of Parliamentary usage on such occasions. It states that the opinions were given, not upon the *Law,* but upon the *Case.* It states that the mode of giving the opinions were *unprecedented, and contrary to the privileges of the House of Commons.* It states, that the committee did not know *upon what rules and principles the Judges had decided upon those cases,* as they neither heard them, nor are they entered upon the Journals. It is very true, that we were and are extremely dissatisfied with those opinions, and the consequent determinations of the Lords; and we do not think such a mode of proceeding at all justified by the most numerous and the best precedents. None of these sentiments are the committee, as I conceive (and I full as little as any of them) disposed to retract or to soften in the smallest degree.

"The report speaks for itself. *Whenever an occasion shall be regularly given to*

*maintain every thing of substance in that Paper, I shall be ready to meet the proudest name for ability, learning, or rank, that this kingdom contains, upon that subject.* Do I say this from any confidence in myself? Far from it! It is from my confidence in our cause, and in the ability, the learning, and the constitutional principles, which this House contains within itself, and which I hope it will ever contain; and in the assistance which it will not fail to afford to those who, with good intention, do their best to maintain the essential Privileges of the House, the ancient Law of Parliament, and the public Justice of the Kingdom." Hist. of Trial, part vii. p. 117, 118.

No reply or observation was made on the subject by any other member.

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## James Mill, ***The History of British India, vol. 6*** [1817]

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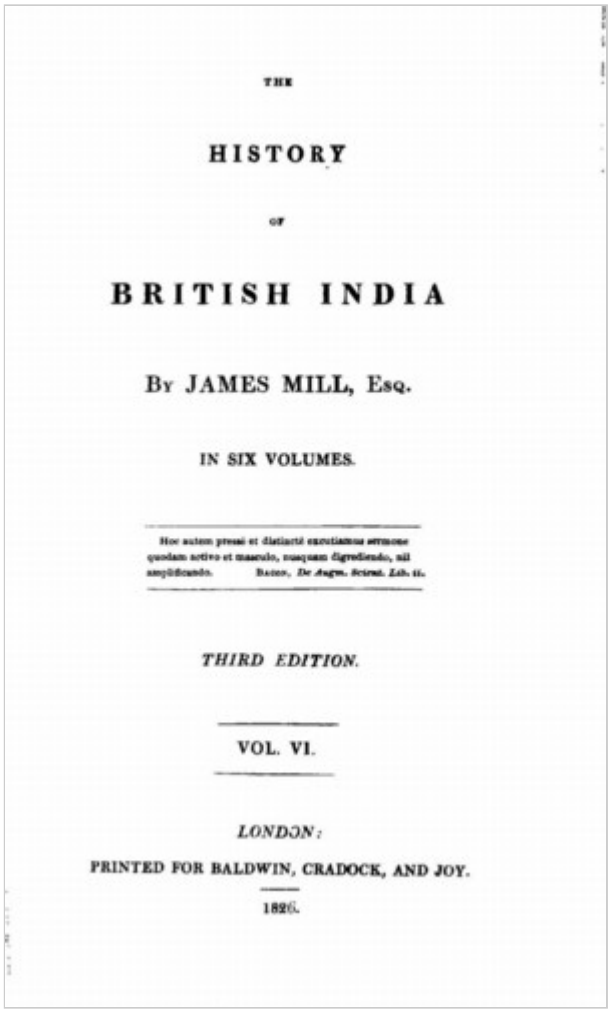

THE

HISTORY

OF

BRITISH INDIA

BY JAMES MILL, ESQ.

IN SIX VOLUMES.

Hoc autem pressè et distinctè excutiamus sermone quodam activo et masculo, nusquam digrediendo, nil amplificando. BACON, *De Augm. Scient. Lib. ii.*

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## About This Title:

James Mill's *History* is a work of Benthamite "philosophical history" from which the reader is supposed to draw lessons about human nature, reason and religion, and the deleterious impact of commercial monopolies like the East India Company.

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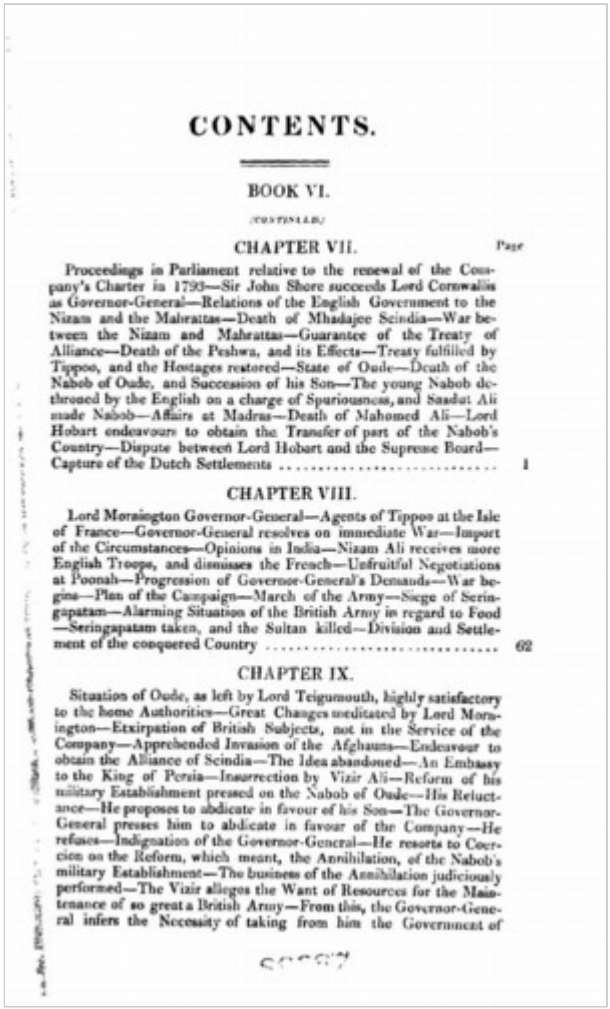

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# HISTORY OF BRITISH INDIA.

## BOOK VI. *(CONTINUED)*

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BOOK VI. Chap. 7. 1793.

In 1793, the termination of the period assigned to the exclusive privileges of the Company so nearly approached, that the question of renewing the charter, and of confirming or changing the present system of government, could no longer be deferred. People had now so generally acquired the habit of lifting their eyes to the management of national affairs; and equal treatment to all so forcibly recommended itself as the best rule of government, that the commercial and manufacturing population were impelled to make an effort, more than usually strong, for the freedom of the Eastern trade. The principal places of manufacture and commerce, in the kingdom; Liverpool, Glasgow, Paisley, Manchester, Norwich, Exeter; exhibited combinations of the merchants and manufacturers, who passed the strongest resolutions; importuned the ministers; petitioned the legislature; and desired to have an opportunity of proving how much the real policy of commerce was violated, and the wealth of the country kept down, by the monopoly of so large a field of trade as that unhappily consigned to the East India Company.

The Indian government was so organized, as now very well to answer ministerial purposes; it was therefore the study of ministers to preserve things as they were. The Board of Control and the Court of Directors cast, with some skill, the parts which they had respectively to perform. A committee of Directors was appointed whose business it was to draw up reports upon the subject of the Eastern trade, and to answer the arguments of those by whom the freedom of that trade was advocated or claimed. Three such reports were exhibited. They were in the first instance referred to the Committee of the Privy Council relating to trade and plantations; and in the proper stage of the business were submitted to the House of Commons.

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On the 25th of February, Mr. Dundas, in the House of Commons, made a display of the pecuniary state of the Company. Fortunately for the designs which were in agitation, the accounts of receipt and disbursement presented, just at that moment, a balance of a large amount, on the favourable side. Of this circumstance, the greater possible advantage was taken. Every thing which could be effected by the confident assertions, so potent in persuasion, of men of influence and power, was done, to captivate the general mind with a prospect of Indian prosperity; to generate a belief that a great fountain, whence a perennial stream of wealth would flow upon the British nation, was, by the wisdom of its rulers, secured to them in India. Estimates were formed, with all the airs of accuracy, or rather of moderation, by which it was made to appear, that the surplus, exhibited by the accounts of the year immediately passed, would, in future years, rather increase than diminish. And with profound solemnity an appropriation, as if for perpetuity, was proposed, of a large superabounding sum, which would, it was said, be annually received from India. The eyes of men were successfully dazzled; and when Mr. Dundas called out to them, "Will you stop the tide of so much prosperity for untried theories," those who knew but little either about the theory or the practice of the case, that is, the greater number, were easily made to believe, that there was a great certainty of securing what they were told was the actual influx of wealth, if they persevered in the present course; a great danger of losing it, if they allowed themselves to be drawn, by delusive prospects, into another.



The friend of Mr. Dundas, and, as well from intellect as from office, the advocate of his schemes, Mr. Bruce, the historiographer of the Company, says, "Upon no occasion, perhaps, have men's minds been less prepared for a decision, on a subject of such magnitude and importance."[1] It is, indeed, true, that the people were deplorably ignorant of the history and management of their East India affairs; and it was, on this account, the more easy to make them throw themselves, with blind confidence, upon the assertions of men, whose knowledge was presumed from their situation and pretensions.

An annual surplus of 1,239,241*l.* from the revenues and Commerce of India, after paying the Company's Indian charges of every description, was assumed. Of this magnificent sum, the following distribution was to be made. In the first place, as most due, it was proposed, that 500,000*l.* should be annually appropriated to liquidate the debt of the Company contracted in India. But in the next place, it was patriotically determined, that 500,000*l.* should be annually given to the nation, as a tribute from its Indian dominion. With regard to the remainder of the grand surplus, it was represented, by the Indian minister, as no more than equitable, that the meritorious proprietors of East India stock should not be forgotten. He recommended an increase of dividend from eight to ten per cent. By this, 100,000*l.* more of the annual surplus would be absorbed. A circumstance, which might have excited suspicion, but which appears to have been perfectly guiltless of any such disagreeable effect, was this; that, amid all these promises of wealth, the Company was in want of pecuniary assistance; and was to receive immediate authority for raising what was equivalent to a loan of 2,000,000*l.* It was not indeed to be called a loan. The

*name* of a loan, associated with the idea of poverty, was at this time to be avoided. The Company were to be empowered to add 1,000,000*l.* to their capital stock, which, being subscribed, on the faith of a dividend of ten per cent., at 200 per cent., produced to the Company's treasury a sum of 2,000,000*l.* By this, it was said, the Company's bond debt in England would be reduced to 1,500,000*l.* The dividend upon this new capital would exhaust 100,000*l.* more of the surplus revenue. Of the appropriation of the remainder, which, to show accuracy, and because even small sums are of great importance, was carried to the last degree of minuteness, it would here, however, be out of place to render any account.

After some affectation of discord between the Board of Control and the Court of Directors, Mr. Dundas having even pretended in parliament to beleive it possible that the Company might decline to petition for the renewal of their charter on the terms which the minister desired to impose, the petition of the Company was presented to the House of Commons, and taken into consideration on the 23d of April.

It was, to some of the opposing members, a source of complaint, when a measure, on which interests of so much importance depended, and about which so profound an ignorance prevailed, was to be considered and determined, that a committee, to collect and to communicate information, had not, as on former occasions, preceded the decision, for which a call upon the legislature was now about to be made. Such a committee, by which ministerial purposes were more likely at the present moment to be thwarted than served, the ministers represented as altogether unnecessary; because, there was no material circumstance, they asserted, relating to India, about which there was not sufficient information, in the valuable and numerous documents, which they had communicated to the House.



The speech of Mr. Dundas displayed and recommended the projected plan. In all the great and leading particulars, the scheme which had been introduced by Mr. Pitt's bill of 1784, and better adapted to ministerial or national purposes by the amendments or declarations of succeeding acts, remained without alteration.

The powers of the Board of Control, and of the Court of Directors, were established on the same footing, on which they had been placed by the declaratory act of 1788. The powers of the Governor-General and his Council, of whom was composed the supreme organ of government in India, with the powers of the Governors and Councils at the subordinate presidencies, remained as they had been established by the act of 1784, and the amending act of 1786. The monopoly of the Eastern trade was still secured to the Company. The appropriations recommended by Mr. Dundas, of a supposed surplus of revenue, were dressed in the formalities of law. The increase of dividend, and the increase of capital, were authorized. And the lease of the exclusive privileges was renewed for a term of twenty years.

Only two alterations were introduced, of sufficient importance to require statement and explanation.

When the bill of Mr. Pitt entered the lists against that of Mr. Fox, the ground of patronage was the field of contention. On this it was, that, as the demerit of the one was to suffer defeat, the merit of the other was to be crowned with victory. On the part, therefore, of Mr. Pitt, Mr. Dundas, and their party, was required, either the reality, or, in place of the reality, the affectation, of a sort of horror at the enormity of increasing ministerial influence. To evade objections from this source; objections which they themselves had raised to such a height of importance, it was arranged, on the introduction of the plan, that no salary should be annexed to the duties of the Board of Control. These duties were to be executed by Members of His Majesty's Privy Council, who had good emoluments, on some other score, and so little to do for them, as to be very well paid for discharging the duties of the Board of Control into the bargain. This make-shift, unless it be contemplated in the light of a trick, to amuse the spectators till their attention relaxed, when paid functionaries of the usual sort might be quietly introduced, is a species of burlesque on legislation. To attach to one office a salary whose magnitude is out of all proportion to the duties; next to create another office with ample duties but no salary: and then to jumble both sets of duties, however heterogeneous, into one set of hands, exhibits a singular contrast with the rule of securing every service by its own appropriate reward; and paying no more for any service, than the performance of the service strictly demands. The time was now come, when the same aversion to patronage was not necessary to be displayed. It was therefore enacted, that a salary, to be paid by the Company, should be annexed to the office of certain of the Commissioners of the India Board; and that, in the appointment of those Commissioners, the circle of the Privy Council should no longer be the boundary of His Majesty's choice.



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The second alteration regarded the Indian trade. As an expedient, for softening the opposition of the commercial bodies, it was devised, that the Company should afford annually not less than 3,000 tons of shipping, in which private individuals might on their own account traffic with India, subject to the restriction of not importing military stores, or importing piece goods, and subject also to the restriction of lodging imports in the Company's warehouses, and disposing of them at the Company's sales.

In adducing motives for the approbation of these measures, Mr. Dundas was successful and unsuccessful: unsuccessful in offering any reasons which can now satisfy an enlightened inquirer, but completely successful in offering reasons which satisfied the bulk of his auditory. He began with what he knew to be a favourite topic for a British Parliament—the wisdom of contempt for theory. On this occasion, however, theory was treated by him with unusual lenity; for though Mr. Dundas affirmed that the theories to which he was opposed did not hold true in the case for which he had to provide; he was not very unwilling to allow that they held good in all other cases. The propositions, which Mr. Dundas here vilified by the name of theories, were two; the first, That the business of government, and the business of commerce, cannot, with advantage to the governed, be lodged in the same hands; the second, That freedom is the life of commerce, and restraint and monopoly its bane. What argument did Mr. Dundas produce to show that these propositions did not hold

true in the case of India? India, said he, has hitherto been governed in contempt of them: *ergo,* they do not hold true in the case of India. Mr. Dundas, it is true, asserted also, that India
had been governed *well;* but "governed well," in this case, means simply *governed,* and nothing more; "governed," somehow or other. As to the *quality* of the government, besides that it was the gratuitous and interested assumption, therefore worth nothing, of Mr. Dundas, what is the standard of comparison? India had been governed well, as compared with what? As compared with the highest state of advantage in which human nature is capable of being placed? This is what Mr. Dundas himself would not have ventured, even in his boldest moments of affirmation, to state. As compared with the ancient Mogul government? Was that the meaning of Mr. Dundas? A mighty boast! That the pride of British legislation should produce something not quite so bad as the despotism of barbarians. And this, even at that time, was a matter of doubt. It is, now, something more. If this, however, was the meaning; the logic of the ministers and of parliament, the one inventing, the other assenting, stood as follows: "India, in the hands of a civilized people, has been governed, not quite so badly, say the ministers; quite as badly, say other persons; as when it was under the despotism of barbarians: *Therefore,* it is true, that the union of commerce with government, and the monopoly of trade, are good things in India." This is a logic by which a man may be helped to a great variety of convenient conclusions. With Mr. Dundas, the Grand Vizir of Constantinople might say, The empire of the Sublime Port is "governed well;" *ergo,* janisaries, and the bow-string, are excellent in the empire of the Sublime Port. The above reasoning Mr. Dundas corroborated by an established parliamentary axiom, which he often found of unspeakable utility, That *all change in matters of government is bad.* Allow this, and it followed, with undeniable certainty, that all change in the government of India was bad. On the other hand, if the absolute and universal truth of that celebrated axiom should be susceptible of dispute, all the oratory which Mr. Dundas expended on the topic of change in general, falls, unsupported, to the ground.



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The particular change which his opponents contemplated, the removal of the government of India from the hands of a commercial corporation, would, he said, produce the following effects; It would retard the payment of the Company's debts; it would check the growing commerce between the two countries; and it would endanger the allegiance of India. He asked, if it would be wise to incur so much danger for a theory? With regard to the first two of these bare, unsupported assumptions, which ought to have passed for nothing, experience has provided the answer. The government has remained as Mr. Dundas desired, and the Company, so far from paying its debts, has enormously increased them; it has remained as Mr. Dundas desired, and the commerce, instead of increasing, has dwindled to a trifle. That in a well-ordered attempt to improve the mode of governing the people of India, there was any thing to weaken their allegiance, is so evidently untrue, that it is only wonderful there should be a legislative assembly, in a civilized country, in which it could be asserted without derision and disgrace.

"All this danger, said the Indian minister, "to be incurred for a theory?" First, Mr. Dundas's eagerness to escape from theory has not avoided the danger, but realized a

great part of it. Secondly, when he treats the word *theory;* when all that class of politicians, to which he belonged, treat the word theory, with so much contempt, what is it they mean? *Thought:* All application of the thinking powers to the business of government, they call theory; every thing, in short, except mechanical trudging in a beaten track. In the present case, thought, applying the results of experience to the circumstances of India, endeavoured to foresee what mode of government would be attended with the happiest effects: But if ever thought, in consequence of this operation, recommends any thing different in government from that which actually exists, it is by Mr. Dundas and his fellows, to receive the name of theory, and to be exploded. "All the good which now exists, will you sacrifice it to a theory?" When thought has accurately weighed the value of that which exists, and accurately weighed the value of that which may be got by a change; and, after all that is good and evil on both sides is maturely considered, pronounces deliberately that the second value is greater than the first; what is meant by asking, whether it is wise to sacrifice so much good to a theory? Is it not asking us whether it is wise to sacrifice the less good to the greater? In such cases the answer is, That it is wise, to sacrifice so much good to theory. It is only an abuse of language to express the facts in such inappropriate terms.



Mr. Dundas said, that no two persons agreed, in the substitutes which were proposed for the present plan. This, too, however ridiculous, is a standing argument against improvement. Yet it is not the question, whether few or many schemes are proposed; but whether any of them is good. It would be a strange maxim of government, that, where a great end is in view, and men have different opinions about the means, in that case all power of choice should be extinguished, and things must remain as they are. How numerous soever the opinions, it is still the business of wisdom to inquire what is best; and take the most effectual measures for carrying it into happy execution. It is worthy of particular regard, that almost all the general arguments of those who oppose the improvement of political institutions, may thus be traced up to one assumption; viz. That the original condition of human beings, the brutal savage state, ought never to have been altered: and that all those men who have laboured to make human nature what it is, ought to be condemned as wicked.

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Among his other arguments, or more properly speaking his assertions, Mr. Dundas affirmed, that the surplus revenue of India could not be carried to England, which he affectedly called *realizing,* but by the Company's trade. There is nothing, it appears from experience, too absurd to pass for an argument in an aristocratically assembly. That neither money nor goods could be conveyed from India to England, except by the East India Company, was a proposition which it required no ordinary share of credulity to digest. Experience, moreover, has proved, what a knowledge of the theory of man would have foretold, that there would be no surplus revenue to bring.

Mr. Dundas made use of other assertions. He asserted, that free trade would produce colonization; and that colonization would produce the loss of India. Unhappily, it is almost impossible to establish any considerable number of Europeans in India; because the natives subsist upon so little, that the wages of labour are too low to

enable Europeans to live. If it were possible, nothing would be of so much advantage, both to the people of India, and to the people of England.

As a weight to counterbalance the arguments of those who pleaded for the separation of the commerce from the government of India, and for the dissolution of the Company, Mr. Dundas delivered it as his old,
and, after much time and experience, his present and confirmed opinion, that, if the patronage of India were added to the other sources of the influence of the crown, it would be sufficient to ensure to the crown a majority in both houses of parliament, and would destroy the substance of the constitution, through the medium of its forms. The patronage of India was transferred to the crown. It was the express purpose of the declaratory act of 1788, to place the government of India fully and completely in the hands of the ministers. Is the patronage of the Admiralty Board, the patronage of the Commander-in-Chief, or that of the Lord Chancellor less ministerial patronage, because it is by these functionaries it is dispensed? Was it possible to give to ministers the unlimited power over the government of India, and not to give the benefit of the patronage along with it?



The two great crimes of which the government in India had been accused were; pillage of the natives; and wars of conquest. The present bill, Mr. Dundas asserted, would cure these evils. How? It had two expedients for that purpose: The land-tax was now fixed: And the Governor-General was responsible to parliament.

For annexing salaries to the Board of Control, and enabling his Majesty to make any body a Commissioner, little trouble in search of a reason seems to have been thought necessary. Without a salary, and without a choice of other persons than members of the Privy Council, no body, said Mr. Dundas, could be got who would keep the office so long, or attend to its business so much, as to be capable of taking a useful part in its management. Nine years before, was this incapable of being foreseen? But foresight is theory. When the Commissioners of Control were first appointed, there were persons who had so much salary, and so little to do for it, that they would be very well paid for both services, viz those of the India Board, and those attached to the salary, added together. After an additional salary was got for the India Commissioners, what was done with the surplus salary of those who had too much for the services which it was intended to pay? Was any of it taken away? No. Why? To this last question, no answer is required.



By allowing 3,000 tons for private trade in the Company's ships, Mr. Dundas took credit for having done something considerable in favour of the manufacturers and merchants. The source of advantage in private trade would be found in the more expeditious and economical methods to which private interest would give birth. By subjecting the private trader to the delays and expenses of the Company, Mr. Dundas cut off the possibility of advantage; and the merchants declined to occupy the unprofitable channel which he had opened.

In every one of the particular objects which this bill pretended to have in view; the enlargement of British commerce; the extinction of debt; and the prevention of conquest; its failure, on experience, has proved to be complete.

It encountered very little opposition till its third reading in the lower house. On that occasion it was furiously assaulted by Mr. Fox. The House of Commons, he observed, had, in the year 1780, proclaimed their solemn opinion, that, "the influence of the Crown had increased, was increasing, and ought to be diminished." In defiance of this alarming declaration, in violation of the solemn protestations with which the nation were amused, upon the first introduction of the present system of Indian government, a new lot of influence was avowedly created. This was little. The mighty mass of evil existed in the influence which was warehoused for ministerial use with the Court of Directors. This was the most dangerous patronage at the disposal of the Crown. Why? because it was irresponsible. "Is it," said Mr. Fox, "to be placed in the hands of those who really have the power over it? No! it is to be given to their agents and dependents; whose responsibility, from the nature of their situation, it is absurd to speak of.—It has been asserted," he cried, "that the patronage of India consists in the appointment of a few writers. If there is a man in this House! if there is a man in this country! if there is one man in the British territory in India! who can believe this assertion, I wish him joy of his credulity! I ask any man, who is not insane,—in whom, if this bill shall pass into a law, will the whole of the patronage of India be invested? Will not the Company and their Directors be the mere tools of the minister? Who appointed Lord Cornwallis? who Sir John Shore? The clear effect of the measure is to give to the minister all the power, and screen him from all responsibility"[2]



Mr. Pitt answered; By complaining that his opponent had deferred to the last stage the statement of his objections; And by endeavoring to show, that the appointment of writers to India, who begin as clerks, and rise by seniority to places of importance, could not greatly increase the influence of ministers, even if their power over Directors were as complete as the argument of the opposition supposed. This, however, was not to deny, that ministers possessed all the influence created by the patronage of India; a fact which, at this time, Mr. Pitt did not affect to dispute: It was only to assert, that this influence, when it was got, was of inconsiderable importance. This was to contradict his own arguments against the bill of Mr Fox; and to recant every assertion by which he had successfully covered it with odium. It was also to contradict the principal argument by which Mr. Dundas had defended the propriety of continuing the government of India in the hands of a commercial company. But it did not subvert the truth, that a mass of wealth equivalent to all the lucrative offices in India, ready to be employed by the Crown, in purchasing the co-operation of those who were appointed to check it, would contribute largely to convert the checking into a confederate body; and to establish a fatal union of King and parliament upon the ruin of the people.



The views of the parties who demanded, on this occasion, a change in the management of Indian affairs, are too nearly the same with the views, which have already been discussed, of preceding parties, to require any particular examination.

The merchants petitioned chiefly for freedom of trade. On what grounds of reason, has been, as far as compatible with the nature of the present undertaking, already disclosed. The political change which most of the complaining parties appeared to contemplate, was the transfer of the details of government from the Court of Directors to his Majesty's ministers. On what ground, it appears to me, that the transfer of power which has already been made from the Court of Directors to his Majesty's ministers is not an improvement, and, by parity of reason, that any further transfer would not be an improvement, has been seen in my explanation of the nature of the instrument for the good government of India, which was provided, by Mr. Pitt, in the Board of Control.



To communicate the whole of the impression, made upon a mind, which has taken a survey of the government of India, by the East India Company, more completely through the whole field of its action, than was ever taken before, and which has not spared to bring forward into the same light the unfavourable and the favourable points, it may be necessary to state, and this I conceive to be the most convenient occasion for stating, That, in regard to *intention,* I know no government, either in past or present times, that can be placed equally high with that of the East India Company; That I can hardly point out an occasion on which the schemes they have adopted, and even the particular measures they pursued, were not by themselves considered as conducive to the welfare of the people whom they governed; That I know no government which has on all occasions shown so much of a disposition to make sacrifices of its own interests to the interests of the people whom it governed, and which has, in fact, made so many and such important sacrifices; That, if the East India Company have been so little successful in ameliorating the practical operation of their government, it has been owing chiefly to the disadvantage of their situation, distant a voyage of several months from the scene of action, and to that imperfect knowledge which was common to them with almost all their countrymen: But that they have never erred so much, as when, distrusting their own knowledge, they have followed the directions of men whom they unhappily thought wiser than themselves, viz. practical Statesmen, and Lawyers; And that, lastly, in the highly important point of the servants, or subordinate agents of government, there is nothing in the world to be compared with the East India Company, whose servants, as a body, have not only exhibited a portion of talent which forms a contrast with that of the ill-chosen instruments of other governments: but have, except in some remarkable instances, as that of the loan transactions with the Nabob of Arcot, maintained a virtue, which, under the temptations of their situation, is worthy of the highest applause.

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For the immediate successor of Lord Cornwallis, choice was mude of Mr. Shore, a civil servant of the Company, whose knowledge of the revenue system of India was held in peculiar esteem. Pacific habits, and skill in revenue, were possibly regarded as means abundantly necessary for realizing those pecuniary promises, which had been so loudly and confidently made to both the parliament and people of England.

About the same time that Mr. Shore, dignified for his new station with the title of Sir John Shore, succeeded to the substantial power of the government of Bengal, its nominal sovereign, the Nabob Mubarek ul Dowla, died, after a life of thirty-seven

years, and a reign of twenty-three. He left twelve sons and thirteen daughters, and was succeeded by his eldest son Uzeer ul Dowla, who was solemnly proclaimed at Calcutta on the 28th of September.

The first important circumstance which solicited the attention of the new Governor-General, was the appearance of an approaching rupture between two of the late confederates; the Nizam, and the Mahrattas. The views, upon one another, of these two states, had undergone no permanent alteration from the union to which the desire of sharing in the spoils of Tippoo had given a temporary existence. Intervening circumstances had nearly matured into act their inimical designs.

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The treaty of alliance, offensive and defensive, between the English, the Nizam, and Mahrattas, included a mutual guarantee against the common object of their hatred and apprehensions, the sovereign of Mysore. This guarantee Lord Cornwallis appears to have thought of great importance for English security. It follows, that he must have expected greater benefit from the co-operation of the Nizam and Mahrattas, in case of an attack, than mischief from entanglement in the wars to which the turbulent politics of these native states would certainly give occasion. The mode in which the contracting parties were to act, in accomplishing the objects of the guarantee, was left, in the treaty concluded previously to the war, to be settled by subsequent regulation. So much had the Governor-General this affair of the guarantee at heart, that he endeavoured, as soon after the war as possible, to secure it by an express treaty devoted to that particular object. It was, however, to be an extraordinary treaty; for Lord Cornwallis, not being altogether without foresight of the evils likely to abound from an obligation to take a part in the wars which the Nizam and Mahrattas might kindle, was for inserting an article, by which the allies were not to assist one another, except, just when they pleased; or, as he chose to express it, "until they were convinced that the party requiring assistance had justice on his side, and all measures of conciliation had proved fruitless."[3]

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A draught of a treaty, to this effect, was transmitted to the courts of Hyderabad and Poonah. The Nizam, though fully sensible that the English alone stood between him and destruction, was yet encouraged to the hope of drawing his profit out of the eagerness for this treaty which the Governor-General displayed. A dispute had already sprung up between him and Tippoo Sultan. The Nabob of Kernoul was the dependant of the Nizam. On that chief Tippoo was urging claims which the Nizam contested. When solicited on the subject of the treaty, the Nizam demanded, as the price of his consent, the support of the English in the affair with Tippoo. This behaviour, the English, who knew their advantages, treated as a crime; and expressed so much of anger, that the Nizam was eager to redeem his offence by unlimited complaisance.

As the power of the Mahrattas was different, so was their temper. The Poonah Councils were still governed by Nana Furnaveze, who now despairing of assistance from the English to support him against the designs of Scindia, opposed to the importunities of the Governor-General, on the subject of his treaty, evasion and delay.

At last the Mahratta minister produced a sketch of a treaty of guarantee to which he expressed his willingness to accede, but involving terms, the acceptance of which, it is probable, he did not expect. Among these was an engagement for realizing the claims of chout upon the dominions of Tippoo.

The Mahrattas were jealous of the enlarged, and growing power of the English. They were impatient to reap the spoils of the feeble Nizam; an acquisition, to which they regarded the connexion of that prince with the English as the only obstruction. Scindia, whose power had been so greatly increased, now exerted a decisive influence on the Mahratta councils; and entertained designs of future grandeur with which the ascendancy, or rather the existence,
of the English in India was altogether incompatible. He was not solicitous to disguise his hatred of the connexion between them and the Nizam; or the satisfaction with which he regarded the power of Tippoo, as a counterpoise to the still more formidable power of the English.



After a negotiation of more than a year, the accession of the Mahrattas to the union so fondly projected by Lord Cornwallis, was regarded as hopeless. The Nizam, who saw in their aversion to the proposed engagements, a design of holding themselves at liberty to fall upon him, was kindled to an ardent pursuit of the guarantee; and urged upon the English government the propriety of concluding the treaty singly with him; as it could be no reason, because a third party swerved from its engagements, that the other two should abandon theirs.4 It entered, however, into the policy of Sir John Shore, to avoid whatever could excite the jealousy of the Mahrattas: The English government, accordingly, declared its satisfaction with the verbal acquiescence of the Nizam; and on the part of the Mahrattas, with a promise, incidentally given, that they would act agreeably to existing treaties.

The Nizam became at last so much impressed with the prospect of the dangers around him, that on the 1st of January, 1794, Sir John Kennaway, the English resident at Hyderabad, described him to the Governor-General, as prepared to form, with the English, engagements, which would render them masters of his country for ever; and urged the wisdom of not allowing so favourable an opportunity to escape.5



The course into which the Mahrattas had been guided, by impulse of the circumstances in which they were placed, very highly favoured the extension of their dominion, by gradual encroachments upon the slothful and improvident governments of India. Enabled from the nature of their country, and their state of society, to exercise with advantage a continual war of depredation against the surrounding states, they were often bribed to forbearance, by those who could find no other security against their ravages. The terms of this agreement came at last to be fixed, at a fourth part of the revenues of the country which they consented to spare. This was an opening, at which the stronger party generally found the means of introducing whatever was required for the final subjugation of the country. The fourth part of the revenues was always a disputed sum; and as the Mahrattas endeavoured to make it appear to be greater than it really was, the government of the country endeavoured to make it less. Nothing is ever paid by an Indian government, so long as it can help it; least of all, an odious tribute. The

Mahratta chout therefore was seldom paid, except by the terror of a Mahratta army; and by consequence it was almost always in arrear. Under the pretension of security against imposition and delay in the receipt of the chout, the Mahrattas as often as possible insisted upon sending their own officers into the country to collect it. This gave them a power of interference in every measure of the government, and the support of a body of partisans, who, exercising the powers of Indian tax-gatherers, were masters of the property, and to a great degree of the person of every man subject to their exactions.



The dominions of the Nizam had long sustained the Mahratta chout; and previous to the connexion which was formed between the Hyderabad government and Lord Cornwallis, the Mahrattas exercised so great an authority in his country, that the minister of the Nizam was more attentive to the wishes of the Mahrattas than the commands of his Master. During the necessity of exertion against Tippoo, and the union formed for his subjugation, the Mahrattas had yielded to a temporary relaxation of their influence over the country of the Nizam. But they now intended to resume it with improvements; and a long arrear of chout afforded the pretext for interference.

The English government offered its mediation. The ready acceptance of the Nizam was not a matter of doubt. The Mahrattas employed evasion; and as soon as they were convinced that the interposition of the Governor-General would certainly not be with arms, they treated his mediating propositions with frigid indifference.

A circumstance, calculated to alarm the English government, occurred. Tippoo Sultan had an army in the field, and either intended, or under terror was suspected of intending, a confederacy with the Mahrattas for the subjugation of the Nizam. The question was, what course it now behoved the English government to pursue.



By the treaty of alliance, the Nizam, it might be urged, was entitled to the assistance of the English against Tippoo; and so little were they released from their engagement, by the infidelity of the Mahrattas, that they were rather bound to compel them to fulfil the conditions of a treaty, of which the parties were implied guarantees. Besides, the Nizam had declared, that his accession to the alliance against Tippoo was founded, not upon any confidence which he could place in Mahratta, but on that alone which he reposed in English, faith: Receiving him into the alliance upon this declaration was a virtual pledge, that the protection to which he looked from the English was not to depend upon that security which he expressly rejected: To make it depend upon that security, was, therefore, a breach of engagement. At the time when the Nizam, confiding in the security of English protection, took part with the English, the value attached to his alliance was such, that it would have been purchased with eagerness at the expense of an engagement offensive and defensive with himself. Would the Nizam, being attacked by Tippoo, have been entitled to assistance from the English, if defended by the Mahrattas? And was his title less, when about to be attacked by Tippoo, with the Mahrattas conjoined? Such a disappointment in hopes, on which he had staked the very existence of his throne, could not do less than ensure to the English the enmity of the Nizam. Nor could the English abandon him, without the appearance at once of

weakness and infidelity; without descending from that high station in which they now over-awed the Princes of India, as well by the terror of their arms, as the purity of their faith.

Considerations presented themselves of an opposite tendency. If the co-operation of all the parties in a treaty were necessary to the attainment of its end, and the defection of any one of them rendered the attainment of the end no longer possible, the defection of one dissolved, of course, the obligation of all. Again, the treaty of alliance between the English, the Nizam, and the Mahrattas, bound the parties not to assist the enemies of one another. In the case, therefore, of a war between any two of the parties, the third could not interfere. In such a case, the neutrality of the third party was that which the terms of the treaty expressly required. If the friendship of the Nizam would be lost; if the opinion which prevailed of English power, and of the tenacity of English engagements, should endure a slight and temporary diminution, war was beyond comparison a greater evil. It was impossible for any body to suppose, that a war against Tippoo and the Mahrattas would be easily sustained. And as the revenue of the Company was confessedly unequal to the expenditure of war, a protracted contest was to be regarded as pregnant with ruin. Even the destruction of the Nizam could not be considered as adding to the dangers of the English; since, after subverting that power, the Mahrattas and Tippoo were much more likely to make war upon one another than to combine their arms for an attack upon the British state. Finally, by the act of parliament the Company's servants were clearly prohibited from interfering in the quarrels of the native princes, and from taking up arms against them, unless to oppose an actual invasion of the British provinces.



By these considerations, the mind of the Governor-General was determined; and he purposed to leave the Nizam to his fate. That such a determination was contrary to the expectations upon which the Nizam was induced to enter into the alliance, expectations which for that purpose he was encouraged to entertain, there seems no reason to doubt. The difficulties of the Governor-General, and the disappointment of the Nizam, were created by the looseness of the treaty. Two obvious cases, the authors of that treaty had not been able to foresee; First, if one of the three contracting parties were attacked by Tippoo, and one of the two who in that case were bound to assist should decline; Secondly, if one of the three were attacked, and one of the two, who ought to assist, instead of assisting, should join the aggressor. There was nothing in the treaty which determined what was to be done by the third party in either of those cases.

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If Tippoo had attacked the English, and the Mahrattas had either not assisted, or joined in the attack, it may be strongly suspected that the English, in that case, would not have held the Nizam released from his engagement.

The opinion has also been urged, and it is not without probability, that, by declaring themselves bound to protect the Nizam, the English would not have involved themselves in the calamities of war, but would have prevented hostilities by the terror of their interference.[6]

When once the English have thoroughly imbibed the dread of an enemy, Tippoo, or any other; that dread, after the cause of it is weakened, or, peradventure, wholly removed, continues for a long time to warp their policy. In the opinion of the Governor-General, great danger still impended over the Company by the existence of Tippoo: The Nizam he regarded as too weak; the Mahrattas alone as sufficiently powerful to yield a counterpoise to that detested sovereign: His policy, therefore, was to retain,
at some cost, the friendship of the Mahrattas; and for this purpose not to grudge the sacrifice of the Nizam.

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He was relieved from a portion of his difficulties by the assurance that, if Tippoo had entertained the project of an attack upon the Nizam, it was now laid aside. In the dispute between the Nizam and Mahrattas, the treaty, he thought, created, certainly, no obligation to interfere.

In the opinion of Sir John Malcolm, an obligation existed, which cannot fail to be considered as a little extraordinary. He *seems* to say, for it is seldom that a rhetorical writer is entirely free from ambiguity, that the native powers, by joining the English in any war in which they were engaged, established a right, which nothing but their own misconduct could ever forfeit, to their friendship, and to protection against any power to whom by that conduct they might have given offence.7 He adduces Lord Cornwallis as a party to this speculation; who, "in his letter, under date the 28th of February, 1790, to the resident at Poonah, declared, that the Mahratta state, by acting against Tippoo in concert with the British government, became entitled, in reason and equity, to a defensive alliance against that prince, even though no previous engagement existed." If this proposition means any thing real; and if assistance in war creates an obligation to assistance in return, except an obligation of which the party obliged is alone to judge, in other words an obligation binding him only when agreeable, that is, no obligation at all; the receipt of assistance in war is a snare, which carries ruin in its consequences, and ought for ever to be shunned.
One little consequence, in the present instance, it would appear that Sir John Malcolm overlooked. The Nizam and Mahrattas were about to go to war: The English had received assistance from both of them: The English were therefore bound to lend assistance to both of them; that is, to send one body of English troops to fight against another.

BOOK VI. Chap. 7. 1795.

Before hostilities commenced between the Subahdar and the Mahrattas, Mahdajee Scindia died. The power of this chief, and his ascendancy in the Mahratta confederacy, had lately been so great, that his death was expected to produce considerable changes; and the resident at Poonah thought it probable, that the opportunity might be so improved, as to effect an adjustment between the Nizam and Mahrattas. The Governor-General however would not risk offence to the Poonah government, by any sort of interference more forcible than words; and the successor of Mahdajee Scindia, his nephew Doulut Row, soon assembled his army from the remotest parts of his dominions, and obtained an ascendancy at once in the Poonah councils, and in the confederacy which was forming against the dominions of the Nizam.

The Nizam was the party in danger, but the first in the field. He advanced to Beder, if not with a view to actual aggression, at least with a view to interfere in the internal affairs of the Mahratta government, a considerable time before the movement of the Mahratta armies. Early in March, 1795, the advanced corps of the Mahratta army, under the command of Doulut Row Scindia approached; and the Nizam advanced from Beder to meet him. A general action took place. Both armies were thrown into some confusion, and neither obtained any considerable advantage. But the women of the Nizam were frightened; and under their influence he retreated from the scene of action during the night. He sought



protection in the small fort of Kurdlah, where the Mahrattas had the advantage of terminating the war without another blow. The fort is completely surrounded by hills, except at one particular spot. The Mahrattas took possession of this outlet, by which they completely shut up the Nizam, and cut him off from supplies. After remaining some weeks in this miserable situation, he found himself at the mercy of his enemy, and concluded a peace on such terms as they were pleased to dictate. The particulars of the treaty were not fully made known; but, beside establishing all their former claims, the Mahrattas compelled him to cede to them a country of thirty-five lacs revenue, including the celebrated fort of Doulutabad; to pay three crores of rupees, one-third immediately, the rest by instalments of twenty-five lacs perannum; and to give up, as a hostage for the performance of these conditions, his minister Azeem ul Omrah, whose abilities had for some time been the great support of his throne; who was the zealous friend of the English connexion; and a firm opponent of the Mahrattas.

No part of the conduct of the English had more offended the Nizam, than the refusal to permit his two battalions of British troops to accompany him to the war. As the Mahrattas were the great source from which he apprehended danger, an expensive force which could not be employed against the Mahrattas, was a loss, rather than advantage. He, therefore, shortly after his return to Hyderabad, intimated his desire to dispense with the service of the English battalions; and they marched to the territories of the Company.

The Subahdar of Deccan had never, from the time of Bussy, been without French officers in his service.



In the confederate war against Tippoo, he had two battalions of regular infantry, officered by Frenchmen, and commanded by a gentleman of the name of Raymond; who began his military career in India, at an early age, in the disastrous campaigns of Lally. At first his establishment amounted to no more than 300 men; and he hired their arms from a merchant of his own country, at the rate of eight annas[8] a month. By his services and address, he rapidly increased the favour and liberalities of the Subahdar; of which he availed himself for the augmentation and equipment of his corps. It had received great accessions both to its numbers, and appointments, since the peace of Seringapatam; and the English resident reported, probably with great exaggeration, that twenty-three battalions of this description, with twelve field pieces, accompanied the Nizam in his campaign against the Mahrattas.

After the return of that Prince to his capital, he ordered new levies of this corps; and assigned a portion of territory for its regular payment. The expostulations of the British resident, and his intimations that so much encouragement of the French portended serious changes in his relations with the English, were but little regarded.

A part of this corps was sent to occupy the districts of Kurpah, and Cummum. These districts lay upon the frontier of the Company's possessions; and the Governor-General took the alarm. “The measure itself,” he remarked,9 “had a suspicious not to say criminal appearance;” and he directed “the strongest representations to be made, to induce the Nizam to recall the detachment of Monsieur Raymond.” In case of refusal, the resident was even instructed to threaten him with the march of a body of English troops to his frontier. The apprehensions of the English government were increased by some French officers, prisoners at Madras, who were detected in a project of escape, and suspected of a design to join M. Raymond.



Whether the Nizam could have been led on to risk the displeasure of the English, or whether the knowledge of his defenceless condition would soon have brought him back to court their support, sufficient time was not afforded to try. On the 28th of June, his eldest son Ali Jah fled from the capital, and placed himself in open rebellion; when his fears were so vehemently excited, that he applied himself with the utmost eagerness to recover the friendship of the English. He agreed to the recall of Raymond's corps from the district of Kurpah; and warmly solicited the return of the subsidiary force. The battalions were ordered to join him with the greatest possible expedition; but before they were able to arrive, an action had taken place, in which Ali Jah was made prisoner. He did not long survive his captivity. The Nizam, however, enjoyed but a few months tranquillity, when another member of his family revolted, at the head of a large body of troops. In quelling this rebellion, and recovering the fort of Rachore, which the insurgents had occupied, the English battalions had an opportunity of rendering conspicuous service.

The Nizam, though brought again to a sufficient sense of his dependance upon the English, could not help reflecting that from them he had nothing to expect in seeking the means of his defence against that insatiate neighbour, whom nothing less than his ruin would content; nor could he forbear turning with particular favour to that body of his troops, on whom, in contending with the Mahrattas, his principal dependance must rest. The value of M. Raymond's corps had risen in his estimation by the activity which it had displayed in the reduction of Ali Jah. Its numbers and appointments were increased; additional lands for its support were assigned to its commander; and arsenals and foundaries were established for its equipment. The abilities of M. Raymond qualified him to improve the favourable sentiments of his prince; the discipline and equipment of his corps were carried to the highest perfection, of which his circumstances would admit; and his connexions with the principal officers of the government were industriously cultivated and enlarged. He was not anxious to avoid those little displays, by which the fears and hatred of the English were most likely to be inflamed. The colours of the French

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republic were borne by his battalions; and the cap of liberty was engraved on their buttons. While a detachment of this corps was stationed on the frontier of the Company's territories, a partial mutiny was raised in a battalion of Madras sepoys. It was ascribed, of course, to the intrigues of the French abominable officers. Whether this was, or was not the fact; two native commissioned officers, with a number of men, went over to the French.

It was by no means without jealousy and apprehension, that the English government beheld the progress of a French interest in the councils of the Nizam. That Prince declared his readiness to dismiss the rival corps, provided the English subsidiary force was so increased, and its service so regulated, as to render it available for his defence. This, however, the desire of standing fair with the Mahrattas dissuaded, and a succedaneum was devised. It was thought expedient to encourage the entrance of English adventurers into the service of the Nizam, who might form a rival corps to counterbalance the French. But the English were less qualified than the French for this species of adventure; there was no man to be found whose abilities and address could balance those of M. Raymond; and this project totally failed.



An event, in the mean time, occurred, which materially affected the politics of this part of India. On the 27th of October, 1795, happened the death of the young Peshwa, Madhoo Row; and introduced the most serious divisions among the Mahratta chiefs. Nanah Furnavese desired to place upon the vacant throne an infant whom he could use as a tool. Bâjee Row, undoubted heir, the son of Ragoba, was supported by the influence of Scindia. In these circumstances, Nanah Furnavese was anxious to strengthen himself by the alliance of the Nizam. He released Azeem ul Omrah, opened a negotiation with that minister on behalf of his master; and concluded a treaty, by which all the cessions extorted at Curdlagh were resigned. In the mean time, Scindia hastened to Poonah, with an army which his rival was unable to oppose; and Bâjee Row was placed upon the musnud of Poona. The treaty with the minister of the Nizam was of course annulled; but a new one was concluded, by which the Nizam was required to make good only one fourth of the cessions and payments which had been fixed by the convention of Curdlah.

The intercourse with Tippoo, during the administration of Sir John Shore, was bounded by the execution of the treaty of Seringapatam. When the sons of Tippoo were restored,[10] the officer who conducted them was empowered to make overtures towards a more amicable connection, provided a favourable disposition appeared on the part of the Sultan. But the pride of that Prince was too much wounded to consort with friendship; and on this occasion, the tyrant, as the English called him, disdained to practise hypocrisy. He received the officer with frigid civility.



Though Lord Cornwallis, upon taking the reins of the Company's government, had agreed with the Nabob of Oude, that the government of his country should be divided into two parts, of which the one, namely, the business of defence, and all transactions with foreign states, should belong to the Company, and the other, namely, the internal

administration, including the collection of the revenue, the coercion of the people, and the distribution of justice, should, without interference or control, belong to himself the English rulers had, nevertheless, observed the extraordinary vices of his government with great solicitude, as leading necessarily to that desolation of the country, with which the payment of the Company's subsidy would soon be incompatible. On the visit of Lord Cornwallis to Lucknow, in the first year of his administration, "I cannot," he said, express how much I was concerned, during my short residence at the capital of the Vizir, and my progress through his dominions, to be witness of the disordered state of his finances and government, and of the desolated appearance of the country."11 The Directors, with an extraordinary candour, declared, that the



vices of the native government were not the only cause of this desolation; that for a great part of it the vices of their own administration were justly accountable. "Under a system," they say, "defective in almost every part of it, and the abuses which arose out of that system, the present unfortunate state of the country may, in our opinion, be fairly attributed to a combination of causes. Among these is a claim which is now very wisely relinquished, of right of pre-emptions, and of exemptions from duties, in the province of Oude; made, and exercised, by contractors employed in providing the investment; and which, in the opinion of Lord Cornwallis, has essentially contributed to its ruin. The immense drain of specie from that country of late years, amounting, from February 1794, to September 1783, to the enormous sum of two crores and thirty-nine lacs of rupees, exclusive of what may have been sent down to Calcutta to answer the bills drawn for the payment of the troops, and on private account, stands foremost in our opinion, among the causes that have operated so much to its prejudice."12 Though the Directors saw but imperfectly the mode in which connexion with their government had been ruinous to Oude, they had the merit of tracing, in a general way, the relation between cause and effect.13

In the year 1792 died Hyder Beg Khan, the minister. As the Nabob was a cipher in the hands of his minister, and the minister was a mere instrument



in the hands of the Company, this was an event which deeply interested the Company's government. The Nabob appointed a person of the name of Hossein Reza Khan, who had enjoyed the principal share of his confidence even in the time of the deceased minister, to execute provisionally the duties of the vacant office. As this person, however, was but little acquainted with the business of revenue, Raja Tickait Roy, to whom that business was confided under Hyder Beg, was placed at the head of the financial department. The final election remained till the pleasure of the Governor-General should be known; who, satisfied of the inclination of both the men to rely upon the English government, and not acquainted with any persons who were better qualified, signified his approbation of the choice of the Nabob; and, on condition of their good behaviour, gave to the new ministers assurance of his support. The influence of the new ministers was still less able, than that of their predecessor, to limit either the expenses of the Vizir, or the ruinous exactions upon the people which those expenses, the English subsidy, and the extortions of the tax-gatherers, imposed. In the month of January, 1793, Lord Cornwallis thought it necessary to write to the Vizir a solemn letter of expostulation and advice. "On my return," said he, "from the war in the Deccan, I had

the mortification to find that, after a period of five years, the evils which prevailed at the beginning of that time had increased; that your finances had fallen into a worse state by an enormous accumulated debt; that the same oppressions continue to be exercised by rapacious and overgrown aumils towards the ryots; and that not only the subjects and merchants of your own dominions, but those residing under the Company's protection, suffered many exactions contrary to the commercial treaty, from the custom-house officers, from Zemindars, aumils, and others."



The Governor-General then proceeded to pen advices, which, though they were lost upon a sensual and profligate prince, will not be lost upon the people of England. "As in a state," said he "the evils that are practised, by the lower class of men, are to be attributed to the example held out to them by their superiors, and to their connivance, or to their weak government; so am I obliged to represent, that all the oppressions and extortions committed by the aumils on the peasantry, take their source in the connivance and irregularities of the administration of Lucknow."

His meaning, as he himself explains it, is, That an expensive government is, by the very nature of things, an unjust and oppressive government; and that expense, when it proceeds to a certain pitch, is the cause, not of misery alone, but of ruin and desolation. "Though the Company's subsidy," said he, "is at present paid up with regularity, yet I cannot risk my reputation, nor neglect my duty, by remaining a silent spectator of evils which will, in the end, and perhaps that end is not very remote, render abortive even your Excellency's earnest desire that the subsidy should be punctually paid. Thus, I recommend economy in your own household disbursements, as the first measure, whence all other corrections are to take place.—I do not neglect the dignity of your station: nor am I actuated by views for the Company's subsidy only. Your dignity does not flow from a splendid retinue; and unnecessary establishment of household servants, elephants, sumptuous ceremonies, and other circumstances of similar nature:
But from a just and wise administration of your government and finances."[14]



Just before the departure of Lord Cornwallis, the new ministers repaired to Calcutta; in order more fully to explain the deplorable state in which the government and population of the country were placed, and to pray for counsel and support in conducting the affairs of a prodigal government and an impoverished people. The Governor-General, before leaving India, addressed to the Vizir another letter, of great length, from Madras. In this he repeats, that the effects of an expensive government are two, First, the oppression and misery of the people; and secondly, the fall of the government itself. "It is well known," says he; "not only throughout Hindustan but to all Europe, that the revenues of your Excellency's dominions are diminished beyond all conjecture.—Does not this consideration alarm your Excellency?—Can any thing but ruin result from such circumstances?—Are not these facts a decisive proof of tyranny, extortion, and mismanagement, in the aumils?—And, what must be the situation of the ryots who are placed under such people?—But your Excellency knows, that the prayers of the oppressed are attended to by the Almighty; and often call down his vengeance upon their oppressors.—History confirms the observation, by

exhibiting innumerable examples of monarchies overturned, and families effaced from the earth, by a violation of justice in the sovereign, or neglect in him to enforce its laws."

He continues; "The evils flowing from this source would have been less felt, if, in proportion as the revenues declined, a diminution of expenses had taken place. But profusion, in fact, was the cause of the first evil: and the continuance of it increased its magnitude."



He adds, "All the world concurs in encomiums upon the dignity and splendour which adorned the court of your illustrious father; but his splendour did not arise from the gaudiness of equipage, from frivolous dissipation, or from profuse expenditure. He well knew, that the best ornament of sovereignty is justice: that due economy is the source of order and dignity: that the true splendour of a court is derived from equity and wisdom."

"If," says he, "the information which I have received of the state of the country be true, the disorders exceed all bounds, and all description. The consequence is, that the revenues are collected, without system, by force of arms; that the aumils (revenue agents) are left to plunder uncontrouled; and the ryots have no security from oppression, nor means of redress for injustice exercised upon them."15

In May 1794, Sir John Shore, in his letter to the Resident at Lucknow, said; "It has long been my anxious wish, no less than that of my predecessor, the Marquis Cornwallis, to prevail upon the Nabob Vizir to arrange the internal administration of his country, and establish it upon principles calculated to promote the happiness of his subjects and the permanency of his own authority. I cannot, therefore, observe, without regret, that his Excellency does not appear to have adopted any measures for this purpose, in consequence of the letter addressed to him by Marquis Cornwallis from Madras, and which I delivered to his ministers in Calcutta, with the most serious recommendation to them to use their utmost exertions in giving effect to the advice and representations of his Lordship."16



Fyzoollah Khan, the Rohilla chief, to whom the district of Rampore had been preserved, at the time when the rest of his nation were exterminated from the country to which they had given their name, died, at an advanced age, in 1794, leaving the country over which he had ruled, in a high state of cultivation and prosperity. The succession went to Mahommed Ali, his eldest son, who was duly confirmed by the Vizir, and acknowledged by the principal Rohilla chiefs. His younger brother Gholaum Mahomed, an ambitious man, contrived in a little time to get him into his power; when he put him to death; and sent a large present to the Vizir, with a promise of augmented tribute, if he were confirmed in the government of Rampore. Though the murdered Prince left a son, in a state of nonage, the Vizir was by no means disinclined to the proposition of Gholaum Mahomed. It was, however, a proceeding of too much importance to be concluded without the permission of the British government; and that was refused. The British troops, under Sir Robert Abercromby, joined by such forces as the Vizir could afford, were ordered to march against the

usurper, and treat him as a rebel. It was the purpose of the Governor-General, to wrest the country entirely from the family of Fyzoolah Khan, notwithstanding the rights of the son of Mahomed Ali, guaranteed by the British government;17 and notwithstanding the rights of the people of the Country, happy under the frugal government of the Rohilla chief, menaced with misery and ruin under the exactions of the Vizir, to which, with a full knowledge of the circumstances, the British ruler was about to condemn them. The rapidity of Sir Robert Abercromby anticipated the arrival of the instructions which were forwarded to this effect. A battle was fought at Bittawrah; in which, after making a partial impression upon the British line, the Rohillas were defeated. Negotiation followed, and an arrangement was made. The treasures of the late prince, Fyzollah Khan, were given up to the Vizir. And a jaghire, of ten lacs of revenue, under the express guarantee of the English government was granted to Asoph Jah, the son of Mahomed Ali.18

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The retrograde movement was uninterrupted in the Nabob's affairs. “The exigencies of his government,” as we are informed by the Directors, “were supplied by loans, on terms increasing in proportion to the sums demanded, and the discharge of one debt was effected, not from the revenue, but by contracting another of an increasing interest.” The ministers Hussein Reza Khan, and Rajah Tickait Roy, had become odious to him, by opposing obstructions to his will: and he accused them of the embarrassments which had grown upon him during their administration. His desire was to make Rajah Jao Loll his minister; who had been one of his intimates for several years, and professed absolute subserviency. The aversion of the English government to this minion was not unknown. The Nabob therefore was advised to assume the appearance of acting as his own minister; while the business and power, in reality, passed into the hands of Jao Loll.

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The English troops, employed in the country of the Vizir, were always on the increase. Instead of the single brigade, which Hastings had pronounced sufficient, even the two brigades, for which Lord Cornwallis had made provision, in the subsidy of fifty lacs, were now exceeded. In their dispatch of the 22d of April, 1796, the Directors commanded the two regiments of native cavalry, serving under the Presidency of Bengal, to be augmented to four; and, “in order to relieve the Company from a considerable part of the expense, they directed that every possible effort should be made to induce the Vizir to disband his own useless cavalry, and to apply a part of the sums expended in their support to defraying a part of the charges which the Company incurred by the proposed augmentation.”19 With this proposition, the Vizir, at first, would by no means comply. And in March, 1797, the Governor-General paid a visit to Lucknow, for the “two avowed objects,” as he himself expressed it, “of inducing the Vizir to establish a reform in his administration, and to pay part of the new cavalry establishment, which he had already peremptorily refused.”20 The influence of the British ruler was not entirely without success; and agreement was obtained from the wretched Vizir to add to his former subsidy the expense of one European and one native regiment of English cavalry, provided the annual amount should not exceed

five and a half lacs of rupees; and Tuffeizel Hussein Khan, a man in whose probity and talents the Governor-General placed great reliance, was appointed minister.

Only a few months elapsed, when, after a short illness, the Vizir expired. The eldest of his brothers was Saadut Ali, who, in fear of intrigues, had been compelled to reside on a pension at Benares. To the succession of Mirza Ali, the eldest son of Asoph ul Dowlah, Saadut Ali offered objections, asserting that neither he, nor any other of the reputed children of the late Vizir, was really his offspring: And he urged his own pretensions to the vacant throne. The arbiter in this great dispute was the Governor-General. The acknowledgement of the late Vizir, who had treated Mirza Ali as his son and successor; the undoubted principle of the Moslem law, which renders that acknowledgement a valid title; the acquiescence of the Begums, the wife and mother of Asoph ul Dowlah; the concurrence of the capital; and the danger of admitting reports on the filiation of princes to decide the question of their succession, swayed the mind of the Governor-General; and Mirza Ali, commonly known by the name of Vizir Ali, was placed on the musnud, and recognized by the English government as Nabob of Oude.



The young sovereign had not long enjoyed his power and dignity, when complaints were received by the Governor-General, both respecting his title, and respecting his conduct. The situation of affairs appeared to require the presence of the English ruler; and he began his journey to Lucknow. Upon his arrival, he found a scene of intrigue of extraordinary activity, and extraordinary complication. The elder Begum, having interfered with the conduct of the Nabob, had been urged to return to Fyzabad; and animosity succeeded to friendship. Almas Ali Khan, who had been an object of district to the British government for many years, and forced to keep aloof from public affairs, had so successfully employed his leisure, in carrying on the business of renter, that a great proportion of the country was now placed in his hands; and he was the most powerful individual in the state. Upon her quarrel with the Nabob, the Begum had resigned herself to the councils of this man; who advised an apparent reconciliation with the Nabob. “On my arrival at Lucknow,” says the Governor-General, “the confederacy between the Nabob and Begum appeared indissoluble, and it was the opinion of the minister that they could not be disunited. The principal adviser of the Begum was Almas, either directly, or through (her principal eunuch) Jewahur Ali Khan. And Hossein Reza Khan, and Tickait Roy, ranged under their banners. With the Nabob, his father-in-law Sherf Ali Khan was supposed to have the most influence.—The object of all parties was to oppose the English influence.”

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Presently the views of the actors began to disclose themselves. And a malady which attacked the Nabob, the measles, or small-pox, shortly after the arrival of the Governor-General, afforded a favourable opportunity for intrigue.—“I confess,” says the Governor-General, “without reserve, that I never was involved in a scene of more perplexity and profligacy.”

“On the 29th of December,” (I still use the language of the Governor-General's report,) “Almas, who has most sedulously studied appearances, waited on the

minister, and entered into conferences with him which lasted several days. He began with strong complaints of the conduct of Vizir Ali, whom he designated by a most opprobrious term. He spoke of him as spurious and profligate; as a man who would ruin the country by his vices and profusion. He mentioned the earnest wish of the Begum and himself, that he should be deposed, and some one of the sons of Suja ud Dowlah, be placed on the musnud, excluding all the sons of Asoph ul Dowlah, as spurious." The same representations were successively repeated to the Governor-General, and to the Governor-General in company with the Commander-in-Chief. Mirza Jungly, a brother of the late Nabob, younger than Saadut Ali, was the person whom the Begum and Almas combined in recommending. And "a large pecuniary sacrifice," says the Governor-General, "was promised, as a compensation for my acquiescence."—"Almas," he continues, "acts in the name of the Begum; and while he pretends to disavow, on her part, all wish to interfere in the administration, his propositions to me were directly calculated to place it in her power."



Great industry and skill had been employed in prepossessing the mind of the Governor-General with the most unfavourable opinion of the young Nabob, as a man between whose character, and the interests of the English, an irreconcileable contrariety was placed. He was represented as extremely profuse in his expenditure, and therefore likely to absorb the funds from which annual payments to the English might proceed; as of a violent, ungovernable will, and therefore unlikely to be obedient to the English; and finally, as altogether averse to the English, and likely to use his utmost endeavors to free himself from their yoke.

The belief of these representations, communicated to the Governor-General, appears to have decided the question. It prepared his mind for annexing weight to any evidence which might be preferred of the spuriousness of the man whom he wished not to reign. It was no objection to the legitimacy of the Nabob, that he was not the son of the Begum, who had no child; that he was the son of a female, menially employed in the zenana. He was acknowledged by Asoph ul Dowlah as his son, and, according to the law of the Moslems, that was enough. Tehzeen Ali Khan, however, a confidential eunuch of the late Vizir, told the following story; That the mother of Vizir Ali had a husband of her own rank; was never confined to the zenana, but quitted it daily, as is customary with menials of the same description, and went to her husband's house; that Vizir Ali was not the son of the Nabob, but purchased of his mother for 500 rupees after his birth; that it was customary for the Nabob, having no progeny, to purchase women who were pregnant, and bring up their children as his own; and that this was the origin of all the children who were now regarded as the offspring of Asoph ul Dowlah.[21]



In this statement, the only point of real importance was, whether Asoph ul Dowlah was, or thought that he was, the father of the child produced by the mother of Vizir Ali. Tehzeen Ali Khan said, that he was not, and did not know of her pregnancy till after the birth of the child. And upon this story, told privately to the Governor-General by Tehzeen, who complained of having been traded with injustice by the Nabob, and

who might have been suborned by his enemies; told without confrontation with the public, without confrontation with the Nabob, without cross examination, without counter evidence, without hearing any thing the party affected might have to adduce in his behalf, without pushing the inquiry by examination of other persons to whom the secrets of the zenana might be known, and corroborated only by what he was told was the public opinion, did the Governor-General declare, that a man whom he had acknowledged as Nabob of Oude, and who succeeded to the throne with the apparent concurrence of all ranks, except the single voice of Saadut Ali, was not the son of the late Vizir, and ought to be displaced from the throne.

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It is impossible, to read the account of this transaction, drawn up by the Governor-General, and not to be impressed with a conviction of his sincerity, and his desire to do justice. But it is easy also to perceive how much his understanding was bewildered; and impossible not to confess that he decided against the unfortunate Nabob the great question of a kingdom, upon evidence upon which a court of English law would not have decided against him a question of a few pounds."22

When the resolution of deposing Vizir Ali was taken, the choice of a successor was easily made. Saadut Ali was the eldest surviving son of Suja Dowlah; and would not, as Mirza Jungly, become a tool in the hands of the Begum and Almas. When the treaty proposed by the Governor-General was communicated to Saadut Ali, it was not the time to dispute about terms. He gave his consent to every particular. He then proceeded to Caw pore; from which he was escorted by a large body of European troops to Lucknow. The military force of the country was almost wholly English. The Nabob was, therefore, completely helpless; and Saadut Ali was proclaimed, without opposition, on the 21st of January, 1798.

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The terms, to which he had at first assented, were somewhat modified after he came to the throne. It was finally established, that the annual subsidy should be raised to seventy-six lacs of rupees, and that the fort of Allahabad should be made over to the English. It was also arranged, that the regular amount of the English forces stationed in Oude should be 10,000 men, including all descriptions; that, if at any time the amount should exceed 13,000 men, the expense of all the troops above that number should be defrayed by the Nabob; if it should fall below 8,000, a proportional deduction should be made. The Nabob further agreed, to pay twelve lacs of rupees to the English, as compensation money, for the expense of placing him on the mosnud; and not, without their consent, to hold communication with any foreign state, to employ no Europeans in his service, or to permit any to settle in his dominions. Finally he agreed to allow a lac and a half of rupees as an annual pension to the deposed Vizir Ali, who was removed to Benares; and to afford a suitable maintenance to the rest of the reputed children of his brother, the deceased Nabob.23

The transaction had one attractive feature; that of gain to the Company: And it received the most cordial approbation of the powers, ministerial, and directorial, at home. The political letter to Bengal, dated 15th May, 1799, after a full commentary upon the proceedings, thus declares: "Having taken this general view of the subject,

with a minute attention, however, to all the papers and proceedings, we are, upon the whole, decidedly of opinion, that the late Governor-General, Lord Teignmouth, in a most arduous situation, and under circumstances of much delicacy and embarrassment, conducted himself with great temper, impartiality, ability, and firmness; and that he finished a long course of faithful services, by planning and carrying into execution an arrangement, which not only redounds highly to his own honour, but which will also operate to the reciprocal advantage of the Company, and the Nabob Vizir."[24]



On the 1st of August, 1792, Sir Charles Oakley succeeded General Medows, as Governor of Fort St. George, and President of the Council at Madras. Sir Charles remained in the government till the 7th of September, 1794, when Lord Hobart was placed at the head of the Carnatic Presidency. On the 13th of October, 1795, died, at the age of seventy-eight, the Nabob Mahomed Ali, Walau Jaw; and was succeeded by Omdut ul Omrah, his eldest son. From the date of the treaty, framed by Lord Cornwallis in 1792, the payments of the Nabob, being in years of peace, had, through the agency of the money-lenders, been regular. But the country, made over to the cruel exactions of this description of men, had rapidly declined. The continued operation of the same causes threatened to extinguish the resources of the government; and, though no attempt had been made to ameliorate the state of affairs, during the life of Mahomed Ali, the succession of Omdut ul Omrah appeared to Lord Hobart to present a favourable opportunity for introducing those reforms of which the necessity had become so urgent.

On the 24th of the same month, in which the Nabob died, the President deemed it expedient to place on record, by a Minute in Council, a description of the ruinous course in which affairs had proceeded, under the arrangement of 1792. The source of the evil was laid in "the usurious loans, which," says he, "it has long been the practice, principally among the European gentlemen of the Presidency, to make to the Durbar for mortgages upon the different provinces of the Carnatic." Some of the principal houses of business at Madras, said the Governor, or even some of the Company's servants, enter into an agreement with the Nabob for the payment of the sums which may have become due to the Company's treasury. They receive a mortgage upon a portion of the territory. To render this availing, they stipulate for the appointment of the manager of the territory. It is also requisite to establish an understanding with the military commanding officer of the district. And, then, the chain of power is complete. Then, the unhappy ryots are delivered over to the uncontrolled operations of men who have an interest in nothing but exacting the greatest sums in the shortest time, of men "hardened by practice, and with consciences lulled to rest by the delusive opiate of interest upon interest."[25]



It is not in the way of direct exaction alone, that the mischief was accomplished. Another "endeavour," said the President, "of those engaged in a concern of this nature is to enhance the price of grain by artificial means, lest the ordinary price of that article, the sole subsistence of the natives, should fail to answer the large advance of

money, and the exorbitant advantage expected upon it, by the soukars," or subordinate money lenders, to whose ruinous assistance the ryots are compelled to have recourse. "The means of effecting this purpose," continues the magistrate, "is easy; for the necessitous condition of the ryots compels them to dispose of their grain as soon as it comes into their possession, in order to satisfy the urgent demands upon them which I have already described: the purchasers of this grain monopolize it, until the demand advances the price. If, towards the expiration of the season, any part of the grain should yet remain on hand, the expedient is, to divide the whole quantity, in whatever condition it may be, among the inhabitants: and the people are compelled (in general the manufacturers) to take it at a valuation considerably above the market price."



Such was the general course of oppression. The modes were infinite. "The subject," says the indignant Governor, "is exhaustless."[26]

"After this exposition, no comment," he cries, "can be required, to show that this species of government, if it deserves the name of government, contains the most grievous oppression of the people, the certain impoverishment of the country, and, consequently, the inevitable decay of revenue."

A fact is here very forcibly urged upon our attention, of which it is important to find the true explanation. Under their dependence upon the English government, it has been seen, that the people of Oude and Carnatic, two of the noblest portions of India, were, by misgovernment, plunged into a state of wretchedness, with which no other part of India, hardly any other part of the earth, had any thing to compare. In what manner did the dependence of the native states upon the English tend to produce those horrid effects? The difficulty of the answer is not very great. The oppressions of the native governments were limited by their weakness. When they received the use of English strength, their oppressions were limited by nothing, but the physical powers of the people to exist under oppression. So ill has the science of government been hitherto understood, that under all the governments which ever yet existed, except perhaps one or two, there is no regular and effective restraint upon bad government, except from the dread of the insurrection and rebellion of the people. In the government of Asia, this produces no inconsiderable effects; as the frequent revolutions and changes of dynasty abundantly demonstrate. When misery had produced disaffection, and disaffection had increased to a certain height, there was generally some popular leader who offered himself to the nation as an instrument of revenge, and cast the unworthy possessor from his throne. The progress, in general, was rapid, and easy. When oppression produced a decline of revenue, the evident instability of the government deterred lenders; money became wanting to pay the troops; the troops first clamoured and then mutinied; the voice of the nation joined that of the army; a revolution took place; and commonly, for two or three generations, the new family governed comparatively well. Among the small sovereignties of India, misgovernment produced weakness, and weakness invited conquest. The misgovernment, for example, of Carnatic and Oude, would infallibly have produced the conquest, of the one by Tippoo, and of the other by

the Mahrattas; and as a Prince was commonly strong, only because he governed well, to be conquered was among the happiest results which the people knew. Till, indeed, governments attain that high pitch of excellence, at which they really perform in the best manner, and at the cheapest rate, the services of government to the people, all changes are, in general, for the good of the people. It is the stability of governments, which, before this state of excellence, human nature has to dread. Now it is evident that when the uncontrollable force of a British army is lent to an Indian prince, his subjects are immediately placed without the pale of hope. The Prince is completely set above the only fears, which, in his situation, could operate as a restraint upon his disposition to oppress; that of insurrection, and that of being conquered. The source of almost all oppression, in Asiatic and European governments alike, is the rage of extorting more and more of their earnings from the people. This passion, instead of being abated by connexion with the English, is prodigiously inflamed; when the tributary prince is carried to all the excesses of taxation, not only by his own rapacity, but the necessity of supplying the enormous demands of his European masters; and when his soldiers, as well as people, are kept in abject and hopeless subjection, by the terror of European arms.

The progress of this oppression produced in the English any determinate resolution of reform, only when the visible desolation of the country presented the prospect of a rapidly approaching moment, at which the English subsidy could no longer be found. We have seen what anticipations of this disastrous period the English rulers had already expressed with regard to Oude. The danger was still more imminent in the case of Carnatic. “I cannot,” says Lord Hobart, “but look with extreme anxiety to the nature of the security, provided by the treaty of 1792, for those resources on which the British interests on the coast of Coromandel materially depend. I cannot but see that the present system of collecting the revenues of the Carnatic manifestly invalidates that security: And that, whenever a failure may happen in the payment of his Highness's kists, we shall in vain have recourse to it for the recovery of the defalcation.”



A palliative, if not a remedy, suggested itself, in the prohibition of loans to the Nabob by Europeans; because, “though the dealings of Soukars (native money lenders) in the collection of revenue, were not of recent establishment, yet the terms of loans had never been carried to so usurious an extent as since the practice had been introduced among Europeans.”

This, however, the Governor declared to be completely ineffectual. “The prohibitory orders hitherto published, have,” he says, “all failed of their object: Because the evasion of them is easy to Europeans, through the agency of their native servants; and because the enormous profits which arise from those usurious loans, hold out an irresistible temptation to adventurers. To prohibit the intercourse of Europeans at the Durbar, is ineffectual. Other channels of communication are open; and the superintendant of an usurious loan at Palamcotah conveys his demands to the ears of the Nabob with no less certainty than he who lives in the precincts of Chepauk. As long, therefore, as his Highness shall be so regardless of his true interests, as to deliver up his

provinces, and his people, to public depredation, so long will there be found men, who, in the pursuit of extravagant advantages, will overleap the bounds of discretion and moral obligation."



In these circumstances, what is to be done? "So desperate a malady," said the President, "requires a remedy that shall reach its source. And I have no hesitation in stating my opinion, that there is no mode of eradicating the disease, but by removing the original cause; and placing those districts, which are pledged for the security of his kists, beyond the reach of his Highness's management;" in other words, assuming the collection of the revenue, and the whole of the internal government. And even this was a partial remedy; for though it might alleviate the distress of those particular districts, it left the remainder of the country to all the deplorable consequences of the misgovernment of the Nabob.

The Governor describes, in a style instructive for other occasions, the tissue of interests by which radical reform was opposed. "The disposition," says he, "which his Highness has already evinced to oppose such an arrangement, leaves me no doubt of the real cause. It is not possible to calculate the extent and variety of interests which are involved in this one pursuit. And, though they are subdivided in every direction of the Carnatic, yet at the call of danger they all rally round a common centre. The great houses of business, who are the principal money-lenders at the Durbar, borrow from individuals, who, though not absolutely engaged in the loan itself, are partakers of the speculation in a remote degree, and feel, with no less sensibility than their principals, the approach of danger. *Similarity of interest makes a common cause.* And the great body of interest which is condensed upon this principle, is uniformly exerted to support his Highness in an inflexible resistance against a melioration of system, and to oppose a reformation which I consider essential to the national welfare."[27] This representation is the more worthy of regard, as it is applicable, *mutatis mutandis,* to every government under the sun, in which there is need of reform.



On the day following the date of the Minute from which these particulars have been taken, the Governor of Fort St. George addressed a letter to the Governor-General in Council, in which he represents, that, in consequence of several communications which he had with Mr. Dundas, and with Lord Cornwallis, before leaving England, respecting the necessity of a change in that state of things which was established by the treaty of 1792, he had opened a negotiation for that purpose with Omdut ul Omrah; and that he had not communicated his intention to the Supreme Government, or waited for its concurrence, on account of the intrigues of those, who, from personal interest, endeavoured to prevent the accomplishment of his object.

The first of the points, which the Governor endeavoured to gain, was the transfer of the collections, including all the powers of internal government, in the districts pledged for the subsidy. The benefits would be; to the Nabob, the saving of the exorbitant interest which the usurers received; to the people, deliverance from extortion; to the Company, security against the desolation of the country. The second

point regarded the Southern Polygars. The right of collecting the tribute from the country of the Polygars had been yielded to the Company by the treaty of 1792, but the nominal right of sovereignty reserved to the Nabob. This proved a source of obstruction to the right ordering of the country; and the Governor was desirous of seeing it resigned. In the third place he endeavoured to obtain the cession of the forts in Carnatic, which, according to an expression in the treaty of Cornwallis, were to be garrisoned by the troops of the Company.



To obtain the consent of the Nabob, Lord Hobart offered to relinquish certain claims, to the amount of thirty lacs of pagodas, or more. The influence of those who had opposite interests prevailed. “It has been with the deepest regret,” said the Governor, “that I have found the Nabob unmoved by my entreaties and remonstrances upon this subject: Not that he has been insensible to the justice and expediency of what I have proposed; but, as he has candidly confessed at several interviews with me, that he has not the resolution to comply; informing me, that his native ministers and European advisers, so perplexed, plagued, and intimidated him, that he could not venture upon the measure, notwithstanding his conviction that he ought to do so.”28

The Members of the Supreme Government carried their expectations even farther than the President of the Council of Madras; for no sooner was the decease of the preceding Nabob known than they sent to that Governor their instructions, dated the 28th of October, 1795, to endeavour to obtain the consent of Omdut ul Omrah to the cession of all his territories.



Upon the failure of his endeavours to obtain the concurrence of the Nabob, Lord Hobart intimated his intention, to assume the district of Tinivelly, for the liquidation of the debt termed the cavalry loan; and to insist upon possession of the Carnatic forts. To this the Supreme Government objected, as an indirect mode of compelling the Nabob. They argued, that the treaty, in which that loan was not mentioned, gave no right to any assumption of territory for its liquidation; and, although the treaty did say absolutely, and without any specification either of time or circumstances, that “all the forts in the Carnatic were to be garrisoned with the troops of the Company;” as some case had not occurred which was specified in one of the negotiating letters of Lord Cornwallis, the Supreme Government contended that even this measure it was not lawful to enforce.

Lord Hobart was of opinion, That the Nabob had himself infringed the treaty, and thereby liberated the Company from its engagements, by granting assignments, which the treaty prohibited, upon the districts mortgaged for security of his annual payments: That self-preservation, threatened by the rapid desolation of the country, and the loss of resources which it implied, justified the Company in such interference as the necessity of the case required: And, above all, that the people of the Carnatic, to whom, beside the claims of humanity, it would be infamous to suppose, that the Company had not, by sharing the fruits of their labour, contracted sacred obligations, ought not to be sacrificed in millions, to any obligations, to any

one man, which it was possible to contract.



On this subject, the Supreme Government declared "That their principles were fairly at issue with those of the Governor of Fort St. George," and appealed to the authorities at home. That jealousy, which was so apt to arise between the heads of the two Presidencies, especially when the head of the Supreme was inferior in rank to the head of the subordinate government, appears on this occasion to have embittered the opposition of the Governor-General. In the address from the Supreme Government to the Court of Directors, commenting upon the arguments of the Governor of Fort St. George, it is said; "On the language of declamation or intemperance we shall never animadvert, unless it becomes necessary to the support of the authority of the Supreme Government; leaving it, on this, as on former occasions, to the observation and notice of your Honourable Court." On this expression Lord Hobart remarked; "If I am not to defend my conduct, when attacked—attacked in terms, not indeed of intemperance and declamation, but of cool, deliberate censure and severity, impeaching my character, as a public servant, in a manner not possible to be misunderstood, I am placed in a situation wholly incompatible with a due regard to my own reputation."

As for the principles stated by the Supreme Government as in opposition to his, he remarked that they could only be useful, in as far as they afforded "rules sufficiently definite to refer to, when exigencies called for specific measures of government; but that principles, professedly admitting of deviation, fluctuating with circumstances, neither alluded to, nor enumerated, but to be estimated, as they arise, by the existing government—the propriety, or impropriety of that estimation to depend, not upon precedent, analogy, or any written law, but upon the subsequent opinion of the world—can never be productive of those beneficial effects, avowedly sought for by the Supreme Board."29 In this instance, the Governor of Fort St. George saw clearly, and justly exposed, the futility of those loose and indefinite expressions of obligation, which are so fondly and frequently made use of by the half-informed persons at the heads of governments; expressions which are so effectual in misleading their understandings; but, at the same time, so fortunately adapted to enlarge the sphere of their arbitrary power.

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Though, by the compound opposition of the Supreme Government, and of the powerful class of individuals whose profit depended upon the misgovernment of the country, no reform could be introduced, the war, which the progress of the French revolution brought on with the Dutch, provided for the Governor a sort of triumph, to which the enemies of reform, that is, of mankind, have seldom any objection. In 1795, an armament was fitted out at Madras, which, aided by a squadron of his Majesty's fleet under Admiral Ranier, completely reduced the settlements of the Dutch, on Ceylon, Malacca, Banda, and Amboyna, without any incident of sufficient importance to require a particular description. Their possessions on the Peninsula were likewise subdued; Cochin, after a great resistance. And their grand settlement at the Cape of Good Hope fell into the hands of the English, the same year. In 1797, preparation was made for expeditions against Mauritius, and the Spanish settlement of Manilla. The first division of the armament against Manilla

had actually sailed to Penang, the port of rendezvous; when the accounts received of the treaty of Campo Formio, and the suspicions excited of Tippoo and the Mahrattas, frightened the government, after incurring the expense, into a renunciation of both enterprises.

In the beginning of the year 1798, Sir John Shore, who had been raised to the peerage, by the title of Lord Teignmouth, resigned the government of India, and sailed for England. Lord Clive, who was appointed to succeed Lord Hobart in December, 1797, arrived at Madras on the 21st of August, 1798.

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# CHAP. VIII.

*Lord Mornington Governor-General—Agents of Tippoo at the Isle of France—Governor-General resolves on immediate War—Import of the Circumstances—Opinions in India—Nizam Ali receives more English Troops and dismisses the French—Unfruitful Negotiations at Poonah—Progression of Governor-General's Demands—War begins—Plan of the Campaign.—March of the Army—Siege of Seringapatam—Alarming Situation of the British Army in regard to Food—Seringapatam taken, and the Sultan killed—Division and Settlement of the conquered Country.*

BOOK VI. Chap. 8. 1798.

When the play of private interest is not instructive, either by the inferences which may be drawn from it, or by the consequences to which it leads, it escapes the curiosity of the historian, whose views are directed by utility alone. Whatever share ministerial intrigues may have had, in the fluctuations of counsel, which attended the choice of a new Governor-General, it is sufficient for us to relate, that after Lord Hobart was appointed, on the 23d of October, 1793, to be Governor at Madras, he was nominated, on the 24th of December, in the same year, to succeed the Marquis Cornwallis, as Governor-General of India. That, enjoying honourable and affluent prospects at home, and at that time filling an office of high dignity and trust, Lord Hobart would not have left his country for less than the assurance of the highest place in India, was well understood. Ministerial volition, of course, was the origin of both the one appointment and the other.

BOOK VI. Chap. 8. 1798.

The administration, however, of Sir John Shore, who succeeded to the place of Governor-General, as senior member of the council, immediately upon the resignation of Lord Cornwallis, was not interrupted till the month of March, in the year 1797; when Lord Cornwallis was nominated a second time to fill the offices of Governor-General and Commander-in-Chief. The appointment was announced to the different Presidencies in India; and a measure, so extraordinary, seemed to declare that there was something extraordinary in the cause of it. Extra-traordinary as it was, it remained without effect. In the month of October, of the same year, it was notified to the different Presidencies, that the Earl of Mornington was appointed to be Governor-General, in lieu of Marquis Cornwallis. He was appointed, it was said, “under circumstances, and for reasons, of a peculiar nature.” The Directors added, that “various circumstances had induced the Marquis to resign his appointments.”[1] Such were the mysterious terms to which the actors thought fit to confine themselves.

The Earl of Mornington had recently distinguished himself by a brilliant speech, in the House of Lords, against Jacobinism, which recommended him to the ministry, as a personage both of good principles, and of good abilities. The breach of faith to Lord Hobart it was proposed to compensate, viz. by money; and that out of the Company's purse. A proposition was brought forward for bestowing upon him a pension of 1,500*l.* per annum, and this after being once

rejected in the General Court, was, nevertheless, by the due application of influence, finally confirmed. The Directors, when pushed for their reasons, hinted, that the attempt of Lord Hobart to transfer to the Company the civil, as well as the military, government of the Carnatic, was, in some way, which they said it was delicate to explain, the cause which rendered it inexpedient that he should continue longer in India. "That attempt," they observed, "whether owing to the ardour of Lord Hobart, or some other cause, unfortunately failed. This failure involved his Lordship in an altercation with the Supreme Government; upon which the Court of Directors thought it right to support their Government-General and to recall Lord Hobart."2

Lord Mornington arrived at Calcutta on the 17th of May, 1798, carrying out with him a mind more than usually inflamed with the ministerial passions then burning in England; and in a state peculiarly apt to be seized both with dread and with hatred of any power that was French. He had possessed but little time for acquainting himself with the complicated affairs of India, when all his attention was attracted to a particular point. On the 8th of June, about three weeks after his arrival, a paper was received at Calcutta, which purported to be a proclamation issued by the Governor at the Isle of France. The paper imported, that two ambassadors had arrived from Tippoo Sultan, with letters addressed to the constituted authorities of the island, and dispatches to be forwarded to the government of France; that the object of the embassy was, to propose an alliance offensive and defensive with the French; and to request a supply of troops for the purpose of a war against the English; a war, which, with an earnest desire to expel the said English from India, the Sultan was ready to commence, as soon as the French should arrive to assist him. The proclamation then invited the citizens to offer their services, on the liberal terms, which the ambassadors of the Sultan were ready to offer.

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This paper, which the Governor-General calls truly an "extraordinary publication," he was at first inclined to regard as a forgery; because, if a scheme, of the nature here described, were really entertained, it was so much the interest both of Tippoo and the French, to conceal, and an act of such contemptible folly, to divulge it, that such a total want of all capacity for business was scarcely credible, on the part either of a man entrusted with the government of the Isle of France, or of men whom Tippoo would choose for a delicate and important commission.

The Governor-General, nevertheless, received so violent an impulse from the paper that the dispatched a copy of it, even on the following day, to General Harris, the Commander-in-Chief on the coast of Coromandel, at that time occupying, temporarily, the station of Governor of Fort St. George. His doubts respecting the authenticity of the document were declared; but General Harris was commanded "to consider without delay the means of assembling the army on the coast of Coromandel, if necessity should unfortunately require such a precaution."

On the 18th of June a letter was received, written by the Earl of Macartney at the Cape of Good Hope, for the purpose of conveying to the Indian government

intelligence, that such a proclamation had in fact been issued at the Isle of France. And about the same time, several persons arrived at Calcutta, who had been present on the island, when the incident occurred. "A strict examination" of those, whom the Governor-General calls "the most respectable of those persons," was performed. If their information was to be relied upon, it appeared that toward the close of the month of January, 1798, two persons arrived at the Isle of France, by a ship from Mangalore; that they were received with great demonstrations of respect, treated as ambassadors from Tippoo, and, during their stay on the island, entertained at the public expense; that, without any previous rumour or notion on the island that aid was about to be given to that prince, or a war about to commence between him and the English, the proclamation in question, two days after their arrival, was fixed up, and circulated; that the persons, thus treated as ambassadors, were so far from disowning the publication, that they ostentatiously held the same language, saw it publicly distributed by their agents at the place of their residence, and made promises in the name of the Sultaun, according to its terms; and that on the 7th of March they embarked on board the French frigate La Preneuse, accompanied by the men on whom the inducements held out by them had prevailed, to the amount of about two hundred, including some officers.[3] From other sources the Governor-General was informed, that the French frigate arrived at Mangalore on the 26th of April; that both the Frenchmen and the persons by whom they had been brought, were received with great marks of satisfaction by the Sultan, and that the principal part of the Frenchmen were admitted into his service.



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That the Governor-General should have regarded these incidents as tokens of the hostile mind of Tippoo, was natural. The only material question relates to the nature of the impression on the mind of a wise man, which that inference was calculated to produce. That the mind of Tippoo, in regard to the English, was full of hatred, and the spirit of revenge, it needed no new incident to disclose, or to confirm. In fact, the peace of Seringapatam was concluded with him, under a perfect conviction that his mind was breathing all the rage of disappointed ambition and humiliated pride; and if the hostility of his sentiments had constituted a reason for war, in the opinion of the persons in India and Europe, who at that time composed the compound government of India, that peace would never have been made, as it was made, abroad; nor applauded, as it was applauded, at home. The basis on which the wisdom of that agreement rested was the supposed soundness of the conclusion, that the power of Tippoo, far from able to resist the British when entire, was so little formidable when diminished to one half, that the hostility of his sentiments, however intense, and however certainly known, was a matter unworthy of particular regard, on the part of a people who declared all increase of territory unfavourable to their interests, and who, in the opposition of interest between Tippoo and the Mahrattas, could not fail to behold a security against the most formidable of the enemies whom India could raise them up.

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The impression made upon the mind of the Governor-General, by the incidents of which the above is the account, appears to have been strong and agitating in the highest degree. "Under all these circumstances, an immediate attack," says he, "upon

Tippoo Sultan, for the purpose of frustrating the execution of his unprovoked and unwarrantable projects of ambition and revenge, appeared to me to be demanded by the soundest maxims both of justice and policy.—Such was the tenor of my opinions as early as the 20th of June, 1798;" that is, only two days after any authentic information of the facts had been received. "I therefore," continues he, "recorded my decided judgment, that it was necessary to assemble the armies on the coasts of Coromandel and Malabar without delay, and I issued my final orders for this purpose on that day. I have no hesitation in declaring, that my original intention was—if circumstances would have admitted—to have attacked the Sultaun instantly, and on both sides of his dominions, for the purpose of defeating his hostile preparations and of anticipating their declared object. I was concerned, however, to learn, from persons most conversant in military details at Fort St. George, that the dispersed state of the army on the coast of Coromandel, and certain radical defects in its establishments, would render the assembling a force equal to offensive movements against Tippoo, a much more tedious and difficult operation than I had apprehended."[4]



Either the Governor-General condemned the policy of the treaty which was concluded by Lord Cornwallis, and highly applauded by the ministers, by the parliament, and by the people of England; Or, such was the change in circumstances, that the enmity of Tippoo, which was neither formidable, nor offered any reasonable prospect of being formidable, in 1792, had become intensely formidable in 1798; Or, lastly, the mind of the Governor-General was in a state of inflammation, and decided upon suggestion totally different from a cool and accurate contemplation of the circumstances of the case.

No where, in his official correspondence, as he lays down the reasons of his conduct, does he state any disapprobation of the treaty of Seringapatam. It seems, therefore, a proper conclusion, that no disapprobation of it existed in his mind.

Whether, in the circumstances of Tippoo or the English, there was any thing at that time, which rendered the inimical mind of Tippoo more alarming, than at the date of the peace, is the next point of rational enquiry. The English, unless we are to suppose that the government which they had established in India was too bad to admit of progression, must have advanced in all the elements of political power. They had enjoyed uninterrupted peace; they had taken possession, almost unresisted, of both the French and Dutch settlements in India; time had been given to improve their experience, and their institutions, and to reap the greatest possible fruit from the extensive district which the partition of one half of Tippoo's former territories had added to their dominions. On the side of Tippoo on change could possibly have taken place, except by the exertions which he might have made to improve his revenues, and his army—revenues completely exhausted, and an army conquered and reduced—out of the resources of a country desolated in every quarter, by the ravages of war; and reduced to one half of that extent, over which the English had found it so easy to prevail.

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It would be ridiculous, and at the same time the deepest imputation upon the English government, to suppose, that, intrinsically, the power of the English had not risen upon that of Tippoo, and rendered its preponderance still greater, during the interval of only six years which had elapsed since the pacification of Seringapatam. If then any danger to the English now accrued from Tippoo greater than the danger of 1792, it must be sought for in causes exterior to the condition and resources of the countries appertaining to each. The connection with allies was the only circumstance from without, by which the power of either government was affected.

With respect to the English, it was indeed alleged that their allies, the Nizam and the Mahrattas yielded a prospect rather of danger than of aid. This, however, was a circumstance which presented consequences of two different sorts. If the want of allies increased the causes of their dread of Tippoo, it rendered them less able to fight with him, and therefore increased the motives to peace. If they were perfectly able to fight with him, notwithstanding the want of allies, this very circumstance proved, that they had nothing to apprehend from remaining at peace. If it was alleged that they were able to fight now, but should not be able, after the lapse of some time, it implied that Tippoo's government was better than theirs, and would more rapidly increase his resources.



Besides; it was not true, that the English were to a considerable, if to any degree, less sure of auxiliary operations, than at the commencement, or any moment since the commencement of the peace. The Mahrattas, it was supposed, would stand aloof, even if the Company were attacked. But, in the first place, it was to be remembered, that as the Mahrattas dreaded nothing more than the increase of Tippoo's power, the natural conclusion was, that, if they saw the Company in any danger, they would be too strongly impressed with a sense of interest not to offer effectual assistance, and if at present they showed indifference to the dispute, or rather a jealousy of the English, the reason was, because they saw the English not likely, by suffering at the hand of Tippoo, to make Tippoo formidably strong, but much more likely, by crushing Tippoo, to raise their own power to a great and formidable height. It was also true, that at the moment when Lord Cornwallis concluded the treaty, a knowledge of the case was all that was necessary to convince any man, that hardly any dependance could, even then, be placed on assistance from the Mahrattas, in the event of a subsequent dispute; and in fact, every circumstance, to which a hope of the co-operation of that people against the aggressions of Tippoo could be attached in 1792, existed in equal force at the present hour, and was as likely to produce the desired effect.

The only source of jealousy which regarded the Nizam, the second of the English allies, was the corps of sepoys commanded by Frenchmen. In the state of mind by which the Governor-General, and Englishmen of his intellectual and moral cast, were at that time distinguished, the very existence of a Frenchman was a cause of alarm: and a military corps, under the direction of Frenchmen, assumed the dreadful aspect of a most enormous evil. It was, at the same time, however, a circumstance perfectly known, that this evil, whatever it was, it depended upon the English themselves, by an act totally free from difficulty, completely to remove. The

Nizam had already proposed to Sir John Shore the dismissal of the French officers in his service, and the abolition of the corps, provided the English troops in his pay were so increased, and their services so extended, as to enable them to defend him against the aggressions of the Mahrattas. The English themselves indeed were eager to hold forth, that the French officers, by the avidity with which they absorbed the powers of the state, had become odious to the Nizam, who was now alarmed at their daring encroachments, and eager for their destruction. In point of fact, it was found, that, as soon as the Governor-General proposed to agree to the conditions upon which the Nizam had already offered to dismiss the French, his assent was obtained, and this cause, if such it is to be deemed, of seeking the destruction of Tippoo, was speedily taken away. The truth is, that the English were, in the first place, stronger, intrinsically; and, in the next place, not weaker, on any rational ground of computation, in respect of allies, in the year 1798, than in the year 1792. If there was any thing real, therefore, in the ground of alarm, it is not in the circumstances of the English, but in those of Tippoo, that it is to be found.

The revenue which it was possible for the very limited territory of the Sultan to yield, and the moderate army which that revenue could maintain, it is miserable to contemplate as having been a subject of alarm, to a people, possessing the resources of the English, and so many degrees advanced beyond their opponents in the art and science of war. Of course, it is in circumstances extrinsic to his dominions, if in any, that Tippoo can be regarded as having been formidable to the English, or as laying them under any obligation, beyond that which existed in 1792, to adopt extraordinary measures of self-defence. But of such circumstances one only can be named; and that is, his union with the French. To clear up, therefore, every difficulty in this question of policy, it only remains to inquire how much of danger was implied in the connexion which he had formed with that formidable people.



Tippoo was by no means without a connexion with the French at the date of the treaty of Seringapatam. A French corps had formed a distinguished part of his army from the moment he ascended the throne. When that treaty was concluded, a war was impending between the English and the French; and no man could have a doubt that Tippoo would gladly join the enemies of those whom he regarded as his inveterate foes, should those enemies think of carrying their arms to that distant part of the globe. With all these circumstances fully before him, Lord Cornwallis thought it wise to make peace. Had any new circumstance occurred, to make it wise in Lord Wellesley to come to the determination, which he says he had formed on the 20th of June, 1798, of attacking Tippoo immediately, if he had found it possible to assemble the troops? Two men had appeared at the isle of France, and a proclamation had been issued by the Governor. From this, as far as then was known, only one of three inferences could rationally be drawn: Either that it set forth a number of falsehoods, for the purpose of precipitating the English into an Indian war: Or that it was the act of a madman making public a communication which it was so much the interest of both parties to keep in the profoundest secresy: Or, which was by far the most probable supposition, that it was nothing but an act of boasting, bragging, folly,

with something of very small importance for its foundation. Nothing was more likely than that Tippoo, seeing the increase which had taken place in the French corps in the service of other native powers, both in that of the Nizam, and that of the principal Mahratta power, was very desirous of increasing his own; and might have sent agents to the Isle of France for the purpose of engaging both officers and men. It is well known, how much of boasting, and of exaggeration, enters into the verbal intercourse of the East; it is well known, also, that Tippoo carried this weakness to excess, and might be regarded as a braggart even among orientals. It is still further known, that on nothing was he fonder of bragging, than his power in relation to the English, and the vengeance which, if provoked by them, he should one day inflict. It was, therefore, not incredible, it was highly probable, that with a view to obtain a more favorable reception to his application for leave to enlist soldiers in the Isle of France, his agents were instructed to talk very high, to boast of his enmity to the English, and even his power, if well supported by the French, to expel them from India. Vapour, of this kind, was a thing too common in India to excite any particular regard. But it was not surprising, if it produced on the French Governor a very different effect. It was very well known, at the period when the Governor-General was called upon to deliberate, or to decide without deliberation, upon the question of peace or war, that a high degree of excitability had, by the events of their revolution, been conveyed to the minds of Frenchmen; that they were almost as much disposed to the language of vanity and ostentation as the orientals themselves: and the only rational conclusion was, that the French Governor, evidently a very ignorant and foolish man, had been eager to adopt any occasion, however insignificant, of indulging his propensity for boasting, exaggeration, and display; that the loose, hyperbolical talk of Indians had been held forth as the momentous language of a solemn negotiation; and that two agents for recruiting soldiers had been transformed into ambassadors, for the purpose of contracting an alliance, offensive and defensive, between the Sultan of Mysore, and the Republic of France.



But, even should we go so far as to allow the wisdom of supposing that Tippoo had made an overture of the most serious kind for an alliance offensive and defensive against the English, an important question is still to be asked. Did this, in the smallest degree, alter the circumstances of the English in regard to Tippoo? Was their danger, in any respect, increased? Would they have been perfectly safe to remain at peace, had not this overture been made? If so, in what respect did this overture increase the probability of evil? It may be affirmed, without any dread of refutation, that it produced no effect of that description whatsoever. In reality, the incident disclosed nothing with regard to the mind of Tippoo, which was not perfectly known, believed, and acted upon before; namely, his eager desire to do mischief to the English, and to unite with any power that would embark in the same design, more especially with the French, whose power and hatred appeared to offer so great a resource. In fact, the incident made a disclosure, which might have been regarded as agreeable; that the connection between Tippoo and the French was so trifling, and their mode of intercourse so very childish and absurd. It might have been expected, and it ought to have been beforehand supposed, that a perfect and regular channel of communication was opened between

them, and that their conjoint means of annoying the English had been well digested, and perfectly understood.

But, if this incident disclosed nothing with regard to the minds of Tippoo, and the French, except that they were less capable of doing mischief to the English, than might before have been reasonably expected, it can hardly be supposed, that an overture so loose, indefinite, full of negligence and mismanagement, could add any thing to the motives of the French for carrying hostilities to India, if their circumstances admitted so costly an experiment. And, lastly, if this overture intrinsically altered nothing, either in regard to the dangers of the English, or their knowledge of that danger, except by showing that it was less than they might have supposed, was there any thing (for that is the last hypothesis) in the state and condition of the French nation, at that particular time, which rendered it more likely they should now send an army to India, than at any period since the conclusion of the treaty of Seringapatam? During the two days between the 18th and the 20th of June, 1798, in which contracted space the Governor-General made up his mind, upon the strength of the incident in question, to attack the sovereign of Mysore instantly; it may be affirmed, that he had no rational ground for supposing it more likely that the French would then make war upon India, than it had been at any period since the war between them and England began. It evidently follows, that there was no reason for destroying Tippoo, at this particular moment, which had not existed at every moment since the commencement of the negotiation for peace.



Still, the character of the policy which was pursued by the Governor-General remains to be determined, by the solution, not of the question whether more reason, than at any preceding period, existed for the destruction of the Sultan, but of the question, whether then sufficient reason existed as well as, if such were the coincidence, at any antecedent time. More obscurity rests upon this determination. If it be true, that the Governor-General ought to have been guided by the act of parliament, made and provided for the express regulation of his conduct, the answer is not doubtful. By that act, all augmentation of territory, and every act of war against an Indian prince, except for self-defence, in the case of actual hostilities, was declared to be contrary to the interest, and injurious to the honour of the British nation. It will be impossible to show, that the war into which the Governor-General was so eager to plunge, was a war of self-defence, except by such arguments as will show, that no war which has a prospect of adding to the securities of a nation can ever be a war of a different sort. If it was proper in the Governor-General to treat the act of parliament with contempt; as the parliament itself soon after declared that it was, by thanking and applauding him for his flagrant violation of that act; and if the only question was, whether or not the British interests were to be promoted, or the contrary, by the ruin of this dreaded foe, the inquiry is more complicated. What was to be gained was abundantly obvious; it was the saving of the expense, which the maintenance of a force, sufficient to guard against any chance of evil from his malignity, would have required. This expense, if the war by good fortune had not been so very short, would not perhaps have equalled the interest of the money expended by the war. Had this been the fact, more would have been lost, it is evident, than gained by the destruction of Tippoo; for as to the mere increase of

dominion, independent of security, that, in the shape of a good, was not less violently renounced by Lord Mornington, than by the parliament, and by the nation at large. It was on this foundation, or otherwise it will be difficult to find one, on which, after conquering the dominions of Tippoo, instead of keeping the whole for the benefit of his country, he gave to others an important part, and even urged upon the Mahrattas a portion which they refused. With regard to what was lost to the British interests by the destruction of Tippoo (for even the power of Tippoo was an evil not without its good), it is much less easy to form any thing like a determinate opinion. While Tippoo existed, the Mahrattas might be confidently expected to be much more subservient to the English, on whom alone they depended for assistance against this their greatly dreaded foe, than they were likely to be after his destruction, when every source of apprehension was taken away. What amount of evil might be involved in thus relieving the Mahrattas from all dependance upon the English cannot of course be exactly defined. The English were able to chastise them when they thought chastisement requisite. A case might even be supposed, in which Tippoo, instead of being an opponent, might have been a confederate of the Mahrattas against the English. This supposition, however, is obviously confined to one case, that in which the English, renouncing their pacific policy, should bring the Mahrattas into greater dread of unprovoked evil from the English, than they lay under in regard to Tippoo. As affairs were actually situated, the effects of their emancipation from the dread of Tippoo soon began to appear; and the Governor-General found himself under the supposed necessity of checking their audacity by a war.



That the contemplation of the facts made, on other occasions, an impression, correspondent to the inferences which have here been drawn: made such an impression, at the time, on the minds of the most instructed men in India, there is a remarkable document to show. On the 24th of July, 1798, a meeting was held of the British inhabitants of Calcutta, on the subject of the voluntary contributions in support of the war against the French, contributions promoted with great zeal, by all expectants and dependants on government, in every part of the British dominions. To this meeting great importance was attached; and all the persons highest in their consequence, and warmest in their aspirings, were forward, by the exhibition of their persons, and of their fervour, not to omit so easy an opportunity of establishing a new title of merit in the eyes of their superiors. In this splendid, and numerous assembly, the Advocate-General, Mr. Burroughs, made the introductory address, at great length, and with the best of his eloquence. He introduced in it the following observations, which constitute an article of evidence, of some weight, in determining the questions which arise out of the circumstances of that important era. “Every man,” he said, “at all acquainted with our situation, must know that in India we never before were so powerful and so unassailable, as at the present moment. We have an army infinitely stronger, in number and discipline, than we ever had before in India. We are without an enemy who can venture to attack us; and he would assert that there was not a single native who would now even wish to attack us, unless, indeed, our old enemy Tippoo might have such a wish. But that Prince had received such a lesson in the last Mysore war, as must deter him from any such enterprise again, even if he could have the aid of France in doing so. Any aid from Europe it was impossible he could have,

considering the total want of ships in France, on which troops could be transmitted; and we know besides, that the English fleets maintained the entire dominion of the seas, and that our enemies were every day lamenting their inability to send one sail in safety from any of their ports, as they were all blocked up by the British navy. The French islands in India had thrown off all connection with France, and, instead of taking any part against us, must now look to us as friends, to protect them from any attempts which might be made on them by France."[5]

Compelled reluctantly to abandon the design of immediately invading Mysore, the Governor-General, nevertheless, renewed his orders for assembling the army with the smallest possible delay. In the policy of this measure the Madras council by no means concurred. Besides the length of time necessary for assembling the army, the expense, they said, would be so enormous; and so much danger would be unavoidably created of provoking hostilities with Tippoo, by vast preparations importing the design of war; that they could not think themselves justified, without a strong representation, in obeying the orders which they had received.[6] "Not discouraged," says the Governor-General, "by these suggestions and representations,
I insisted on the immediate execution of my orders."[7]



During the interval which was required for assembling the army, the Governor-General found employment in negotiating with Nizam Ali the dismission of the French officers, and the dissolution of their corps. His minister, to whom the business of the state was almost wholly committed, was a partisan of the English, and well disposed for the annihilation of the French party; as soon as the British government would consent to replace them by a force adequate to the service which the French performed in the protection of the country. The Nizam was not altogether blind to the dangers of placing himself in a state of helpless dependance upon a superior power. But totally unequal, as he knew that he was, to the defence of himself, against the Mahrattas, against the Sultan, or against the English, it was easy for the minister to convince him, that he was safer in the hands of the English than of either of the other two. From the attainment of what he regarded as an object of unspeakable importance, the dissolution of a French corps in the service of the Nizam, Lord Mornington was far from allowing himself to be restrained by any dread of offending the Mahrattas; the motive by which the mind of his predecessor had been swayed. His instructions were issued to the acting resident at Hyderabad, on the 8th of July, to open a negotiation with the Nizam; and on the 1st of September a treaty was concluded, by which four battalions of British troops were added to the former two, and the British government was pledged for the protection of the Nizam, against any unjust demands of the Mahrattas. The Nizam, on his part, engaged to disband the French corps in his service; to deliver over its officers to the British government, whenever the whole of the British force should arrive in his capital; and to raise the subsidy, which he paid for the maintenance of the British troops, from 57,713, to 2,01,425 rupees per month.

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Though the force which the French officers commanded consisted, after all the alarm which it occasioned, of less than 14,000 men, it was necessary to take precautions against the chance of their resistance. Pending the negotiation, the additional troops

destined for the service of the Nizam were collected in that part of the Company's territory which touched upon his frontier; and on the 10th of October joined the two former battalions at Hyderabad. Fortunately for the schemes of the Governor-General, Raymond, whose talents and great influence might have been formidably exerted for the preservation of his power, had died a few months before; and a struggle for ascendancy had introduced great animosity and disunion into the corps. Not only the Nizam, but even the minister himself, wavered, however, and drew back, when the enterprise came to the verge of execution. In so little respect was this greatly dreaded corps really held by the British officer, who commanded the six subsidiary battalions, that he did not hesitate to take a decisive step. He declared his determination, unless the Nizam came to the immediate resolution of fulfilling his engagements, to make an attack on the French camp with his own forces,



and proclaim the want of faith in the Nizam's government as the cause of all the consequences which might ensue. A proclamation was soon after sent to the French camp, announcing the discharge of the officers, and declaring it treason in the soldiers to obey them. The soldiers were already in a state approaching to mutiny. The disorders now proceeded to greater violence; and the officers were imprisoned by their men. In this helpless situation, the camp, which at the time did not contain above 11,000 men, the rest of the corps being on a distant detachment, was surrounded by the whole of the British battalions, and a strong body of the Nizam's horse. The men, upon a promise of their pay, and continuance of service, laid down their arms; and the arrest of the officers was accomplished without difficulty or danger. Notwithstanding the unfriendly passions which Frenchmen at this moment excited in the breast of the Governor-General, he was careful to insure to the individuals, who had fallen into his power, that generosity of treatment which a gallant mind is ever prompted to bestow. Their property, together with such arrears as were due to them by the Nizam, were secured to their use; they were conveyed to Calcutta, under every indulgence compatible with the security of their persons; and on their arrival in England the Governor-General provided that they should not be treated as prisoners of war, but transported to their country without detention.[8]



The chances of good or evil from the Mahrattas, also, forced themselves upon the attention of the British government; and negotiations were carried on at Poonah, at the same time with those, which, at Hyderabad, were conducted to an issue deemed so exceedingly favourable. The negotiations, however, attempted with the Mahrattas, produced not equal results. The substance of the treaty negotiated at Hyderabad was communicated to the Peshwa, both before and after its conclusion. “And at both periods,” says the Governor-General to the Court of Directors, “he expressed his entire approbation of the nature and tendency of the new engagements, as well in their operation upon the interests of the Mahratta empire, as upon those of the Nizam.”[9] On the other hand, Sir John Malcolm says, “The measures taken at Hyderabad were regularly communicated to the Peshwa: but that prince, either influenced by his weak counsellors, or acting under the control of Dowlut Row Scindia, obstinately continued to withold his formal consent to any acknowledgement of the right of the British government to arbitrate in his disputes with the court of Hyderabad.”[10] Of course, it may be said, the Governor-General knew best. It may also, however, with equal certainty be said, that he had the

greatest temptation to lay on a colour; that if none except agreeable consequences were supposed to flow from his measures the favour of his employers would be enhanced; that from this species of art, which had been amply practised by his predecessors, Lord Mornington must have been a man far superior to his predecessors to stand always exempt; and that of those expedients for a colour, the two letters which have just been quoted appear to present us with instances. In the first place, when mention is made of the time which would be required for assembling the army of the Carnatic, no mention whatsoever is made of the disapprobation expressed by the Madras council. In the next place, when the execution is described of the measures taken for the destruction of the French corps, in the service of the Nizam, the reluctance exhibited by the Nizam, when the crisis arrived, is not only covered with silence, but with a language which implies uninterrupted alacrity and zeal. Beside the difficulty, in such a situation as that of Sir John Malcolm, of remaining long ignorant of such a general and important fact, the consequences also tally with his representation, for all the efforts of the Governor-General to draw the Mahrattas into an intimate connection with him, totally failed. And again; as Scindia, not the Peshwa, was at this time predominant over the Mahratta councils, the assent of the Peshwa had little value; and if presented to people ignorant of the state of the facts, as equivalent to that of the Mahratta power, was only calculated to produce deception. It seems to be affirmed, from private information, by Colonel Wilks, that both Scindia and the Peshwa, under alarm at the symptoms of ambition which at this moment distinguished the movements of the British power, were actuated by favourable dispositions towards the sovereign of Mysore; but Scindia was afraid to take a positive step, on account of his dominions in the North, which the English had an army ready to invade; and the Peshwa, beside the imminent danger to which the hostility of the English would expose him, had no liberty to act but as Scindia directed. The Governor-General, accordingly, when at last he found that assistance from the Mahrattas was not to be obtained, encouraged by the probability that he would receive no opposition, resolved to proceed in his warlike operations without them.[11]



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On the 18th of June, the Secret Committee of the Court of Directors wrote from England to the Governor-General in Council, that they had just received from his Majesty's ministers, information of a large armament which had sailed from Toulon on the 19th of the preceding month; and that amid the various conjectures respecting its destination, it was not conceived impossible that India might be the object of attack, by way of the Red Sea, or its coast, after conquest of Egypt; “or even,” the Directors add, “by the Black Sea, or by Bussora. His Majesty's ministers,” they continue, “have therefore informed us, that immediate measures will be taken for a considerable augmentation of the European force in the East Indies: You may expect that not less than 4,000 seasoned and disciplined troops, and perhaps a larger number, may be sent to the Company's settlements with all possible expedition, part of which will, we trust, reach India not many months after the receipt of this dispatch.”[12]

It was not before the 18th of October that the Governor-General first received authentic intelligence of the expedition from Toulon, and the invasion of Egypt; when his preparations against Tippoo were approaching maturity. The constituted

authorities in England, under impression of the danger which the invasion of India by so great an army would produce, gave directions to the Governor-General, to make war upon Tippoo, if he appeared to be actually accumulating the means of seconding invasion by the French. They seem not to have regarded the proclamation at the Mauritius as satisfactory evidence of any such design; of which they express themselves in the following words: "We are unable to judge, whether this proclamation be in reality what its import declares it to be; or intended merely as a feint, with a view to embroil us with Tippoo." And they marked out unambiguous preparations for war, as the circumstance by which the judgment of their subordinates in India ought to be determined. "It is highly improbable," they say, "that Tippoo should have entered into any league with the French, without some apparent preparation, on his part, of an hostile nature, in furtherance of their designs. If such shall have been the case, it would be neither prudent nor politic to wait for actual hostilities on his part." Preparation for war, in the only sense which can here be applied, is such an augmentation, or such a disposition, of the instruments of war, as, to some considerable degree, is both unusual, and increases the danger of the suspecting state. That any such augmentation or disposition of the instruments of war had taken place on the part of Tippoo, no evidence was ever produced; while evidence to the contrary appears in abundance.[13] Even with the permission which the alarm of the French expedition extorted from the Directors, they thought proper to enjoin that in resorting to hostilities, "the utmost discretion" should be used; "that we may not," they say, "be involved in a war in India, without the most inevitable necessity."—That inevitable necessity existed, or any necessity at all, will not easily, after the first impartial exposition of the facts, be again alleged. The war might be advantageous, or it might be not advantageous. But the word must be used in an extraordinary sense, if it ever be denominated necessary.





On the last day of October, that is, in less than a fortnight after he was informed of the invasion of Egypt, the Governor-General received intelligence of the destruction of the French fleet by Sir Horatio Nelson, at the mouth of the Nile. Notwithstanding this decisive event; "I did not," he says, "relax any part of the naval or military preparations which had been commenced under my orders;—being still uncertain of the fate of the French army in Egypt, and ignorant whether an additional force might not have been intended to co-operate with it in India, by the ordinary passage round the Cape of Good Hope."[14] The chance of the invasion of India, from either quarter, will not at the present moment be regarded as having been very great. It will not come up to the description of what constituted an "inevitable necessity" for going to war with Tippoo.

"The immaturity, however," says Sir John Malcolm, "of the Sultan's plans formed, in Lord Wellesley's opinion, the strongest reason for an immediate attack upon his possessions; but the delay, which was likely to occur in assembling the army on the coast of Coromandel, which had been reduced to a very low establishment, and was in a very divided and unequipped state, obliged him to alter it; and he made no communication whatever to Tippoo Sultaun on the subject of his

proceedings, till the military preparations, both at Madras and Bombay, were complete; and the alliance with the Nizam had not merely been restored, but rendered so efficient, as to secure the full application of the resources of that Prince in aid of the common cause."15

During all the time of these remarkable proceedings, it is singular that Tippoo was either without the means, or without the inclination, of making any considerable addition to his habitual state of equipment for war, and, with an appearance of insensibility to all that surrounded him, forbore even to remonstrate against the accumulation which was going forward of the instruments of his destruction. When the beginning of November arrived, the Governor-General thought the opportunity was now favourable to exhibit his complaints. On the 8th of that month, he addressed a letter to the Sultan, in which the expressions were conciliatory, rather than hostile, but in which he informs him of the connection which he was aware had been formed between him and the French, "Whom you know," says he, "to be the inveterate enemies of the Company, and to be now engaged in an unjust was with the British nation." He then gives him a lecture, on French principles; which will be appealed to hereafter as a monument of the times. "It appears not," he adds, "either necessary or proper, that I should any longer conceal from you the surprise and concern with which I perceived you disposed to involve yourself in all the ruinous consequences of a connexion, which threatens,



not only to subvert the foundations of friendship between you and the company, but to introduce, into the heart of your kingdom, the principles of anarchy and confusion; to shake your own authority; and to destroy the religion which you revere." On the disposition of the Company to preserve inviolate the obligations imposed by the relation of amity and peace, the Governor-General cited the remarkable instance which had recently occurred; of a district of country to which, though possessed by the Company, the Sultan laid claim, and of which, his right having been ascertained by arbiters mutually chosen, restitution had been made. As the result of these premises, the Governor-General proposed to send to him a British officer, whom he already knew, to communicate to him, on the part of the English, and of the Peshwa and Nizam, their allies, the plan which in their opinion was calculated "to remove all existing distrust and suspicion, and to establish peace and good understanding on the most durable foundations."16

Of the terms which, at different periods, the Governor-General was disposed to allow Tippoo Sultaun, he himself has given a very instructive history, in his letter to the Court of Directors, under date the 3d of August, 1799.17 What was the extent of his views in relation to the attack which he was so eager to make immediately after he first received intelligence of the foolish proclamation at the Isle of France, he has no where disclosed. When he found the execution of this design impossible, and how much time it would require to put the army in a condition for action, he would, he says, have been "contented

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with any adjustment which offered a reasonable prospect of detaching. Tippoo from his connexion with the French;" and that, "in the arrangement which then occurred to him, his views were limited to the establishment of permanent residents, on the part of the Company,

and of the allies, at Seringapatam, to the dismission of all the French then in the Sultaun's service, and to the perpetual exclusion of the French from his armies and dominions."

Before preferring these demands, he first, however, deemed it politic, to place the armies in a posture for action; and to take measures for lessening the chances of evil, as well as improving the chances of good, at the hands of the Nizam and the Mahrattas. The month of November had thus arrived before he was ready to make his first communication. But, at that time the French had invaded Egypt, which appeared to increase the dangers of the English dominion in India; on the other hand, the military preparations of the English were advancing to maturity on a great scale, the French party at Hyderabad was destroyed, the resources of the Nizam's country were by the late arrangement placed at the disposal of the Company's servants, and the English now had power to enforce whatever demands they might think proper to advance. The Governor-General, therefore, resolved not to content himself with the terms which, without having communicated them, he would have thought sufficient for all necessary purposes before. If, however, the real ground of the war was not the love of conquest, which was so fervently disclaimed, but the chance of danger from the power of Tippoo, as was the grand pretence, the new degree of security which had accrued to the Company was a reason, not for war,
but peace. The additional chance of invasion, by the presence in Egypt of the French, presented, as far as it went, a demand for additional security. But that chance was to be weighed, and its value ascertained. Except to an eye surrounded by the mists of ignorance or passion, which saw its object hideously enlarged, it could not appear to be great. Besides, as the British government would not long remain without a grand effort to expel the enemy from Egypt, the Company might have quietly rested on its guard, without incurring the mischievous expenditure, not to speak of any more of the detestable consequences of actual war, at least for a little time, till they understood what was the result of the measures adopted against the invaders of Egypt, and whether a few months would not set India free from any danger on account of the French. However, the terms, beyond which the Governor-General did not think as yet of proceeding, were not extravagant. Beside the conditions first meditated, he meant to demand the cession of Canara, a maritime province on the western coast, which appeared to facilitate the communication of Tippoo with the French; but to allow him an equivalent in some other quarter distant from the coast. This, then, in the opinion of the Governor-General, who now felt himself in a condition to enforce any demand, and whose apprehension from French invasion, and the rooted enmity of Tippoo, was then at its height, was all the security, as against Tippoo, which the British interests really required. If nothing followed to create occasion for more security, every addition which was made to the sacrifices exacted of the hated foe, was made either in the spirit of revenge, or from the love of conquest; for no other solution remains.



The Governor-General professes, and with all the marks of sincerity, his expectation to have been, that
Tippoo, overawed by the discomfiture of the French fleet in Egypt, by the ascendancy of the English at Hyderabad, the strength of the English army, and an English fleet on the coast of

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Malabar, would accede to the terms which he meant to propose, and that the calamities of war might still be avoided. For the purpose of accelerating measures, whether of a pacific or hostile description, he thought it expedient to be near the scene, and in a letter dated the 10th of December acquainted the Sultan with his intention of repairing shortly to Madras. He arrived on the 31st of the same month, and found waiting for him an answer from Tippoo.

In the letter of the Sultan, the expressions were not less pacific than those of the Governor-General. He declares the highest satisfaction at the naval victory gained on the coast of Egypt by the English over the French; the former of whom he describes as possessing almost every virtue, the latter every vice. The charge which had been urged by the Governor-General, of soliciting an hostile connexion with the French, he endeavoured to answer thus; "In this Sircar (state) there is a mercantile tribe, who employ themselves in trading by sea and land. Their agents purchased a two-masted vessel, and having loaded her with rice, departed with a view to traffic. It happened that she went to the Mauritius, from whence forty persons, French, and of a dark colour, of whom ten or twelve were artificers, and the rest servants, came here in search of employment. Such as chose to take service were entertained, and the remainder departed beyond the confines of this Sircar: And the French, who are full of vice and deceit, have perhaps taken advantage of the departure of the ship to put about reports with the view to ruffle the minds of both Sircars." He then made protestation of his earnest desire to preserve and to strengthen the bands of peace between himself and the Company; described his own occupations as all in the highest degree pacific; and added, "In this case, the allusion to war in your friendly letter, and the following passage, namely, *that prudence required that both the Company and their allies should adopt certain measures of precaution and self-defence,* have given me the greatest surprise." As the proposition of sending to him a deputy, and opening a negotiation, appeared to imply, that new sacrifices were to be exacted of him, he appealed to the existing treaty, as affording the proper and adequate adjustment of the rights and interests of the contracting parties; and said, "I cannot imagine that means more effectual than these can be adopted, for giving stability to the foundations of friendship and harmony, promoting the security of states, or the welfare and advantage of all parties."[18] This letter the Governor-General regarded as marked by prevarication and falsehood, in respect to his intercourse with the French; and by criminal evasion, in regard to the moderate and amicable proposition for opening a negotiation. He replied, accordingly, by a letter, dated the 9th of January, 1799, in which he described the embassy to the Isle of France; and explicitly declared, that the new engagements into which he affirmed that Tippoo had thus entered with the enemies of the allies required a new arrangement for their security. He recommended that only one day should be taken to reply to this letter; intimating that dangerous consequences might result from a greater delay.[19] That time might not be wanting for the campaign before the commencement of the rains, was the motive which impelled the Governor-General to hasten; and, beside the established practice, and inveterate habits of all Oriental courts, the same circumstance afforded a strong motive to the Sultan to make use of every expedient for delay.



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The end of January approached, and an answer from the Sultan had not yet arrived. This was interpreted contempt and obstinacy. It is even assigned as proof of more determined enmity than was previously supposed. The army was now irresistible. “On these grounds,” says the Governor-General, “towards the close of the month of January, 1799, my intention was to have required from Tippoo Sultaun, in addition to the terms already stated, the payment of a considerable sum of money, as an indemnification for the expense to which his hostile and treacherous conduct had subjected the allies.”20

Before the 3d of February, Lord Mornington received intelligence, that Tippoo had prepared two native vakeels, who, together with one of the French officers who had lately arrived from the Isle of Franch, were waiting at Tranquebar, to embark on a mission to the Executive Directory of France. This cannot be regarded as a very extraordinary proceeding in a prince who knew that a vast army had been levied against him before any complaint had been preferred, or so much as an explanation asked, of his conduct; and might by himself have been represented, with surely not less plausibility than by the English their preparations for attack, as a proceeding purely defensive, and imperiously called for by the dangers with which he was conspicuously threatened. At this time, however, the Governor-General determined to suspend all negotiation, until the united forces of the Company and their allies should, to use his own expressions, “have made such an impression on the territories of Mysore, as might give full effect to our just representations.”21



On the 3d of February, his Lordship dispatched his commands to General Harris, to enter the territory of Mysore, with the army which had been assembled at Velore, and to General Stuart to co-operate with the Bombay army from Malabar; while at the same time he gave intimation to the allied courts, and the British admiral on the coast, that he now considered the Company as at war with Tippoo Sultan.

Another addition was now made to the severity of the terms. From this time nothing less was to be exacted of the Sultan than a cession of his maritime provinces in perpetuity to the English; an equal territory on their respective frontiers to each of the allies, amounting to about a fourth part of his dominions, and a crore and a half of rupees. But, in the second place, if any decisive advantage should be obtained in the field, or the operations of the war should be advanced to the opening of the batteries upon Seringapatam, the General was not to content himself with less than the cession of one whole half of the territories of which the Sultan was in possession at the commencement of the war, the relinquishment of all claim to any of the places, on the frontiers of the Company and their allies, about which there was any dispute, and the payment of two crores of sicca rupees. The dismission of all Europeans belonging to any country at war with the English, the renunciation of all connexion with the French, an engagement never to retain any individual of that nation in his service, or even to permit him to reside within his dominions, to receive at his court a permanent ambassador from each of the allies, to keep with each of them an ambassador of his own, and to give up

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certain forts and hostages as security for the execution of the treaty: These were articles common to this, with the former catalogue of terms.22

On the 13th of February, the Governor-General received a letter from Tippoo, in which, after acknowledging the receipt of his letters, he desires, as he is going upon a hunting excursion, in which he frequently indulged, that he would send the deputy (about whom his friendly pen had repeatedly written), slightly attended. This consent, which was sufficiently cold and ungracious, the Governor-General describes, as reluctant and insidious; and he answered it by referring him to General Harris, to whom all his communications were now to be addressed. This answer was even transmitted through that General, who had orders to forward it to the Sultan, on the same day on which the army should pass the frontier.

The army, now assembled at Velore, exceeded 20,000 men, whereof 2,635 were cavalry, and 4,381 Europeans: It was joined, before the commencement of its march, by the whole of the British detachment serving with the Nizam, 6,500 strong, by about an equal number of the Nizam's infantry, including a portion of Sepoys lately commanded by the French, but now by British officers, and a large body of cavalry; “an army,” than which, says the Governor-General, one “more completely appointed, more amply and liberally supplied in every department, or more perfect in its discipline, and in the acknowledged experience, ability, and zeal of its officers, never took the field in India:” The army of the western coast, equal in excellence, assembled at Cananore, under General Stuart, amounted to 6,420 fighting men, of whom 1,617 were Europeans: And a force, described as considerable, but of which the amount is not specified, under Colonels Read and Brown, were to join or co-operate with the Commander-in-Chief from the southern districts of Carnatic and Mysore. All this was directed against the chieftain of Mysore, who, six years before, was stripped of one half of his dominions; and left in possession of a territory yielding a revenue of little more than a crore of rupees, or one million sterling; while the revenue of the Anglo-Indian government alone, without speaking of that of its ally, exceeded nine millions. What a mass of talent the petty prince of a petty country must have been supposed to possess!23



The army of Bombay, under the command of General Stuart, marched from Cananore on the 21st of February; it arrived at the head of the Poodicherrum Ghaut on the 25th of the same month; and took post at Seedapore and Seedasere, on the 2d of March, where it both protected the large supplies which had been collected in the district of Coorg; and could readily communicate with the main army as it approached to Seringapatam. General Harris entered the Mysore territory on the 5th of March, and commenced his operations by the reduction of several forts upon the frontier; of which none made any considerable resistance; and some made no resistance at all.



At the time when the British General passed the eastern frontier of Mysore, Tippoo was supposed to be encamped in the vicinity of Madoor, and was expected to move in the direction of Bangalore, for the purpose of opposing the progress of the army. Having succeeded in raising this expectation, he left his camp

near Senapatam, on the 28th of February, taking with him the principal part of his army; and on the morning of the 5th of March, a large encampment was observed by General Stuart, forming between him and Periapatam, a town about seven miles distant from Seedasere. On the morning of the 6th, little intelligence was yet obtained of the amount of the enemy, or the meaning of their appearance; and General Hartley, the second in command, went forward to reconnoitre. From his hill of observation, at day-break, he perceived the whole of the hostile force in motion; the country, however, was covered with jungle; the atmosphere was hazy, and it was impossible to judge correctly either of their numbers or object. Between the hours of nine and ten, the enemy had penetrated with so much secrecy and expedition through the jungle, that they attacked the front and rear of the British advanced position at almost the same instant.

The nature of the country had induced General Stuart to place the army in several divisions. Three native battalions, under Colonel Montresor, were posted at Seedasere, to which another battalion was added, after the appearance of the enemy on the 5th; the main body of the army, with the park and provisions, remained at Seedapore and Ahmootenar, the first eight miles, the latter twelve, in rear of the advanced position. General Hartley remained to aid in repelling the attack. The best position, of which the circumstances admitted, was assumed; and this body of Sepoys, though completely surrounded, and contending not only with a great disparity of numbers, but other unfavourable circumstances, defended themselves with such determined gallantry, that the Sultan's troops were unable to break them. The General hastened forward with the rest of the army, excepting the fourth corps, which being posted at some distance in the rear, was intercepted by a column of the enemy, and unable to join. It was not till half past two, however, that he arrived in sight of the division of the enemy which had penetrated to the rear. It withstood and answered a brisk fire of musquetry, for about half an hour; but then fled with precipitation through the jungles, to join the rest of the army to which it belonged. The General now advanced to join Montresor and his brave companions. The men had for more than six hours been engaged with a superior enemy; were spent with fatigue; and their ammunition almost exhausted. The advance of the troops with the General was the signal for the enemy to intermit the attack, which till this time they had upheld in front; and at twenty minutes past three they were retiring in all directions. General Stuart, apprehending a return of the enemy, which might place them in his rear, and perhaps in possession of the great magazine of rice collected by the Coorg Rajah,[24] deemed it of more importance to concentrate his army at Seedapore, than to maintain the position of Seedasere, which was chiefly useful, as the only spot from which the signals, concerted between the two armies, could be observed. The killed, wounded, and missing, according to the regimental returns, in the British army, were only 143. The loss of the enemy was no doubt considerable. Tippoo remained in his camp at Periapatam till the 11th, desiring, but afraid, to strike a second blow; and arrived at Seringapatam on the 14th, whence he hastened to meet the army approaching from the east.



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So little, in truth, did the Governor-General respect the power of the Sultan, that the plan upon which he determined implied a confidence in the inability of that prince to offer almost any obstruction to the army which was sent to destroy him. It was planned, that it should not wait to reduce any of the intermediate forts between the frontier and the capital of the Sultan, or to form a clear line of communication, but march directly upon Seringapatam, and by a single blow terminate the contest.

The Governor-General, amid the talents for command which he possessed in a very unusual degree, displayed two qualities of primary importance: He has seldom been surpassed in the skill with which he made choice of his instruments: And having made choice of his instruments, he communicated to them, with full and unsparing hands, the powers which were necessary for the end they were employed to accomplish. General Harris was not only invested with unrestricted military powers, but was authorized to exert all the civil authority which would have belonged to the Governor-General himself, in his situation. His instructions embraced the two sets of terms, to which, in two events, the Governor-General determined, upon the march of the army, to elevate his demands. And he was further provided with a political and diplomatic commission. This was composed of the Honourable Colonel Wellesley, Lieutenant Colonel Close, Lieutenant Colonel Agnew, and Captain Malcolm, with Captain Macaulay as their secretary. The commission was not entitled to act, except in obedience to the orders of the General.



The army was not ready to make its first united movement on the enemy's ground before the 9th of March; within one day of the time which the Commander, in his orders to General Stuart, had described, as the latest moment at which he could with safety arrive at Seringapatam. The British army was overloaded with equipments: It carried an enormous train of battering cannon for the siege of Seringapatam; it required a prodigious mass of vehicles for the provisions and stores of a campaign to be carried on without an open line of communication; to all this was added the cumbrous baggage of the Nizam's army, a host of brinjarries, and the innumerable followers of the camp. No sufficient measures were prepared for the orderly movement of this vast, unwieldy machine. Colonel Wilks alleges that such measures were impossible. If so; either this was one of the most rash and hazardous expeditions that ever was undertaken; or the British leaders must have counted upon a wonderful inferiority, either of means, or of understanding, on the part of their foe. Assuredly, had an enemy, with any thing like an adequate force, employed himself with any considerable degree of activity and skill, in making war upon the movement of this disorderly mass, which it was by no means possible to cover with the troops, it is hardly probable that he would not have retarded it, till the commencement of the rains; and so harassed the infantry, and worn out the cavalry, that a great portion of the baggage, stores, and ammunition would have fallen into his hands. The great thing to be dreaded, in marching at once to Seringapatam, without regard to the communication behind, was famine. This evil was all but incurred; and nearly the whole of the draught and carriage bullocks died, though the arrival of army was probably not retarded a single day by the efforts of the enemy.

So great was the confusion, even on the first day's march, that the army halted on the 11th, to see if a remedy could in any degree be applied. It moved on the 12th, but with so little improvement, that it halted again on the 13th.

From Bangalore, within sight of which, now dismantled, the army encamped on the 14th, there were three roads by which it could march upon Seringapatam. The expectation of the enemy was, that the British would occupy and repair Bangalore, form a line of communication in the same manner as before, and advance by the middle and shortest of the roads.

The confusion of the march was so great, that the British army halted a third time on the 15th; and destroyed as much of the mass of stores as it was supposed that by any possibility the exigencies of the service would allow. On the 18th, it again halted a fourth day; and "the loss of powder, shot, and other military stores, had already been so considerable, as to excite some degree of alarm, at this early period of the campaign."25

Of the roads leading to Seringapatam, the southern, by Kaunkanhully, was that selected for the advance of the British army; and so well had the design been disguised, that while the forage on the expected route had been completely destroyed, it was still preserved upon this. No memorable incident occurred from the time when the army entered the Kaunkanhully route on the 16th, till it reached the tanks at Achel, between Kaunkanhully and Sultanpet. These tanks were of so much importance, that "the destruction of them," says Colonel Wilks, "in 1791, had compelled Lord Cornwallis to make the longer march, the injurious effects of which, on his exhausted cattle, were sensibly and severely felt during the remainder of the campaign." Of a similar destruction, that intelligent officer adds, "the consequences on this occasion would have been still more injurious than those experienced in 1791." It was by the merest accident, that this fatal event was prevented. A detachment sent forward on the night of the 21st, arrived not till the breaches were made in the embankment, and were just in time to save the total loss of the waters.



When the Sultan, after his return from the attack upon General Stuart, left his capital to meet the advancing army, he made his first movement on the middle road, but being soon made acquainted with its true direction, he deviated by his right to Malvilly, and encamped, on the 18th, at the Madoor river, where he was joined by the two corps of his army, which had been left during his absence to hang upon the British line. "The southern road," says Colonel Wilks, "from this river, to the point where General Harris first entered it, presented numerous situations, where the advance of the British army might have been obstructed, and at least materially delayed, by steady troops, without any risk of disaster to themselves." What is more remarkable, Tippoo, as we are told by the same high authority, "after examining and occupying the finest imaginable position for opposing the passage of the river in front, and placing beyond it a strong corps to operate at the same time on his enemy's right flank, from very advantageous ground, with an open rear and a secure retreat from both positions, abandoned the intention of giving battle on this

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ground;" and determined to fight on ground, about two miles from Malvilly, which, among other advantages gratuitously bestowed on this enemy, gave them, during the intended action, the most convenient cover for their unwieldly impediments."

The slow movement of the English brought them to the Madoor river on the 24th, where they learned the particulars of the march which had been made by the Sultan upon General Stuart; and on the evening of the 27th, on approaching the intended ground of encampment to the westward of Malvilly, they espied the army of the Sultan, at a few miles distance, drawn up on a height. As the first grand object of the General was, to carry his equipments safe to the walls of Seringapatam, he determined neither to seek nor avoid an action. The advanced picquets, however, being attacked by the enemy, and more troops being sent to their aid, a general action came on. The British army under General Harris formed the right wing; the Nizam's army with the 33d regiment, under Colonel Wellesley, formed the left. On the right wing, which had deployed into line, and begun to advance, an opening between two brigades, produced by the ground, tempted the Sultan. He advanced in person with a body of cavalry, till in the very act to charge. The effort was against the Europeans; coolly directed; and executed with so much spirit, that many of the horsemen fell on the bayonets. But it produced not so much as a momentary disorder in the ranks; and the line advancing in such a manner as to outflank the enemy's left, his guns were soon after withdrawn from the heights. The cushoons of the Sultan faced Colonel Wellesley with some steadiness, till within sixty yards, when, the 33d regiment quickening step, they gave way; and Colonel Floyd, seizing the critical moment, charged them with his cavalry, and destroyed them to a man. The efficient state of the Sultan's equipments, and the deplorable state of the British, admitted not an idea of pursuit. The loss of the English was sixty-nine men, that of the Sultan, more than a thousand.



Immediately after this injudicious affair, the Sultan marched, with a design to place himself on the rear of General Harris, during the remainder of his march to Seringapatam. But he expected him to advance on the same road which had been taken by Lord Cornwallis in 1791. As it was anticipated, that the forage on this road would be completely destroyed, the project had for some time been contemplated of crossing the Cavery at Sosilla, about fifteen miles east of Seringapatam, if the ford upon examination should appear to be practicable. The success was complete, and the battering train, with the last of the army, was over on the 30th, while the enemy was at a distance looking for them in a different direction. This last disappointment struck a damp to the heart of the Sultan. Having received the whole of his principal officers, "We have arrived," said he, "at our last stage, what is your determination?" "To die along with you," was the unanimous reply.26 It was the opinion of this meeting of Tippoo and his friends, that General Harris would not make his friends, that General Harris would not make his attack on the southern side of the fort, but would cross over into the island. The determination was, to meet him on this route, and find either victory or death. The Sultan and his friends took a most affecting leave, as if for the last time in this world, and all were bathed in tears. It was easy for the Sultan, whose equipments were in order, to anticipate the approach of the English. He crossed at the ford of Arakerry, and

took up the intended position near the village of Chendgâl. It was not however the intention of the English General to cross into the island; and when, instead of pointing to the fords, he made a circuit to the left, to avoid some inconvenient marching, and reach the ground occupied by General Abercromby in 1792, the Sultan, whose dispositions were not calculated for such a movement, ventured not to make opposition; and the English army took up its ground for the siege of the capital, on the 5th day of April, exactly one month after it passed the enemy's frontier, having advanced at the rate of not seven miles a day on enemy's ground, and not five miles a day from the commencement of its march.

A new line of entrenchments had been constructed on this side of the fort, which, reaching from the Dowlut Baug to the Periapatam bridge, and within six or seven hundred yards of the walls, avoided the fault of the redouts in 1792, distant too far to be supported by the guns of the fort. Between these works and the river, the infantry of Tippoo was now encamped. To save the British camp from annoyance, and advance some posts, an attack was ordered the same evening under Colonels Wellesley and Shaw, on a part of the enemy, occupying a water-course in front. It failed, not without loss. But next morning a force was sent, which the party of the enemy could not resist; and strong advanced posts were established within 1800 yards of the fort, with their left on the river, and their right on Sultanpet.



On the 6th, General Floyd, with four regiments of cavalry, and the greater part of the left wing of the army, marched for the purpose of bringing on General Stuart; a proceeding, which the cavalry and part of the infantry of the Sultan marched at the same time to impede. The junction was made on the 14th; the active and well-conducted exertions of the Sultan's cavalry having produced no other effect than the necessity of a little more caution, and a little more time. And on the next day the Bombay army, having crossed the river to the north, occupied a ground in continuation of the line of General Harris, with a view particularly to the enfilade both of the face to be attacked, and the exterior trenches.

On the 9th, Tippoo, who had not before made any answer to the letter of the Governor-General, forwarded to him when the army crossed his frontier, sent to General Harris a letter, of which the following is a translation:

“The Governor-General, Lord Mornington, Bahauder, sent me a letter, copy of which is enclosed: you will understand it. I have adhered firmly to treaties: What then is the meaning of the advance of the English armies, and the occurrence of hostilities? Inform me.—What need I say more.”

The British commander replied in the following terms:

“Your letter, enclosing copies of the Governor-General's letter, has been received. For the advance of the English and allied armies, and for the actual hostilities, I refer you to the several letters of the Governor-General, which are sufficiently explanatory on the subject.”

On the 16th was made an alarming discovery. The General, in his letter to Lord Mornington, dated the 18th, says; “On measuring the bags, to ascertain what rice they really contained, they were found so much diminished by loss or fraud, that eighteen days, provision, *for the fighting men,* at *half allowance,* is all that remains in camp. Our supplies must, therefore arrive before the 6th of May, to save us from extreme distress.”



On the 17th, operations of considerable importance, less difficult because simultaneous, were accomplished on both sides of the river. The enemy were dislodged from a ground commanding that which was intended for the approaches and batteries of General Stuart; the troops were established under a good cover within 1,000 yards of the western angle of the fort; and while the enemy's attention was engaged with these operations, the bed of a water-course was seized on the southern side, which formed a parallel at an equal distance from the fort.

The state of the grain constituted now an object of the greatest solicitude, and every thing was to be done, for the purpose of hastening the arrival of the two corps, which were expected to bring a supply from Coimbetore and Baramahl. To conduct them, General Floyd marched on the 19th toward the Caveriporam pass, with the whole of the regular cavalry, the whole of Nizam Ali's cavalry, and a brigade of infantry, followed by all the brinjarries, and all the superfluous followers of the camp.

The 20th produced several events. A battery opened from the northern bank on the enfilade of the south-western face, and of the enemy's entrenchment on the southern side of the river. The enemy were dislodged from a position 400 yards in advance of their general entrenchments; and a parallel was established on the spot within 780 yards of the fort.

In the evening, the following letter from the Sultan was received in camp:

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“In the letter of Lord Mornington, it is written, that the clearing up of matters at issue is proper, and that therefore you, having been empowered for the purpose, will appoint such persons as you judge proper for conducting a conference, and renewing the business of a treaty. You are the well-wisher of both Sircars. In this matter what is your pleasure? Inform me, that a conference may take place.”

On the 22d, General Harris replied by a letter, stating, that security, not conquest, was the object of the English government, to whose pacific propositions he complained that Tippoo had hitherto refused to listen; and transmitted the draught of a preliminary treaty, drawn up according to the second and severest set of terms contained in the Governor-General's instructions.

In the situation to which affairs were now reduced, the annexation of the following severities was deemed adviseable: That four of the Sultan's sons, and four of his generals, to be named by the British commander, should be given up as hostages; That acceptance of these conditions should be transmitted under his hand and seal within twenty-four hours; and the hostages, and one crore of rupees, be delivered in forty-

eight: And that if these pledges were not given, the British commander would hold himself at liberty to extend his demands for security, even to the possession of the fort of Seringapatam, till the conclusion of a definitive treaty.

It was the instruction of the Governor-General, that the set of terms now put in the shape of a treaty should be sent just before the opening of the batteries upon the fort of Seringapatam. But the advanced period of the season, and the failure of provisions, when nothing but possession of the fort could, in the opinion of General Harris, justify him in delaying the siege for an instant, made him deem it hazardous to be the leader in an overture toward peace. The sentiments to which the Governor-General was brought by the progress of events are thus described in his own words. “Towards the end of April, fresh circumstances arose which disposed me to think, that if the course of the war should favour the attempt, it would be prudent and justifiable entirely to overthrow the power of Tippoo: Accordingly, on the 23d of April, I signified to Lieutenant-General Harris my wish, that the power and resources of Tippoo Sultan should be reduced to the lowest state, and even utterly destroyed, if the events of the war should furnish the opportunity.”[27]



On the night of the 24th, the approaches to the fort were advanced 250 yards. On the 25th, a battery of four guns was erected to destroy the defences of some works which bore on the assailants; and it opened with considerable effect on the morning of the 26th. The enemy's guns were now almost wholly silenced. On the evening of the same day, the enemy's entrenchments, in advance, were attacked; and carried, after an obstinate contest, which lasted a great part of the night. This acquisition was important, because it furnished the ground on which the breaching batteries were to be erected. The British troops occupied the works on the 27th; and in the following night made their lodgment secure.

On the morning of the 28th, another letter arrived from the Sultan, intimating the magnitude of the questions to be determined, and signifying his intention to send two persons, for the immediate commencement of a conference, without which an adjustment of so much importance could not be satisfactorily performed. To this the General replied, that no modification would be made of the terms already transmitted; that ambassadors were, therefore, unnecessary, and would not be received, unless they were accompanied by the hostages, and specie, already demanded; and that only till three o'clock the next day would time be allowed for an answer.



A breaching battery of six guns was erected on the night of the 28th; and on the morning of the 30th it began to fire. On the first day it demolished part of the outward wall at the west angle of the fort, and made an impression on the masonry of the bastion within it. On the second its fire was attended with increased effect. An additional battery, constructed on the night of April the 30th, opened in the morning of the 2d of May. On the 3d, the breach appeared to be practicable, and preparations were eagerly made for the assault. On the morning of the 4th, the troops destined for the service were placed in the trenches before day-light, that no extraordinary movement might serve to put the enemy on their guard. The heat of the day, when the

people of the East, having taken their mid-day repast, give themselves up to a season of repose, and when it was expected that the troops in the fort would be least prepared to resist, was chosen for the hour of attack. Four regiments, and ten flank companies of Europeans, three corps of grenadier sepoys, and 200 of the Nizam's troops, formed the party for the assault. Colonels Sherbrooke, Dunlop, Dalrymple, Gardener, and Mignan, commanded the flank corps; and the conduct of the enterprise was entrusted to Major-General Baird, who had solicited the dangerous service. At one o'clock the troops began to move from the trenches.



The width, and rocky channel of the river, though at that time it contained but little water, its exposure to the fire of the fort, the imperfection of the breach, the strength of the place, the numbers, courage, and skill of its defenders, constituted such an accumulation of difficulties, that nothing less than unbounded confidence in the force and courage of his men could have inspired a prudent General with hopes of success. The troops descended into the bed of the river, and moved, regardless of a tremendous fire, towards the opposite bank.

From the time when General Harris sat down before the fort, the Sultan had remained on the ramparts, varying his position according to the incidents of the siege. The general charge of the angle attacked, was given to Seyed Saheb, and Seyed Ghoffâr, the last, an able officer, who began his career in the English service, and was in the number of the prisoners at the disaster of Colonel Brathwaite.

The angle of the fort which the English attacked was of such a nature, that a retrenchment to cut it off might have been easily effected; and this was counselled by the most judicious of the Mysorean officers. But the mind of the Sultan, which was always defective in judgment, appears to have been prematurely weakened by the disadvantages of his situation. By the indulgence of arbitrary power, and the arts of his flatterers, his mind was brought into that situation in which it could endure to hear nothing but what gratified the will of the moment. He had accordingly estranged from his presence every person of a manly character; and surrounded himself with young men and parasites, who made it their business not only to gratify his most childish inclinations,

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but to occupy him with a perpetual succession of wretched pursuits. He seems, therefore, when adversity came upon him, to have been rendered too effeminate, to look it steadily in the face; and, exploring firmly the nature of the danger, to employ in the best manner the means which were in his power for averting it. The flatterers were able to persuade him, partly that the fort was too strong to be taken, partly that God would protect him; and they maintained successfully that indecision which was now congenial to the relaxed habit of his mind. “He is surrounded,” said Seyed Goffhâr, who was wounded early in the siege, “by boys and flatterers, who will not let him see with his own eyes. I do not wish to survive the result. I am going about in search of death, and cannot find it.”

On the morning of the 4th, Seyed Goffhâr, who from the number of men in the trenches inferred the intention to assault, sent information to the Sultan. The Sultan returned for answer, that it was good to be on the alert, but assured him, as persuaded

by the flatterers, that the assault would not take place till night. And in the mean time he was absorbed in religious and astrological operations; the one, to purchase the favour of heaven; the other, to ascertain its decrees. Seyed Goffhâr, says Colonel Wilks, "having satisfied himself, by further observation, that one hour would not elapse before the assault would commence, hurried in a state of rage and despair towards the Sultan: 'I will go,' said he, 'and drag him to the breach, and make him see by what a set of wretches he is surrounded; I will compel him to exert himself at this last moment.' He was going, and met a party of pioneers, whom he had long looked for in vain, to cut off the approach by the southern rampart. 'I must first,' said he, 'show those people the work they have to do;' and in the act of giving his instructions, was killed by a cannon shot."[28]



The Sultan was about to begin his mid-day repast, under a small tent, at his usual station, on the northern face, when the news was brought him of the death of Seyed Goffhâr, and excited strong agitation. Before the repast was finished, he heard that the assault was begun. He instantly ordered the troops which were about him, to stand to their arms, commanded the carbines to be loaded, which the servants in attendance carried for his own use, and hurried along the northern rampart to the breach.

"In less than seven minutes, from the period of issuing from the trenches, the British colours were planted on the summit of the breach." It was regulated that as soon as the assailants surmounted the rampart, one half of them should wheel to the right, the other to the left, and that they should meet over the eastern gateway. The right, which was led by General Baird, met with little resistance, both as the enemy, lest retreat should be cut off, abandoned the cavaliers, and as the inner rampart of the southwestern face was exposed to a perfect enfilade. The assailants on the left were opposed in a different manner. Lieut.-Col. Dunlop, by whom it was commanded, received a wound in the ascent; and the Sultan passed the nearest traverse, as the column quitted the breach. A succession of well-constructed traverses were most vigorously defended; and a flanking fire of musquetry from the inner rampart did great execution upon the assailants. All the commissioned officers, attached to the leading companies, were soon either killed or disabled; and the loss would, at any rate, have been great, had not a very critical assistance been received. When the assailants first surmounted the breach, they were not a little surprised by the sight of a deep, and, to appearance, impassable ditch between the exterior and interior lines of defence. A detachment of the 12th regiment, having discovered a narrow strip of the terreplein, left for the passage of the workmen, got up the inner rampart of the enfiladed face, without much opposition, and wheeling to the left, drove before them the musqueteers who were galling the assailants of the left attack, and they at last reached the flank of the traverse, which was defended by the Sultan. The two columns of the English, on the outer and inner rampart, then moved in a position to expose the successive traverses to a front and flank fire at the same time; and forced the enemy from one to another, till they perceived the British of the right attack, over the eastern gate, and ready to fall upon them in the rear; when they broke, and hastened to escape. The Sultan continued on foot during the greater part of this time, performing the part rather of a common soldier, than a General, firing several times upon the assailants

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with his own hands. But a little before the time at which his troops resigned the contest, he complained of pain and weakness in one of his legs, in which he had received a severe wound when young, and ordered a horse. When abandoned by his men, instead of seeking to make his escape, which the proximity of the water gate would have rendered easy, he made his way toward the gate into the interior fort. As he was crossing to the gate by the communication from the outer rampart, he received a musket ball in the right side nearly as high as the breast, but still pressed on, till he arrived at the gate. Fugitives, from within, as well as from without, were crowding in opposite directions to this gate; and the detachment of the 12th had descended into the body of the place, for the purpose of arresting the influx of the fugitives from the outer works. The two columns of the assailants, one without the gate and one within, were now pouring into it a destructive fire from both sides, when the Sultan arrived. Endeavouring to pass, he received another wound from the fire of the inner detachment; his horse also being wounded sunk under him, and his turban fell to the ground, while his friends dropped rapidly around him. His attendants placed him in his palanqueen, but the place was already so crowded, and choked up with the dead and the dying, that he could not be removed. According to the statement of a servant who survived, some English soldiers, a few minutes afterwards, entered the gateway; and one of them offering to pull off the sword belt of the Sultan, which was very rich, Tippoo, who still held his sabre in his hand, made a cut at him with all his remaining strength. The man, wounded in the knee, put his firelock to his shoulder, and the Sultan, receiving the ball in his temple, expired.



The two bodies of assailants, from the right and the left had met over the eastern gateway; and the palace was the only place within the fort not now in their possession. In this the faithful adherents of Tippoo, whose fate was yet unknown, were expected to make a desperate stand in defence of their sovereign and his family. The troops, exhausted by the heat and the toils of the day, stood in need of refreshment. In the mean time Major Allan was sent with a guard to inform the persons within the palace, that if they surrendered immediately their lives should be secured; that any resistance on the other hand would be fatal to them all. When that officer arrived at the palace, before which a part of the British troops were already drawn up, he observed several persons in the balcony, apparently in the greatest consternation. Upon communicating his message, the Kelledar, another officer of distinction, and a confidential servant, came over the terrace of the front building, and descended by an unfinished part of the wall. They exhibited great embarrasment, and a disposition to delay; upon which the British officer reminded them of their danger, and pledging himself for the protection of the inmates of the palace, desired admittance, that he might give the same assurance to the Sultan himself. They manifested strong aversion to this proposition; but the Major insisted upon returning with them; and desiring two other officers to join him, they ascended by the broken wall, and lowered themselves down on a terrace, on which there was a number of armed men. The Major, carrying a white flag in his hand, which he had formed on the spur of the occasion by fastening a cloth to a serjeants pike, assured them it was a pledge of security, provided no resistance was attempted: and as an additional proof of his sincerity took off his sword, which he insisted upon placing in the hands of the Kelledar. All affirmed that

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the family of the Sultan was in the palace, but not the Sultan himself. Their agitation and indecision were conspicuous. The Major was obliged to remind them, that the fury of the troops, by whom they were now surrounded, was with difficulty restrained; and that the consequences of delay would be fatal. The rapid movements of several persons within the palace, where many hundreds of Tippoo's troops still remained, made him begin to think the situation critical even of himself and his companions, by whom he was advised
to take back his sword. As any suspicion, however, of treachery, reaching in their present state the minds of the British soldiers, would inflame them to the most desperate acts, probably the massacre of every human being within the palace walls, he had the gallantry, as well as presence of mind to abstain from such an exhibition of distrust. In the mean time, he was entreated by the people on the terrace to hold the flag in a conspicuous manner, as well to give confidence to the people within the palace, as to prevent the British troops from forcing the gates. Growing impatient of delay, the Major sent another message to the Princes. They now sent him word, that he would be received as soon as a carpet for the purpose could be procured; and in a few minutes the Kelledar returned to conduct him.



He found two of the Princes seated on the carpet, surrounded by attendants. “The recollection,” says Major Allan, “of Moiz ad Dien, whom on a former occasion I had seen delivered up with his brother, hostages to Marquis Cornwallis; the sad reverse of their fortunes; their fear, which, notwithstanding their struggles to conceal it, was but too evident, excited the strongest emotions of compassion in my mind.” He endeavoured by every mark of tenderness, and by the strongest assurances of protection and respect, to tranquillize their minds. His first object was, to discover where the Sultan was concealed. He next requested their assent to the opening of the gates. At this proposition they were alarmed. Without the authority of their father, whom they desired to consult, they were afraid to take upon themselves a decision of such unspeakable importance. The Major assured them, that he would post a guard of their own sepoys within the palace, and a guard of
Europeans without; that no person should enter but by his authority; that he would return and remain with them, until General Baird should arrive; and that their own lives, as well as that of every person in the palace, depended upon their compliance. Their confidence was gained. Upon opening the gate, Major Allan found General Baird and several officers with a large body of troops assembled. It was not safe to admit the troops assembled. It was not safe to admit the troops who were burning for vengeance. And Major Allan returned to conduct the Princes, whose reluctance to quit the palace was not easy to be overcome, to the presence of the General. General Baird was one of those British officers who had personally experienced the cruelty of their father, and suffered all the horrors of a three years’ imprisonment in the place which he had now victoriously entered. His mind too had been inflamed by a report at that instant received, that Tippoo had murdered all the Europeans made prisoners during the siege. “He was nevertheless,” says Major Allan, “sensibly affected by the sight of the Princes; and his gallantry on the assault was not more conspicuous, than the moderation and humanity which he on this occasion displayed. He received the Princes with every mark of regard: repeatedly assured them that no violence or insult

should be offered to them, and he gave them in charge to two officers to conduct them to head quarters in camp." They were escorted by the light company of a European regiment; and the troops were ordered to pay them the compliment of presented arms as they passed.

The mind dwells with peculiar delight upon these instances in which the sweet sympathies which one human being has with another, and which are of infinite importance in private life, prevail over the destructive passions, alternately the cause, and consequence of war. The pleasure, at the same time, which we feel in conceiving the emotions produced in such a scene, lead the bulk of mankind to overvalue greatly the virtues which they imply. When you have glutted upon your victim the passions of ambition and revenge; when you have reduced him from greatness and power, to the weakness and dependance which mark the insect on which you tread, a few tears, and the restraint of the foot from the final stamp, are not a very arduous virtue. The grand misfortune is to be made an insect. When that is done, it is a slight, if any addition to the misfortune to be crushed at once. The virtue to which exalted praise would be due, and to which human nature is gradually ascending, would be, to restrain in time the selfish desires which hurry us on to the havoc we are vain of contemplating with a sort of pity after we have made it. Let not the mercy, however, be slighted, which is shown even to the victim we have made. It is so much gained for human nature. It is a gain which, however late, the progress and diffusion of philosophy at last have produced; they will in time produce other and greater results.



When the persons of the Princes were secured, Tippoo was to be searched for in every corner of the palace. A party of English troops were admitted, and those of Tippoo disarmed. After proceeding through several of the apartments, the Kelledar was entreated, if he valued his own life, or that of his master, to discover where he was concealed. That officer, laying his hand upon the hilt of Major Allan's sword, protested, in the most solemn manner, that the Sultan was not in the palace; that he had been wounded during the storm; and was lying in a gateway on the northern side of the fort. He offered to conduct the inquirers; and submit to any punishment if he was found to have deceived. General Baird and the officers who accompanied him, proceeded to the spot; covered with a promiscuous and shocking heap of bodies wounded and dead. At first, the bodies were dragged out of the gateway to be examined, it being already too dark to distinguish them where they lay. As this mode of examination, however, threatened to be very tedious, a light was procured, and Major Allan and the Kelledar went forward to the place. After some search, the Sultan's palankeen was discovered, and under it a person wounded, but not dead. He was afterwards ascertained to be the Rajah Khan, one of Tippoo's most confidential servants, who had attended his master during the whole of the fatal day. This person being made acquainted with the object of the search, pointed out the spot where the Sultan had fallen. The body being brought out and sufficiently recognized, was conveyed in a palankeen to the palace. It was warm when first discovered; the eyes were open, the features not distorted, and Major Allan and Colonel Wellesley were for a few moments doubtful, whether it was not alive. It had four wounds, three in the trunk, and one in the temple, the ball of which, having entered a little above the right ear, had lodged in the cheek. His dress

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consisted of a jacket of fine white linen, loose drawers of flowered chintz, the usual girdle of the east, crimson-coloured, tied round his waist; and a handsome pouch, with a belt of silk, red and green, hung across his shoulder. He had an amulet on his arm; but his ornaments, if he wore any, were gone.29

The speedy fall of the place was an event of great importance to the British army; for though the General had received a casual supply of provisions from an officer whose foresight exceeded that of the men who provided for the army, this afforded a supply for not more than a small number of days. The want of draught cattle rendered the magazines in the Coorg country totally useless: and though the General counted upon being in absolute want by the 6th of May, General Floyd did not return before the 13th with the convoys from the south. Of the operations which during the above transactions had taken place under the officers with whom General Floyd now returned to Seringapatam, the following are the principal. The corps which was placed under the command of Colonel Read began by reducing the country north of Rayacottah. The plan of his operations embraced a great extent; but after a little progress he was apprised of the necessity of abandoning every thing to hasten with the grain which he had collected to Seringapatam. The troops under Colonel Brown began the campaign with the siege of Caroor, which surrendered to them without any serious resistance on the 5th of April. On the 8th they proceeded against Errode, and meant to prosecute the reduction of the remaining fortresses in Coimbetore, when they were summoned to join Colonel Read, for the purpose of advancing to Seringapatam.



Colonel Read arrived at Cauveryporam, on the 22d of April, which surrendered to him without resistance. Having there collected the Brinjarries, and other supplies, he left them under the protection of the fort, and with his detachment proceeded to clear the pass. This was an operation of considerable difficulty, which required all his exertions till the evening of the 27th; and the 6th of May arrived before the whole of the Brinjarries had ascended. General Floyd had by this time arrived at a place a few miles distant from the pass; and on the same day he was re-inforced by junction of the southern corps of the army under Colonel Brown. On the 7th of May, the whole body, with their convoy, moved from Hannoor towards Seringapatam. As Tippoo's cavalry, under his best General, had closely followed General Floyd from Seringapatam, he expected to meet with considerable interruption to retard him on his return; and from this danger he was saved, only by the great event which had already arrived.



Such of the sons and officers of Tippoo, as were not taken in the fort, surrendered within a few days after the fate of the capital and its sovereign was known; and an adventurer of the name of Dhoondia was the only exception to the quiet submission of the whole country. This man, of Mahratta parentage, was born in the kingdom of Mysore, and served in the armies both of Hyder and Tippoo. He deserted during the war with Lord Cornwallis; and headed a predatory band in the region of the Toombudra. Tippoo induced him by fair professions to trust himself in his hand, and then immured him in a prison, where he had lain for several years, when he contrived

to make his escape during the capture of Seringapatam; and soon collected around him a band of desperate adventurers; which rendered it necessary for General Harris to move the army to the northward to dislodge him. This, however, was not the last effort of Dhoondia, whose history it is proper to finish at once. He was followed by his band of adventurers to the south; and made such rapid strides toward the establishment even of a sort of empire, that after a little time the government thought it proper to employ against him the army left under Colonel Wellesley for the government of Mysore. Dhoondia displayed no ordinary talents in his defence; and by his activity and judgment protracted
for several months the efforts employed for his destruction. He could not, however, permanently resist the great superiority of force which was brought against him; and fell in a charge of cavalry which was led by the Colonel in person.



The Sultan, when he lost his empire and his life, was about fifty years of age. He was rather above the middle size, and about five feet eight inches high; had a short neck and square shoulders, and now bordered on corpulency; but his limbs were slender, and his feet and hands remarkably small. His complexion was brown, his eyes large and full, his eyebrows small and arched, his nose aquiline; and in the expression of his countenance there was a dignity, which even the English, in spite of their antipathy and prejudices, felt and confessed.

Though French power was the grand resource upon which Tippoo relied, both for the gratification of his resentments, and for his protection against that reduction to the condition of a pensioned Nabob, the fate to which he believed that he was destined by the English, he made some efforts, but marked with his usual want of good sense, for obtaining support from other quarters. Beside his embassy to the Grand Signor at Constantinople, which excited, without much deserving, the attention of the English, he opened a communication in 1796 with Zeman Shah, the King of the Afghauns, and sent an embassy which pointed out to that brother of the faith a glorious career against the nonbelievers or misbelievers of India. The Shah might conquer Delhi, drive out the Mahrattas, and establish his dominion over all that region of India, in one year; in the next, assail the Mahrattas and Deccan from the north, while the Sultan co-operated with him
from the south; and after this it would cost them little trouble to extend their empire over every part of India. This invasion of the Afghauns, the English government for several years
contemplated as an object of apprehension; and it was the ostensible cause, why the Commander-in-Chief was left in Bengal, and the conduct of the army committed to General Harris, in the last war against Tippoo.



The Sultan was too well apprized of the weakness of Nizam Ali, to expect from his alliance any material advantage; and, besides, he expected to induce the Mahrattas to yield him any useful assistance, chiefly by offering to join with them, in seizing the dominions of the Nizam. He maintained, from the time of the accession of Bâjee Row, a secret agent at Poona, whose endeavours were used to effect an intimate union. But Bâjee Row was held in thraldom by Scindia; and any combination of Bâjee Row and Tippoo, which could have a tendency to emancipate the Peshwa from his

subjection, was opposed by the interests of Scindia; and though Scindia would have been well contented to join with the Sultan in any scheme of hostilities against the English, if it were not attended with danger, he was too much alarmed for his dominions in the north, which the English could easily invade, to be willing for the present to expose himself to the chance of so great an evil. From this state of affairs Tippoo seems to have despaired of getting the Mahrattas to act with any efficiency on his side; and for that reason not to have made any very strenuous exertions to induce them.

In these circumstances, beholding, as he must have done, the great inferiority of his power, his utter inability to maintain a contest against the English, and the probability that resistance would bring on his fall, it may well be regarded as surprising, that he did not endeavour, by prompt attention to their complaints, and early negotiation, to escape from the storm which he was unable to face. One of the most remarkable characteristics, however, of the Sultan's mind, was the want of judgment. For an eastern prince, he was full of knowledge. His mind was active, acute, and ingenious. But, in the value which he set upon objects, whether as means, or as ends, he was almost perpetually deceived. Besides, a conviction appears to have been rooted in his mind, that the English had now formed a resolution to deprive him of his kingdom, and that it was useless to negotiate, because no submission, to which he could reconcile his mind, would restrain them in the gratification of their ambitious designs. Nor was he deprived of grounds of hope, which over a mind like his were calculated to exert a fatal influence. He never could forget the manner in which his father had triumphed over a host of enemies by shutting himself up in his capital, and defending himself, till the season of the rains; nor had all his experience of the facility with which Europeans overcame the strongest defences in his power to rear, yielded him on this point any decisive instruction. The principal part of his preparations for war had consisted in adding to the works of Seringapatam, and storing it with provisions for a siege. With the attempt to disable the Bombay army, the idea of even obstructing the march of the invaders, if not altogether abandoned, was very feebly pursued. And, till the English were upon the ramparts, he could not persuade himself that the fort of Seringapatam would be taken. His grand military mistake is acknowledged to have been the neglect of his cavalry; a proper use of which would have rendered the conquering of him a far more arduous task.



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The original defects of his mind, arising from the vices of his education, appear to have increased as he advanced in years, and with peculiar rapidity since the loss of his dominions in 1792. The obedience which the will of princes, especially eastern princes, is habituated to receive, not only renders them wretched when it is opposed, but gluts and palls them with the gratification. Each recurring instance becomes by familiarity insipid, or rather disgusting, and leaves the mind restless and impatient for a new gratification. This serves to account for the fickle and capricious disposition which so commonly marks the character of princes; and in general prevails in them to a greater or less degree, in proportion to the natural vivacity and susceptibility of their minds. This disease infected the whole conduct of Tippoo Sultan, public and private, and latterly in a manner so extraordinary, that, when joined to a similar growth of his

impatience at every disagreement between that which he willed and that which fell out, it produced in his subjects a persuasion that his mind was partially deranged. Like many other persons of active, but not powerful minds, he run violently upon the observance of minuteness in minute details, but with little capacity of taking a marshaling view of a great whole. He saw but few therefore of the relations and dependencies of things; and was, of course, unable to anticipate justly their distant consequences. The temptation to please, rather than to serve, excluded Tippoo, as it excludes other princes, from the benefit of counsels wiser than his own. Accustomed to hear, from those who approached him, that every sentiment which he uttered exceeded in wisdom that of every other man, any difference with his opinions struck him at last in the character of a mere demonstration of folly. As a general, he possessed, as had been abundantly proved by the English in former wars, no other talents than the vulgar ones of great activity, courage, and that turn for stratagem, which the cunning of a rude age has a tendency to produce. As a domestic ruler, he sustains an advantageous comparison with the greatest princes of the East. He bestowed a keen attention upon the conduct of his government, from which he allowed himself to be diverted neither by pleasure nor by sloth. He made a methodical distribution of his time for business, in which he was laborious and exact; but in which his passion for detail made him frequently waste that attention upon minor, which ought to have been reserved to the greatest affairs. He had the discernment to perceive, what is so generally hid from the eyes of rulers in a more enlightened state of society, that it is the prosperity of those who labour with their hands which constitutes the principle and cause of the prosperity of states; he therefore made it his business to protect them against the intermediate orders of the community, by whom it is so difficult to prevent them from being oppressed. His country was, accordingly, at least during the first and better part of his reign, the best cultivated, and his population the most flourishing in India; while, under the English, and their dependants, the population of Carnatic and Oude, hastening to the state of deserts, was the most wretched upon the face of the earth; and even Bengal itself, under the operation of laws ill adapted to the circumstances of the case, was suffering almost all the evils which the worst of governments could inflict. That Tippoo was severe, harsh, and perhaps cruel, in superintending the conduct of those who served him, may be so far easily believed, as his inordinate pride would make every offence which appeared to be committed against himself assume gigantic dimensions; and his habit of willing, and seeing his will realized, made him expect every event, willed by himself, as by a law of nature, which nothing but the misconduct of others could have disturbed. That the accounts, however, which we have received from our countrymen, who dreaded and feared him, are marked with exaggeration, is proved by this circumstance, that his servants adhered to him with a fidelity which those of few princes in any age or country have displayed. Of his cruelty we have heard the more, because our own countrymen were among the victims of it. But it is to be observed, that, unless in certain instances, the proof of which cannot be regarded as better than doubtful, their sufferings, however intense, were only the sufferings of a very rigorous imprisonment, of which, considering the manner in which it is lavished by their own laws, Englishmen ought not to be very forward to complain. At that very time, in the dungeons of Madras or Calcutta, it is



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probable that unhappy sufferers were enduring calamities for debts of 100*l.;* not less atrocious than those which Tippoo, a prince born and educated in a barbarous country and ruling over a barbarous people, inflicted upon imprisoned enemies; enemies belonging to a nation, who, by the evils they had brought upon him, exasperated him almost to frenzy, and whom he regarded as the enemies both of God and of man.[30] Besides, there is among the papers relating to the intercourse of Tippoo with the French, a remarkable proof of his humanity, which, when these papers are ransacked for matters to criminate him, ought not to be suppressed. In the draught which he transmitted to the isle of France, of the conditions on which he wished that a connexion between him and the French should be formed, the following are the very words of a distinct article: "I demand that male and female prisoners, as well English as Portuguese, who shall be taken by the republican troops, or by mine, shall be treated with humanity; and with regard to their persons, that they shall, (their property becoming the right of the allies,) be transported at our joint expense, out of India, to some place far distant from the territories of the allies."



Another feature in the character of Tippoo was his religion, with a sense of which his mind was most deeply impressed. He spent a considerable part of every day in prayer. He gave to his kingdom, or state, a particular religious title, *Cudadad,* or God-given; and he lived under a peculiarly strong and operative conviction of the superintendance of a Divine Providence. His contidence in the protection of God was, indeed, one of his snares; for he relied upon it to the neglect of other means of safety. To one of his French advisers, who had urged him with peculiar fervour to use greater zeal in obtaining the support of the Mahrattas, he replied, "I rely solely on Providence, expecting that I shall be alone and unsupported; but God, and my courage, will accomplish every thing."[31] It is true, that his zeal for God like the zeal of so many other people, was supported by the notion, and by the desire, of being the favourite of God; of being honoured with the chief-place in his affections, and obtaining the best share in the distribution of his favours. His religion resembled the religion of most of the persons anxious to distinguish themselves for pious zeal, in this respect also; that it contained in it a large infusion of the persecuting spirit. He imagined that he exceedingly pleased the Almighty, by cultivating within himself a hatred of all those whose notions of a God did not correspond with his own; and that he should take one of the most effectual modes of recommending himself to that powerful and good Being, if, in order to multiply the number of true believers, he applied evil to the bodies of those who were not of that blessed description.

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It would not be reckoned pardonable by Englishmen, if an historian were to omit ambition, and the hatred of the English, among the ingredients in the character of Tippoo. But ambition is too vulgar a quality in the minds of princes to deserve particular commemoration; and as for his hatred of the English, it only resembled the hatred which the English bore to him, or to the French; and which proud individuals, and proud nations, are so prone to feel, to wards all those who excite their fears, or circumscribe their hopes. Besides, among the princes of India, who, except the drivellers, were less ambitious than he? Was it Scindia, or was it Holkar? Even in

hatred of the English, is it understood, that these Mahrattas were exceeded by the sovereign of Mysore?

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When the papers of Tippoo, found in the palace of Seringapatam, were examined, the correspondence was discovered which had passed between him and the French. With this Lord Wellesley shows that he was singularly delighted; as if, without such means of persuasion, he had dreaded, that the grounds of the war, successfully terminated, would not have appeared satisfactory to all those whose approbation he was interested in obtaining. It is, therefore, necessary that the amount of its contents should be declared. Some time before the beginning of April, 1797, the Captain of a privateer from the Mauritius, Citizen Ripaud by name, whose ship, damaged in some engagement, had nearly foundered at sea, arrived in the country of Tippoo, and was conveyed to the capital; where several of his countrymen had long been high in the service of the Prince. This man, so illiterate that he could not spell his own language, and ready, as appears by his letters of the 23d of May, 1797, for the perpetration of any crime, even against his own countrymen, was eager by imposture to recommend himself to the favour of the Sultan. He represented that the French government were not only burning with a desire to invade the possessions of the English in India, but were almost ready for the execution of that great design, having made vast preparations, forwarded a large body of troops to the Isle of France, and chiefly waiting till they could learn how much assistance they might expect from their ancient friend, the Sultan of Mysore. Tippoo, as eager fully as Englishmen, to believe what he eagerly desired, thought he could not be too expeditious in sending men to ascertain the circumstances: and in endeavouring to derive advantage from them should they appear to correspond with report. So completely was Tippoo deceived by the representation of Ripaud, that he thought it was only necessary to name the extent of the assistance which he wished to receive. He demanded an army of from 30,000 to 40,000 men, of whom he required that from 5000 to 10,000 should be veteran troops; and in addition to an army of this magnitude, he thought it proper to exact the assistance of a fleet. In contributing to the common enterprise, he proposed to take the whole expense of the army upon himself; and, as soon as it arrived, to join it with all his forces; when the expulsion of the English, he trusted, would not be a tardy result. As he believed, according to the statement of his informer, that nothing was wanting for the immediate departure of such a body of troops, but his assent to the conditions with which it was expected he should comply, he took the requisite measures for its being immediately bestowed. Four vakeels proceeded to the coast in April, 1797; but before they were ready to depart, the monsoon set in. During the delay which it occasioned, the vakeels are said to have fallen into disputes and dissensions. This, with other causes, induced the Sultan to annul their appointment; and the actual mission, which at last consisted of only two persons, did not depart till the October following. Extreme was the disappointment which these vakeels, whom in the whole of this intercourse, the Governor-General, to exalt the notion of its importance, dubs with the title of ambassadors, though the agent whom the meanest individual employs to transact for him a business of a few rupees, is his vakeel, experienced upon their arrival in the isle of France. They expected to have nothing further to do than to set their seal, in the name of their master, to the conditions which he had given

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them in writing. This was called, in the pompous language of citizen Ripaud, to contract an alliance offensive and defensive with the French Republic, one and indivisible, terms which the Sultan could not understand, as his language wanted words to correspond. And, when this simple operation was performed, they expected to return with a grand army to Mysore. They found that not only was there at the Isle of France no force whatsoever, which could be spared for the use of their master, but that no intimation had, by the government of France, been conveyed to the constituted authorities of the island, of any intention to send an army to India; and that those authorities were not vested with a power to form engagements with Tippoo of any description. Nothing did the rulers of the island find themselves competent to perform, except to forward the letters of the Sultan to the government of France, and offer aid to them in raising a few volunteers. Assistance, so contemptible in comparison of what they and their master expected, the vakeels at first refused to accept. And no small importunity appears to have been necessary to conquer their determination.

In the report of their proceedings, which they were required to give to their master upon their return, they say, "The four chiefs of Mauritius told us personally, that the European Ripaud had brought us here on a false representation to the Sultaun; and that at present they had no forces." A member of the legislative body of the island, who, because he had served in a military capacity in India, and was known to the Sultan, sent him a letter along with the returning vakeels, declared; "Our grief was profound to learn that you had been deceived by Ripaud as to our forces on this island. The only reinforcement



which has been sent to us from France, since the commencement of the war, is one battalion, which we have sent to Batavia, to assist the Dutch in the preservation of that place. This we did, in return for the assistance which we had drawn from thence in money, provisions, and naval stores; for you must know, great Prince, that our own resources are insufficient for our support; and we have sworn to bury ourselves under the ruins of our island, rather than see our enemies its possessors."[32] The hopes which the French rulers held out that more efficient assistance might possibly be obtained, by application to the French government at Paris, obviously deserve attention merely as expedients to evade the chagrin of the vakeels. The number of Frenchmen in the service of the Sultan amounted not to more than 120 men.[33]

The confidence which Tippoo reposed in the strength of Seringapatam, especially when protected by God, and his own courage, had prevented him from making any provision against an event which he reckoned so very improbable as its fall. Not only his family, therefore, but the whole of his treasure, was deposited in the fort: and as the palace was obtained by a species of capitulation, without the irruption of the soldiers, there was no suspicion that any portion of the money or jewels which he had in store, was not publicly obtained, and fully brought to account.



It hence appeared, to the clearest satisfaction, how exaggerated and extravagant had been the conception of his enormous riches, and hence of his dangerous resources for war. The whole amount of the remaining specie, which Tippoo had treasured up, was about sixteen lacks of pagodas (640,000*l.*); and his jewels, of which in common with the Princes of the East

he was fond, and with which they never part, except in their greatest extremity, were valued at about nine lacs (360,000*l.*) more. So far was such a sum from rendering its owner formidable to a power like that of the British in India, that the Governor-General in Council did not reckon it too much to be immediately distributed to the army, as a donative, in reward of the virtues which it had displayed during the campaign.

The English were now in possession of the kingdom of Mysore; and the only question which it remained for the Governor-General to decide, was the momentous one, how a kingdom was to be disposed of. He was not insensible to the difficulties which attended upon his decision; and the delicacy which was required, in balancing between the love of territory, on the one hand, and the suspicion and odium on the other, to which the destruction of another prince, and the annexation of any considerable part of his kingdom to an empire already of vast dimensions, would be exposed, both in Europe and in India. This part of his task he performed with the greatest address. The Nizam, though from the inferior part which he had taken in the war, he was not entitled to an equal share with the English in the benefits which resulted from it, was gratified by receiving an equal portion of territory. The necessity, however, was inculcated of moderation in the desires of both; and the principle



which was laid down was, that they should content themselves with such a portion of territory, as would indemnify them for the charges of the war, and yield security. The word security, brought in upon this occasion, was calculated to answer any purpose, to which they, who made use of it, had, or could have, any desire to apply it. Demands for security had no limit, but the pleasure and power of those by whom they were set up. When the subsequent inquirer asks, Security against whom? It is not easy to find an answer. Security against Tippoo? He was no more. Security to Nizam Ali, and the English, against one another? That was impossible; for they were both to be aggrandized, and in an equal degree. Was it security against the Mahrattas? No, for they also were to be offered a part of the divided territory, which was the way to make them more, not less dangerous neighbours than they were before. On the principle, then, of indemnification and security, it was decreed, that the English, on their part, should take to themselves the whole of the territory possessed by the Sultan on the Malabar coast, the district of Coimbetore and Daramporam, the whole of the country which intervened between the Company's territory on the western, and that on the eastern coast, yielding now an uninterrupted dominion from sea to sea; along with these possessions, the forts and posts forming the heads of the principal passes above the Ghauts on the table land;34 the district of Wynaad; and, lastly, the fortress, city, and island of Seringapatam, as a place which effectually secured the communication between the British territory on both coasts, and strengthened the lines of defence in every direction. A territory, affording an equal revenue with that which by the English was taken for themselves, was given to Nizam Ali, in the districts of Gooty, Gurrumcondah, and the tract of country which lies along the line of the great forts of Chittledroog, Sera, Nundidroog, and Colar, but without the forts, which it was supposed would render his frontier too strong. With regard to the third party in the alliance against Tippoo, they had entirely abstained from all participation in the war;

and it would not, in the opinion of the Governor-General, have been good policy, to place on the same level, in the distribution of the spoil, those who did all, and those who did nothing, in the acquiring of it. This would be to encourage allies to be useless, when their services were required. So much territory as was taken by the English, and given to Nizam Ali, would, also, yield to the Mahrattas more than enough of strength. Still it was desirable to conciliate the good will of that people to the present proceedings; and to give them an interest in the arrangements which were made. A portion of territory, from one half to two thirds of the value of that which was taken by the English and given to Nizam Ali, would, it was concluded, answer all these ends. This portion was to include Harpoonelly, Soonda above the Ghauts, Annagoody, and some other districts; with part of the territory, not however including the fortresses, of Chittledroog and Bednore.

Of the portion which still remained of the territory gained from Tippoo, yielding thirteen lacs of pagodas, a revenue greater than that of the ancient Rajahship of Mysore, it was accounted politic to form a separate state. For sovereign, the choice lay between
the family of Tippoo, and that of the ancient Hindu Rajahs, who had been kept in confinement, but not extinguished, by Hyder Ali and his son. In the sons of Tippoo, the due degree of passive submission was reckoned much less probable than in those of a family, who, having lost all expectation of reigning, would take even liberty as a boon, much more sovereignty, though in its most shadowy form. The direct male descendant of the Mysore Rajahs was a child of a few years old; and to him it was decreed that the title of sovereign should belong. The conditions upon which he was to receive his dignity were as follows; That the whole of the military force maintained for the defence of the country should be English; That for the expense of it he should annually pay seven lacs of pagodas; That in case of war, or of preparation for war, the English might exact any larger sum, which they deemed proportional to the resources of the Rajah; And last of all, should they be dissatisfied with his government in any respect, they might interpose to any extent in the internal administration of the country, or even take the unlimited management of it to themselves. In this manner, it is evident, that the entire sovereignty of the country was assumed by the British, of whom the Rajah and his ministers could only be regarded as Vicegerents at will. It was, therefore, with some reason the Governor-General said, “I entertain a sanguine expectation, that the Rajah and his ministers, being fully apprised of the extensive powers reserved to the Company, will cheerfully adopt such regulations as shall render the actual exercise of these powers unnecessary;” for knowing themselves to hold a situation totally dependant upon the will of another, whatever emanated from that will, they were bound, without a choice, to obey. How long, with whatever dispositions to obedience, their performance
of the services exacted of them will give satisfaction, depends upon circumstances of a sort which cannot be foreseen.



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The Governor-General was perfectly aware of the share of the sovereignty which he had taken, and the share which he had left. “Under these arrangements,” he said, “I trust that I shall be enabled to command the whole resources of the Rajah's territory;” adding, what were very desirable results, that under these arrangements he also trusted

to be enabled "to improve its cultivation, to extend its commerce, and to secure the welfare of its inhabitants." For appropriating such "extensive powers," (so they are called by himself) the reasons which he assigned pronounced a violent condemnation of the policy so long pursued; and of which such applauded rulers as Hastings and Cornwallis had made their boast; the policy of only sharing the powers of government, with the native princes of Oude, Carnatic, and Tanjore. "Recollecting the inconveniencies and embarrassments which have arisen to all parties concerned, under the *double* government, and *conflicting* authorities unfortunately established in Oude, the Carnatic, and Tanjore, I resolved to reserve to the Company the most extensive and indisputable powers." This is to boast explicitly, that no double government, no conflicting authorities, were left in Mysore; that, by consequence, the powers of government were, without participation, engrossed by the English. What then, it may be asked, was the use, of setting up the shadow of a Rajah? The sources of evil were manifest. A considerable expense was rendered necessary for the splendour of his state: And it was utterly impossible to govern the country so well through the agency of him and his ministers, as it might have been governed by the direct application of European intelligence and virtue. But this Rajah was a species of screen, put up to hide, at once from Indian and from European eyes, the extent of aggrandizement which the British territory had received, and it so far answered the purpose, that, though an obvious, it undoubtedly claims the praise of an adroit, and well-timed political expedient. It enabled the Governor-General to dismiss Nizam Ali with a much smaller share of the prey, than would have satisfied him, had the English taken without disguise the whole of what in this manner they actually appropriated.[35] It precluded the Mahrattas from those attempts to excite a jealousy of the English, to which it was known they were abundantly disposed. And it imposed completely, as well upon those members of the British legislature, who would have been pleased with an opportunity to criticise; as upon the men whose critieisms are more extensively disseminated through the press; all of whom, or almost all, were too defective, it seems, in the requisite lights to see through the game that was played: For though none of the great acts of Marquis Wellesley's administration is more questionable than the attack upon Tippoo Sultan, that is a part which, till now, has been exempt from censure.



The territory, thus in name transferred to a Hindu Rajah, whose residence was to be the ancient city of Mysore, while the benefits of its sovereignty were all transferred to the English, was bounded on the north by a strong line of hill fortresses and posts, Chittledroog, Sera, Nundedroog, and Colar, forming a powerful barrier towards the southern frontiers of Nizam Ali and the Mahrattas, from Panganoor on the line of the eastern, to Bednore on the line of the western Ghauts, the whole occupied and defended, for the benefit of the English, by English troops; and on the three other sides, east, west, and south, it was entirely surrounded by the territories of the Company, above and below the Ghauts.

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To the family of Tippoo, if we make allowance for the loss of a throne, as well as to the principal men of his kingdom, the conduct of the Governor-General was considerate and generous. The fortress of Velore, in the Carnatic, was appropriated

for the residence of the royal family, and fitted up commodiously for their reception, with an allowance for their support, more liberal than that which they had received from Tippoo himself. The principal men were all provided for by jaghires or pensions, conformable to their rank and influence, with a generosity which not only contented, but greatly astonished themselves. They were the more easily pleased, that Tippoo, centering all authority in his own person, rendered it impossible for his servants to acquire any influence beyond the immediate exercise of their official powers; and as the frugality of his administration was severe, their emoluments were uncommonly small. The same circumstances facilitated the settlement of the country; for, as no individual possessed any authority sufficient to make resistance, when Tippoo was gone, and as the character of the English was sufficiently known to inspire confidence, the chiefs made their submission without hesitation or delay. When one of Tippoo's confidential servants was sent to treat with the officer at the head of the cavalry, the celebrated Kummir ad dien Khan, he refused to stipulate for terms, and said he cast himself entirely upon the generosity of the English.

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In the treaty which was signed by Nizam Ali and the English, entitled the partition Treaty of Mysore, for establishing the arrangements which have just been described, it was fixed, that, unless the Peshwa acceded to the said treaty within the space of one month, gave satisfaction relative to some disputes with Nizam Ali, and complied with certain conditions, not specified, in favour of the English, the territory, which it was meant to bestow upon him, should be shared between the remaining allies, in the proportion of two thirds to Nizam Ali, and one to the English.[36]

When the terrors which Tippoo suspended over the Mahrattas, and the dependence which they felt upon the English against the effects of his ambition and power, were destroyed, it was not expected that their hostile dispositions, which had already so ill disguised themselves, could long be restrained. The power of Nizam Ali was now the only barrier between the English possessions in Deccan, and the irruptions of that formidable nation; and how small the resistance which he was capable of yielding, the English had abundantly perceived. In one way, it appeared sufficiently easy to augment his capacity for war. He was acutely sensible of the dangers to which he was exposed at the hands of the Mahrattas, and of his incompetency to his own defence. He

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was therefore abundantly desirous of receiving such additions to the number of the British troops already in his pay, as would suffice to allay his apprehensions. But the payment of these troops suggested itself to the foresight of the English rulers, as creating difficulties and dangers which it was not easy to overlook. So fickle and capricious were the councils of the Subahdar, that he might suddenly adopt the resolution of dismissing the English troops from his service; while the impoverishment of his country by mal-administration, and the exhaustion of his resources by useless expenses, portended a moment not far distant, when he would be deprived of power to pay as many troops as would satisfy the ideas of security which the English rulers entertained. One expedient presented itself to the imagination of the Governor-General, as adapted to all the exigencies of the case; and he resolved not to omit so favourable an opportunity of realizing the supposed advantage. If Nizam Ali, instead of paying a

monthly or annual subsidy for the maintenance of the troops whose service he was willing to receive, would alienate to the English in perpetuity a territory with revenue sufficient for the expense, a military force might then be established in his dominions, on the least precarious of all securities. The evils were, in the first place, a violation of the act of parliament, which forbid extension of territory; but that had always been violated with so little ceremony, and lately in so extraordinary a manner, that this constituted an objection of trivial importance: in the second place, the real difficulties of administering the ceded territory, so frugally and beneficently, as to render its produce equal to its expense; difficulties, it is probable, which were but little understood: and lastly, the grand general evil,



that, in proportion as territory augments, and with it the amount and complexity of the business which its administration involves, it becomes more and more impossible for the superintending power to take securities, that the business of government shall not be negligently and corruptly performed; since, beside the inability of attention to extend itself minutely beyond a limited range of affairs, distance from the eye of government gradually weakens its powers, and at last annihilates a great portion of them. Over-balancing advantages appeared to flow, from the funds which would thus be secured for the maintenance of a considerable army, from the security which this army would afford against the Mahrattas, and from the sovereignty which it would transfer to the English over Nizam Ali and his dominions; though his dominions were governed so ill, that little advantage could be hoped from them. The documents relative to the negotiation have not been made public; and we know not in what manner that Prince at first received the proposition, nor what modes of inducement were employed to obtain his consent. However, on the 12th of October 1800, a treaty was signed; by which important contract, the English added two battalions of sepoys, and a regiment of native cavalry, to the force which they engaged to uphold in the service of the Subahdar, and also bound themselves to defend his dominions against every aggression; while, on his part, Nizam Ali ceded to the English, in perpetual sovereignty, all the acquisitions which he had made from the territory of Tippoo, either by the late treaty, or by that of Seringapatam, in 1792; and agreed neither to make war, nor so much as negotiate, by his own authority; but, referring all disputes between himself and other states to the English, to be governed by their decision, allowing the subsidiary troops in his service to be employed

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by the English in all their wars, joined by 6,000 of his own horse, and 9,000 of his infantry, only reserving two of the English battalions which should always be attached to his person. For the purpose of obtaining the Tumboodrah as a clear and distinct boundary, Kupoor, Gujunder, Gur, and some other districts, lately acquired from Tippoo, were exchanged for Adoni and a few places on the southern side of the river. With regard to the family and subjects of the Subahdar, it was stipulated that he was to remain absolute, and the English were on no pretext to dispute his authority. A revenue of about 1,758,000 pagodas arose from the territory ceded by this treaty to the English.[37]

Of this engagement, as it affected the interests of the English, the nature may be described in a single sentence. The English acquired a small territory, with the obligation of defending a large one. If it be said, that it was as easy to defend the Nizam's territory, in addition to their own, as it was to defend their own without that

of the Nizam, and that the revenue of the new territory was all therefore clear gain, the declaration is unfounded. If the act of parliament, which was set up for a show, but in practice trampled upon habitually, and by those who made it, as shamelessly, as by those for whose coercion it was made, is worthy on such an occasion to be quoted, it may be recollected, that, according to the doctrine which, in that enactment, guided the legislature, all extension of territory was bad, because it cost more to defend it, than it could be made to produce; much more of course, when a small territory was acquired with the burthen of defending another, several times as large.



A clause was inserted, to say, that if the Peshwa or Dowlut Row Scindia, should desire to have a part in this treaty, they should be admitted to all its advantages; in other words, they should have a subsidiary force on the same terms as Nizam Ali. But so far were the Mahrattas from desiring an alliance of this description, that the Peshwa, under the dictation of Scindia, refused to accept the territory which was reserved to him out of the spoils of Tippoo; it was therefore divided by the English between themselves and the Subahdar.

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# CHAP. IX.

*Situation of Oude, as left by Lord Teignmouth, highly satisfactory to the home Authorities—Great Changes meditated by Lord Mornington—Extirpation of British Subjects, not in the Service of the Company—Apprehended Invasion of the Afghauns—Endeavour to obtain the Alliance of Scindia—The Idea abandoned—An Embassy to the King of Persia—Insurrection by Vizir Ali—Reform of his military Establishment pressed on the Nabob of Oude—His Reluctance—He proposes to abdicate in favour of his Son—The Governor-General presses him to abdicate in favour of the Company—He refuses—Indignation of the Governor-General—He resorts to coercion on the Reform, which meant, the Annihilation, of the Nabob's military Establishment—The business of the Annihilation judiciously performed—The Vizir alleges the want of Resources for the Maintenance of so great a British Army—From this, the Governor-General infers the Necessity of taking from him the Government of his Country—If the Nabob would not give up the whole of his Country willingly, such a Portion of it as would cover the Expense of the British Army to be taken by Force—This was more than one half—The Vizir to be allowed no independent Power even in the rest—The Vizir desires to go on a Pilgrimage—The Hon. H. Wellesley sent to get from him an appearance of Consent—The Cession of the Portion necessary for the Expense of the Army effected—A Commission for settling the Country with Mr. H. Wellesley at the head—Governor-General makes a Progress through the Country—Transactions between him and the Nabob of Oude—Proposition of the Bhow Begum—Objections of the Court of Directors to the Appointment of Mr. H. Wellesley—Overruled by the Board of Control—Government of Furruckabad assumed by the Company—Settlement of the ceded Districts—Full Approbation of the home Authorities.*

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The arrangements formed by the late Governor-General, Sir John Shore, with respect to the kingdom of Oude, satisfied the capacious desires of the London authorities. Under date the 15th of May, 1799, a despatch, intended to convey their sentiments to the instruments of government in India, has the following passages:

"By the definitive treaty concluded at Lucknow, the Company's influence over the Vizir's country appears to be sufficiently preserved; without the insertion of any article, which, in its operation, might lead to an interference in the collections, on the part of the Company, that might be deemed offensive. And we have the further satisfaction to find, that, (exclusive of the immediate payment of twelve lacs of rupees by the Nabob Vizir),—his annual subsidy is increased upwards of twenty lacs of rupees; besides the acquisition of a fortress in the Oude dominions, of the greatest consequence in the scale of general defence: with other stipulations, which have a tendency to remedy former defects in our political connexion with that country, and to give the Company such an ascendancy as cannot fail to be productive of material benefit to both parties: and which, we trust, will lead to the establishment of a good system of government in Oude,

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which hitherto all our endeavors, for a series of years, have been unable to accomplish.

"The late Governor-General had given us reason to expect, that, for the first year, or perhaps longer, after Saadut Ali's accession, his revenues would probably fall considerably short of their estimated amount; and that he would find considerable difficulty in fulfilling his pecuniary engagements with the Company:—and very satisfactorily assigned the ground of that opinion. We are, therefore, not surprised to find by the last accounts, that an arrear had accumulated in the payment of the Company's tribute, to the amount of upwards of eighteen lacs of rupees. Lord Mornington having represented, however, that he believes the Nabob is sincerely disposed to make every possible effort for the liquidation of this arrear, as well as for introducing such a system of order and economy into the management of his finances as will enable him to be more punctual in his future payments, we entertain a well-grounded expectation that every cause of complaint upon this head will speedily terminate."

"The affairs of Oude being thus settled in a manner which bids fair to be permanent; and it appearing by your political dispatch of the 17th April, 1798, that the most perfect tranquility continues to prevail in the Vizir's dominions; and as the resolutions of the late Governor-General, of the 9th and 30th October, 1797, for the augmentation of the army, were declared to be connected with the proposed arrangements for that country, we direct that you take into your immediate consideration the propriety of disbanding those new levies, or the necessity of continuing them."[1]



While the home authorities were thus congratulating themselves upon the state in which the affairs of Oude were left by the late Governor-General, and pleasing themselves with the belief of its permanence, the new Governor-General was meditating the most important changes. In the political letter from Bengal, as early as the 3d of October, 1798, the authorities at home were informed; "The Right Honorable the Governor-General has now under consideration the present state of affairs in Oude, and particularly the best means of securing the regular payment of the subsidy, and of reforming the Nabob's army."[2] And on the 23d of December of the same year, the Governor-General wrote, in a private letter to the resident at Oude; "The necessity of providing for the defence of the Carnatic, and for the early revival of our alliances in the Peninsula, as well as for the seasonable reduction of the growing influence of France in India, has not admitted either my visiting Oude, or of my turning my undivided attention to the *reform* of the Vizir's affairs. There are, however, two or three leading considerations, in the state of Oude, to which I wish to direct your particular notice; intending, at an early period, to enter fully into the arrangement in which they must terminate.—Whenever the death of Almas shall happen, an opportunity will offer of securing the benefits of Lord Teignmouth's treaty, by provisions, which seem necessary for the purpose of realizing the subsidy, under all contingencies. The Company ought to succeed to the power of Almas. And the management, if not the sovereignty, of that part of the Doab, which he now rents, ought to be placed in our hands, a proportionate reduction being made from the subsidy; the

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strength of our north-western frontier would also be increased. On the other hand, in the event of Almas's death, we shall have to apprehend either the dangerous power of a successor equal to him in talents and activity, or the weakness of one inferior in both, or the division of the country among a variety of renters; in the first case we should risk internal commotion; in the two latter the frontier of Oude would be considerably weakened against the attacks either of the Abdalli or of any other invader. The only remedy for these evils will be the possession of the Doab fixed in the hand of our government. The state of the Vizir's troops is another most pressing evil. To you I need not enlarge on their inefficienoy and insubordination. My intention is to persuade his Excellency, at a proper season, to disband the whole of his own army, with the exception of such part of it as may be necessary for the purposes of state, or of collection of revenue. In the place of the armed rabble which now alarms the Vizir, and invites his enemies, I propose to substitute an increased number of the Company's regiments of infantry and cavalry, to be relieved from time to time, and to be paid by his Excellency. I have already increased our establishment to the extent of seventeen regiments of infantry, with the view of transferring three regiments to the service of his Excellency.— With respect to the Vizir's civil establishments, and to his abusive systems for the extortion of revenue, and for the violation of every principle of justice, little can be done before I can be enabled to visit Lucknow."[3]



The hostility of the Governor-General to his fellow-subjects, pursuing, independently of the Company, their occupations in any part of India, is expressed, without a word to indicate reasons, in the same letter, thus; "The number of Europeans particularly of British subjects, established in Oude, is a mischief which requires no comment. My resolution is fixed, to dislodge every European, excepting the Company's servants. My wish is, to occasion as little private distress as possible, but the public service must take its course; and it is not to be expected that some cases of hardship will not be found in the extent of so great a measure." These last words indicate extensive numbers. Why did not the Governor-General, before he dared to strike at the fortunes of great numbers of his countrymen, declare and prove, the evils which they produced? For what reason is it, let them declare, who know what is understood, under such a government as ours, by the responsibility of the ruling few, that he has never yet been effectually called upon to account for such a conduct? The good which they were calculated to produce is obvious to all. The question still remains unanswered, What were the evils?

The threats of Zemaun Shah, King of the Abdalees, or Afghauns, became a convenient source of pretexts for urging upon the Vizir the projected innovations. This prince had succeeded his father Timur Shah, the son of the celebrated Ahmed Shah, the founder of the dynasty, in the year 1792. His dominions extended from the mouths of the Indus to the parallel of Cashmere; and from the boundaries of the Seiks, at some distance eastward of the great river Attack, to the vicinity of the Persian Tershish; including the territories of Cabul, Candahar, Peishere, Ghizni, Gaur, Sigistan, Korasan, and Cashmere. In the year 1796, this prince advanced to Lahore; and

though his force was not understood to exceed 33,000 men, almost wholly cavalry, he struck terror into the Mahrattas; and excited alarm in the English government itself. The object of the Shah, as announced by rumour, was, to re-establish the House of Timur, to which he was nearly related, and restore the true faith in the empire of the Great Mogul. The Seiks, it appeared, gave no obstructions to his march: The Mahrattas, from their internal distractions, were ill prepared to resist him: And, though they assembled a considerable army, which might have enabled them to dispute the possession of Delhi, or molest him in his retreat, it was still possible for him, in the opinion of the person then at the head of the English government, to advance to Delhi, even with so inconsiderable an army as that which he led to Lahore; in which case, he would have formidably threatened the British interests. The Rohillas, it was imagined, would join him; induced, not only by the affinities of descent and religion, and the cruelties which they had sustained at the hands of the English and Vizir; but, the Governor-General added, by the love of war and plunder; yet the truth is, that they devoted themselves to agriculture, whenever oppression would permit them, with an ardour and success, of which India had no example; and their love of war and plunder meant only a greater degree of courage and vigour than distinguished the other races of the country. The approach of the Shah, it was therefore apprehended, would spread the greatest disorders in the dominions of the Vizir. “The troops under Almas,” who governed, as renter, and defended, that half of the dominions of the Vizir which was most exposed to the incursions both of the Mahrattas and Afghauns, “were,” says the Governor-General, “respectable.



The other troops of the Vizir, with little exception, would rather have proved an incumbrance, than an assistance to the British forces; and nothing but the most urgent remonstrances would have ensured the exertions or supplies of the Vizir. His dominions would have been overrun with marauders; a total temporary stoppage of the collections would have ensued; and these disorders, if not speedily quelled, would have ended in general insurrection.” On the measures to be adopted, Sir John Shore found it difficult to decide. The Mahrattas, excited by their fears, made proposals to the English for a union of forces against the Afghaun. But the reduction of the power of the Mahrattas, Sir John would have welcomed as one of the most desirable events. On the other hand, Zemaun Shah, if crowned with success, would be still a greater object of dread. Again; if the Mahrattas, by their own exertions, prevailed over the Shah, they would gain a formidable increase of power. Or, if the French leader, who in the name of Scindia, now governed so great a portion of the provinces, at which the Afghauns were supposed to aim, should, in the midst of commotion, raise himself to the sovereignty of the territories in dispute, this to the mind of the Governor-General appeared the most alarming consequence of all. Before the English government thought itself called upon for any great exertions, a rebellious brother of the Shah excited disturbance in his dominions; and recalled him early in 1797, from Lahore. The troops at the cantonments of Cawnpore and Futty Ghur had, in the mean time, been ordered into camp; and two additional regiments of infantry had been raised. The Governor-General, indeed, imagined, that the march of the Shah to Lahore, with so limited a force, was rather an experiment than the commencement of an expedition; but the question was worthy of his

attention whether it would have been easy for the King of the Afghauns to come with a greater force. It was, too, after all, the opinion of the English ruler, that, though motives were not wanting to prompt the Shah to the invasion of Hindustan, it was nevertheless an event very little probable; and such as there would be little prudence in taking any costly precautions to defeat.[4]

In 1798, a belief, but solely derived from rumour, of vast preparations making by the Afghaun, for the invasion of India, was excited anew. The apprehensions, however of the British government were allayed, by intelligence received toward the end of September, that the disturbances within the dominions of the Shah had compelled him to leave his capital and march to Candahar. But this was speedily followed by reports, that the 10th of October was fixed for commencing his march from Cabul towards Hindustan; and though the authenticity of these reports was held very doubtful, the English government deemed it, "their duty," according to their own expressions, "to take every precaution against the possibility of an event, which, combined with the designs of Tippoo and the French, might become of the most serious importance." Endeavours were used to prevail upon Doulut Row Scindia to return from the south, and put his dominions in the best posture of defence; and great hopes were expressed, that he would follow this advice. "The Governor-General also directed the Resident at the court of Scindia," I use again the language of the Governor-General in council, "to enter into defensive engagements with

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that chieftain, upon his return to Hindustan, under such limitations and conditions, as might secure the effectual co-operation of the Mahratta army, with the least possible diversion of the British force from the exclusive protection of the frontier of Oude. His Lordship further directed the resident with Scindia to endeavor to provide the earliest resistance to the progress of the Shah, at the greatest practicable distance from the frontier of Oude, by encouraging the chiefs of the Rajapoots and Seiks to oppose the first approach of the invading army."[5] In the month of October the Commander-in-Chief was directed to prepare for such a disposition of the troops in the upper provinces, and such military operations in general, as would most effectually secure that part of the British frontier against an attack from the Afghauns. The proposition of the Commander-in-Chief was approved, for adding to the army two regiments of native infantry, for the movement of five companies of native invalids to Chunar, and of five other companies to Allahabad; and for assembling a force to cover the city of Benares. The resident at Lucknow was desired "to urge to the Vizir," these are the words of the official dispatch, "the necessity of collecting as large a body of artillery, infantry, and cavalry, as possible, to be placed, if necessary, under the directions of an European officer, and to be employed in the manner suggested by the Commander in-Chief:" Also, to take immediate measures for sending such a supply of grain to Allahabad as the commanding officer in the field might prescribe, and for obtaining the orders and assistance of the Vizir in dispatching, whenever it should be requisite, all the boats not required for the service of the army.

Notwithstanding the hopes, however, which had

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been fondly entertained of a defensive alliance with Scindia, the authorities in India write to the authorities in England in the

following terms; “From the letter to the resident with Dowlut Row Scindia, dated the 26th of October, you will observe, that Scindia's continuance at Poonah, the dissensions and disaffection which prevail among his commanders, and the unsettled and precarious state of his authority in Hindustan, have prevented our taking any further steps for carrying the intended arrangements into effect.” It was in the beginning of October that the authorities in India delivered it to the authorities in England, as their opinion, that the greatest advantages would arise from a connexion with Scindia: Before the end of the same month, they find the circumstances of Scindia to be such, that no further steps for carrying the intended arrangements into effect are accounted advisable.6 Again; the inability of Scindia, from the disaffection of his commanders, and the tottering state of his authority, was now made the foundation on which measures of policy were built: After an interval of not many months, the necessity was urged of draining the whole resources of the British state, to make war upon him. The fact appears to be, that Scindia knew the improbability of being invaded by the Shah; and though such invasion would bring on him greater evils than it would bring on the government of any other state, he chose to remain at Poonah, for the promotion of those objects of which he was there in eager pursuit.

“Under these circumstances,” say the authorities in India, “we have judged it expedient to determine, that in the event of Zemaun Shah's approach to the frontier of our ally the Vizir, our military operations shall be confined to a system of defence; and we have resolved that our arms shall, in no case, pass the limits of his Excellency's dominions, unless such a forward movement shall be deemed by the commanding officer necessary for the protection of the frontier, either of Oude, or of our own dominions.”7



After producing all this preparation and expense, the Shah, who, it seems, had again advanced as far as Lahore, began his retreat on the 4th of January: and Shah Aulum was informed by a letter from the Afghaun Vizir, that no intention remained of prosecuting the expedition into Hindustan that year, but the helpless Mogul might look forward to a more prosperous issue, at some future period. The cause of the retreat was reported, and believed, to be, the alarming progress making by the brother of the Shah at the head of a military force in the neighborhood of Herat.8

In the month of September, Mr. Duncan, the Governor of Bombay, had made the following communication to the Governor-General. A personage, of the name of Mehedi Ali Khan, had intimated, that, as he was about to make a journey into Persia, it might be in his power, and if properly authorized, he had confident hopes that it would be in his power, to excite the Persian rulers, by threatening or attacking the western part of Afghaunistan, to divert the Shah from his projected invasion of Hindustan. The fact was, that Baba Khan, then King of Persia, had espoused the cause of Mahmood, the brother of Zemaun, as the elder son, and hence the rightful heir of the late monarch: and had already threatened, if not attacked, the province of Khorassan. Mehedi Ali Khan was entrusted with a mission, the objects of which, as they fell in with the existing politics of the Persian government were successfully attained. This, however, was not enough to satisfy a mind, which longed to do every thing in magnificent

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style; and the Governor-General prepared a splendid embassy to the court of Baba Khan. Captain Malcolm, who had lately been assistant to the resident at Hyderabad, was chosen, for his knowledge of the language, and other accomplishments, to conduct the negotiation. “The embassy,” to use the words of the negotiator, “was in a style of splendour corresponding to the character of the monarch, and the manners of the nation, to whom it was sent; and to the wealth and power of that state from whom it proceeded:” A language this, which may be commonly interpreted, lavishly, or, which is the same thing, criminally, expensive. The negotiator continues; “It was completely successful in all its objects. The King of Persia was not only induced by the British envoy to renew his attack upon Khorassan, which had the effect of withdrawing Zemaun Shah from his designs upon India; but entered into treaties of political and commercial alliance with the British government.”9 The embassy proceeded from Bombay on the 29th of December, 1799; and the terms of the treaties were fixed before the end of the succeeding year. It was stipulated, That the King of Persia should lay waste, with a great army, the country of the Afghauns, if ever they should proceed to the invasion of India, and conclude no peace without engagements binding them to abstain from all aggressions upon the English: That should any army, belonging to the French, attempt to form a settlement on any of the islands or shores of Persia, a force should be employed by the two contracting states to co-operate for their extirpation; and that if even any individuals of the French nation should request permission to reside in Persia, it should not be granted. In the firmaun, annexed to this treaty, and addressed to the governors and officers in the Persian provinces, it was said; “Should ever any person of the French nation attempt to pass your ports or boundaries; or desire to establish themselves, either on the shores or frontiers, you are to take means to expel and extirpate them, and never to allow them to obtain a footing in any place; and you are at full liberty, and authorised, to disgrace and slay them.” Though the atrocious part of this order was, no doubt, the pure offspring of Persian ferocity; yet a Briton may justly feel shame, that the ruling men of his nation, a few years ago, (such was the moral corruption of the time!) could contemplate with pleasure so barbarous and inhuman a mandate, or endure to have thought themselves, except in a case of the very last necessity, its procuring cause. On their part, the English were bound, whenever the King of the Afghauns, or any person of the French nation, should make war upon the King of Persia, “to send as many cannon and warlike stores as possible, with necessary apparatus, attendants, and inspectors, and deliver them at one of the ports of Persia.”10 The evil of this condition was, that binding, not merely for a single emergency, it tended to involve the English in all the quarrels between the King of Persia, and a neighbouring people, with whom it was very unlikely that he would almost ever be at peace: and thus extended more widely than ever those fighting connexions, which the legislature had not only prohibited, but stigmatized, as contrary at once to the interest and the honour of the nation. The commercial treaty was of slight importance, and aimed at little more than some security from the ill usage to which in barbarous countries merchants are exposed, and some improvements in the mode of recovering the debts, and securing the property of the English traders. On the attainment of these points, the envoy himself, as natural, sets the highest value. “These treaties,” he tells us, “while they completely excluded the French from Persia, gave the English every benefit



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which they could derive from this connexion." He adds, "Nor can there be a doubt, that if this alliance had been cultivated with the same active spirit of foresight and penetration with which it was commenced, it would have secured the influence of the British government in that quarter from many of those attacks to which it has subsequently been exposed."[11] It would have been good, if the envoy had shown, in what advantage the British government could find a compensation, for the expense of upholding such a connexion at the court of Persia.

The result, in regard to the Afghauns, is necessary to be known. The year 1800 was spent, partly in war, partly in negotiation, between the King of Persia and Zemaun Shah. In the year 1801, Mahmood, the rebellious prince, collected such a force, as enabled him not only to defeat his brother, but to render him a captive.[12]

To grant a residence to Vizir Ali, the deposed Nabob or Nawaub of Oude, at a place so near his
former dominions as Benares, was not regarded as a measure of prudence, and he had been made acquainted with the resolution of removing him to Calcutta. He viewed the change with the utmost aversion; but all his remonstrances against it had proved in vain; and the time was now approaching, the preparations were even made, for carrying it into execution.



On the morning of the 14th of January, 1799, he paid a visit, by appointment, accompanied by his usual suite of attendants, to Mr. Cherry, the British resident, at his house, distant about three miles from Benares. After the usual compliments, he began to speak of the hardship of his coercive removal; and proceeded first to warmth, at last to intemperance of language. Mr. Cherry, whose attentions were understood to have gained his personal favour, is said to have gently attempted to repress his indiscretion, and to remind him that he at least was not the proper object of his resentment; when the impetuous youth, with sudden or premeditated frenzy, started from his seat, and made a blow at him with his sword. This, by the law of Eastern manners, was a signal to his attendants, with or without concert; and in an instant their swords were unsheathed. Mr. Cherry endeavoured to escape through a window, but one of the attendants, reaching him with his poignard, struck him lifeless on the floor. Two other gentlemen in the room being murdered, the assassins hurried to the houses of other Englishmen; but sacrificing only two other lives in their progress, they were so vigorously resisted by a gentleman who possessed himself of a narrow stair-case, and defended himself against their ascent, that time was given for the arrival of a party of horse; upon which they immediately betook themselves to flight. So little preparation had Vizir Ali made for this explosion, that he was obliged to leave behind him whatever property he possessed, the furniture of his zenana, his elephants, and even a part of his horses. He retired to the woody country of Bhotwal, where he was joined by several disaffected Zemindars.



The news of this outrage excited considerable emotion at Lucknow, where it was regarded as the eruption of a conspiracy for the overthrow of the government; a conspiracy in which it was unknown to what extent the subjects of Saadut Ali might

themselves be concerned. That ruler, in whose character timidity predominated, and who knew that he was hated, suspected every body, even his troops, and prayed that the English battalion might be sent from Cawnpore for the protection of his person. When called upon to join with his forces the British army, for the chastisement of the offender, he found an excuse, which his avarice, his timidity, his desire of ease, and hatred of exertion, all combined in leading him eagerly to adopt. He stated his suspicions of his troops, and represented them as too void, both of discipline and of fidelity, for any advantage to be expected from their aid. He afterwards paid dear for his ingenuousness, when this representation was brought forward as a reason, for thrusting upon him measures which his soul abhorred.

Notwithstanding the representations of the former Governor-General, Sir John Shore; that the people of Oude universally regarded Vizir Ali as destitute of all title to the crown, the grand alledged fact, upon which he grounded the important decision of deposing a sovereign, and naming his successor; the Marquis Wellesley, in a letter to the Resident, dated the 22d of January, 1801, expressly says, "Active, and *general,* support has been afforded, by the subjects of his Excellency, to the impostor who lately assumed the name of Vizir Ali."[13] It also appears that of the troops of the Vizir, which were required to assist in reducing the disturber, a part in reality joined his standard.



He found himself in a short time at the head of an army of several thousand men; descended with them into the plains of Goorakpoor, the eastern district of Oude; and threw the whole kingdom into trepidation and alarm. A British force was assembled to oppose him. Some partial rencounters, in which they suffered pretty severely, and the narrow limits for subsistence or plunder to which they were reduced, soon disheartened his followers; when they abandoned him in great numbers; and he himself took refuge with a Rajpoot Rajah. He remained with him till the month of December following; when the Rajpoot made his terms with the British government, and treacherously delivered up Vizir Ali, who was carried to Fort William, and there confined.

In the month of January, 1799, the Governor-General addressed letters to the Vizir, and to the resident at Lucknow, of which the object was to urge, what he was pleased to denominate a *reform* of the military establishment of the Vizir. The London authorities themselves, in the letter which they afterwards wrote on the 15th of May, 1799, expressing their great satisfaction with the arrangements in Oude which had been formed by Sir John Shore, and with the disposition shown by the Vizir, both to make the large pecuniary payments which were required at his hands, and to introduce the reforms into his financial system, which would alone enable him to meet those demands, alluded to his military expenditure in the following terms: "The large, useless, and expensive military establishment, within the Oude dominions, appears to us to be one of the principal objects of *economical reform,* and we have much satisfaction in finding that the subject has already come under your consideration."[14] In his letter to the resident, the Governor-General says, "My object is, that the Vizir should disband, as speedily as possible, the whole of his military force:" The next part of the plan was to replace that force by an army exclusively British. This was what the Governor-

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General, with other Englishmen, called a *reform* of the military establishments of the Vizir: the total annihilation of his military power, and the resignation of himself and his country to the army of another state. The Vizir was indeed to retain as many, as might be necessary, of that kind of troops which were employed in collecting the taxes; and as many as might be necessary for the purposes of state: an establishment of the sort which his own aumils, or tax-gatherers, enjoyed.

The resident was instructed to avail himself of the alarm into which the timidity of the Vizir had been thrown by the rumours of the expedition of the King of the Afghauns, to urge upon him the necessity of a ready concurrence with the Governor-General's views. "You will," says the letter, "remind his Excellency, that his military establishment was represented, by himself, to be not only inadequate to contribute any assistance towards the defence of his dominions; but that, at the moment when the services of the British army were most urgently demanded on his frontier, he required the presence of a part of that force in his capital, for the express purpose of protecting his person and authority against the excesses of his own disaffected and disorderly troops. The inference to be drawn from these events is obviously, that the defence of his Excellency's dominions against foreign attack, as well as their internal tranquillity can only be secured, by a reduction of his own useless, if not dangerous troops, and by a proportionate augmentation of the British force in his pay. I am convinced this measure might be effected with a degree of advantage to his Excellency's finances, little inferior to that which it promises to his military establishments; and that his Excellency might obtain from the Company a force of real efficiency at an expense far below that which he now incurs in maintaining his own army in its present defective condition."



The *Vizir,* says the Governor-General, "might obtain a force:" when the force was to be the Company's, and the Vizir to have no force. In the very same letter, "It is not my intention," says the Governor-General, "that the British force to be furnished to his Excellency should become a part of his own army. The British force to be substituted in place of that part of his excellency's army which shall be reduced, will be in every respect the same as the remainder of the Company's troops, and will be relieved from time to time according to the orders of the Governor-General in council."

The negotiations respecting this affair appeared to the Governor-General so important; that he was unwilling to entrust them to the qualifications of the resident, Mr. Lumsden. Colonel Scott had attracted his confidence and esteem; and he resolved that to him the trust should be consigned. "As I am aware," said he, in the same letter, to the resident,
"that you will require the assistance of some able military officer in the execution of the arrangement proposed, I have requested Sir A. Clarke to dispense with the services of Lieutenant Colonel Scott, the Adjutant-General, who will be directed to proceed to Lucknow immediately, and to remain there for as long a period as may be necessary to the accomplishment of the objects which I have in view."[15] In consequence of this intimation Mr. Lumsden resigned; and Major Scott was appointed to the office of resident.

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Major Scott proceeded to Lucknow in the month of June, bearing a letter from the Commander-in-Chief, executing at that time, in the absence of the Chief, executing at that time, in the absence of the Governor-General, the office of Vice-President of the Supreme Council. The Nawaub was desirous to postpone, rather than accelerate, all discussion upon a project, of which, although he was not yet acquainted with its particulars, the result, he was sufficiently aware, would be a large reduction of his power: And Colonel Scott appears to have been willing to employ some time in making himself acquainted with the situation of affairs, before he strongly pressed upon the Vizir the annihilation, called the reform, of his military establishment. To the usual causes of disorder and mis-rule, was at this time added another, in the suspension of the powers of the ministers, or principal organs of government, whom, having been appointed under English authority, the Vizir dared not remove, but from whom he withheld his confidence, and the management of his affairs. A circumstance, too, which peculiarly attracted the attention of the resident, was the hatred and contempt in which the Nabob himself was held by his subjects. "The information," says he, "which your Lordship has received, of the unpopularity of his Excellency, is probably far short of the real state; as, confined to the court, the only persons who attend the Durbar, excepting the Nawaub's own sons, and occasionally Almas Ali Khan, are a few pensioners, of whom his Excellency, from their known character, entertains no suspicion of engaging in politics; and it has not been without some difficulty that I have prevailed on native gentlemen of respectable connexions to show themselves at the Durbar.—The present state of things, so degrading to the character of the Nawaub, so prejudicial to his own real interests, and to the welfare of his country; and, I may add—so discreditable to the English name, obviously calls for a radical reform." Major Scott's ideas of "a radical reform," however, were all summed up in these words, "An open, efficient, and respectable administration." Even this, however, he despaired of being able to establish without the immediate interference of the head of the English government. "The evident design of the Nawaub," he declared, "is to temporize and delay, that he may enjoy as long as possible the fruits of the present system of secret agency and intrigue."[16]



On the 8th of September, the resident writes to the Governor-General, that, as soon after his arrival as practicable, he had presented to the Nawaub Vizir the letter from the Vice-President, on the subject of the military reform; that he had delivered to him a brief out-line of the intended plan, and requested to receive his answer as soon as it had received a due degree of his consideration; that after more than twenty days had elapsed, he had requested a communication from the Vizir, who named the third day preceding the date of the letter he was then writing, to converse with him on the subject.

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According to the usual style of oriental politeness, which permits no direct contradiction or negative to be applied to any proposition from an exalted man, the Nawaub began by saying, "That the measure proposed was not impracticable, but such as he hoped might be accomplished:" he then observed, that he himself had, however, a proposition to offer, which he would either communicate to the Governor-General, when he should honour Lucknow with his presence, or to the resident if he

should be entrusted with the execution of the scheme. He was pressed to disclose the nature of his proposition; but in vain. He said he would call in two days, and dictate to the resident a memorandum on the subject, to be transmitted to the Governor-General; but this, when it was given, indicated no more, than that "the proposition concerned himself personally, that it connected with his own ease the prosperity of his government, and in its operation could be prejudicial to no person."17 The removal of the minister was the object at which, by the resident, he was supposed to aim.

On the 20th of the same month, the resident held it necessary to explain still further the discoveries which he was enabled to make of the disposition and views of the Vizir. "After attentively studying the character of his Excellency, and acquainting myself, as far as circumstances will allow, with the general tenor of his proceedings, I am led to conclude that whilst he is determined to fulfil, with minute regularity, the peculiar engagements with the Company, his views are directed to the enjoyment of a full authority over his household affairs, hereditary dominions, and subjects, according to the most strict interpretation of the clause of the seventeenth article of the treaty executed at Lucknow.—I have no conception that he aspires, either now or in prospect, to political independence. What he aims at is the independent management of the interior concerns of his dominions, to the exclusion of all interference and inspection on the part of the English government, and to the gradual diminution of its influence over the internal administration of his country." It was only on one account, the cruel and destructive mode in which the country was governed, that the resident thought the interference of the English government was to be desired, "since the exercise of it," says he, "does not seem to have been intended by the late treaty, and is unequivocally disavowed by several declarations to his predecessor." He had not thought it fitting, except in the way of allusion, to agitate again the subject of the military reforms.18



Notwithstanding the right which clearly belonged to the Nawaub, of exercising without control the interior government of his country, the Governor-General, by a letter, dated the 26th of September, says, "The present condition of his government appears to preclude you from the information necessary to your first steps in the proposed reforms." This refers to the complaints of the resident, that the Vizir carried on his administration, by secret agents, not by the ostensible ministers; whence it happened that the resident found no person qualified to give him the information which he required. "I shall hope," continues the Governor-General, "that my applications to the Vizir would remove every difficulty of this nature.—But, if I should be disappointed in this expectation, it will then become necessary for you, in my name, to insist, that the Vizir shall place his government in such a state, as shall afford you the requisite means of information, as well as of carrying the intended regulations into complete and speedy effect." He adds, "The great and immediate object of my solicitude is, to accomplish the reform of his Excellency's military establishment:—and, accordingly, this point must be pressed upon him, with unremitted earnestness. His acquiescence in the measure must, however, be totally unqualified by any conditions not necessarily connected with it."19

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The Vizir procrastinating both the disclosure of his secret, and compliance with the proposition for the annihilation-reform of his military establishment, the Governor-General addressed him by letter on the 5th of November. “The general considerations which render it extremely necessary and desirable that the arrangement respecting your military establishment should be carried into execution without delay, have already been fully explained to your Excellency, and you have concurred with me in my view of the subject. One argument in favour of a speedy determination on this subject possibly may not have occurred to your mind, and I therefore take this occasion explicitly to state it to your Excellency.” This argument was; that the Company were bound by treaties to defend the dominions of his Excellency against all enemies; that his dominions were threatened by Zemaum Shah, and perhaps by others; that “it might not be in the power of the British government, on a sudden emergency, to reinforce the troops in his Excellency's country with sufficient expedition; my firm opinion,” continues the Governor-General, “therefore is, that the Company can in no other manner fulfil effectually their engagement to defend your Excellency's dominions, against all enemies, than by maintaining constantly in those dominions such a force as shall at all times be adequate to your effectual protection, independently of any reinforcements which the exigency might otherwise require.”[20] This was, in other words, an explicit declaration, that the military force for the protection of Oude ought to be, at all times, even in the bosom of the most profound peace, at the utmost extent of a war establishment; than which a more monstrous proposition never issued from human organs! As one of the most essential principles of good government consists in reducing the peace establishment of the military force to its lowest possible terms, and one of the most remarkable principles of bad government consists in upholding it beyond the limits of the most severe necessity; so, few countries can be placed in a situation which less demanded a great peace establishment, than the kingdom of Oude. On more than one half of all its frontiers, it was defended by the British dominions, or inaccessible mountains. On the other half, it was not supposed in any danger of being attacked, except, either by the King of the Afghauns, who was separated from it by the extent of several large kingdoms; or by the Mahrattas, who were too distracted and weak to be able to defend themselves. A peace establishment in Oude, at the perpetual extent of a war establishment, for defence against the Afghauns, would be very little more than matched by a proposition for a perpetual war establishment in England, for fear of an invasion from the Turks.



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Coercion was now to be employed; and the plan of it was this: Without any further regard to the consent of the sovereign, British troops, to the proposed amount, were to march into the country: the sums required for their maintenance were to be immediately demanded: and the want of ability otherwise to comply with the demand would compel him, it was supposed, to relieve himself from the expense of his own army, by putting an end to its existence.

On what ground of justice was this proceeding built? The Governor-General exhibited an argument: “The seventh article of the treaty, concluded with your Excellency, by Sir John Shore, provides for the *occasional* augmentation of the Company's troops in

your Excellency's dominions, in terms which evidently render the Company's government competent to decide at all times on the requisite amount of such augmentation. The same article binds your Excellency to defray the expense of any force which shall be deemed necessary by the Company for your defence."21 The same argumentation was, by his Lordship's military secretary, repeated, more at length, to the resident.

The treaty, concluded between the English government and the Nawaub, by Sir John Shore, clearly established two points, with regard to the military force to be maintained at the expense of the sovereign of Oude; that there should be a certain regular, permanent establishment; and also, a power of making occasional augmentations. Enough; said the Governor-General,
and his instruments; let the occasional augmentations be made
the permanent establishment. When this point was settled, all the
benefit was attained of arbitrary will; for, as the amount of these
augmentations was not specified, it remained with the Governor-General, upon the foundation of a treaty which exactly defined the permanent establishment, to make that permanent establishment any thing which he pleased. Such is the logic of the strong man towards the weak.



Before this letter, written on the 5th of November, could be received by the resident, and delivered to the Vizir, namely, on the 12th of the same month, the measure of which he had before announced the contemplation, and which he had hitherto preserved a mysterious secret, was disclosed. He had already, on several occasions, given vent to expressions of impatience, in regard to the difficulties of his government, and the inability under which he found himself placed of commanding the respect or obedience of his subjects. These expressions had been so pointed as sometimes to raise in the mind of the resident a conjecture, that he was meditating a plan of retreat from the burthens of government. But at the same time, regulations of state were projected, buildings were planned, household arrangements were formed, and other things went on, so much in unison with views of permanency, that the resident would not encourage the conjecture which sometimes presented itself to his mind. Having appointed the morning of the 12th, to meet with him on business of importance, the Vizir, says the resident, "began by observing that he had frequently declared to me the impossibility of his conducting the affairs of his country, under existing circumstances; that probably I had not comprehended the full drift of these expressions, or conceived they were uttered in a moment
of ill-humour; that the real meaning of them was an earnest
desire to relinquish a government which he could not manage
with satisfaction to himself, or advantage to his subjects." He
added, in the course of the conversation, "That his mind was not disposed to the cares and fatigues of government; that as one of his sons would be raised to the musnud, his name would remain; and that he was possessed of money sufficient for his support, and the gratification of all his desires in a private station." In a second conversation, on the morning of the 14th, the Vizir entered into some further explanation of the motives which impelled him to the design of abdication, which "consisted," says the resident, "in general accusations against the refractory and perverse disposition of the people at large; of complaints of the want of fidelity and zeal in the men immediately

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about his person; of the arrogance of some of the aumils, and of the open disobedience of others.

"Whatever pleasure," says the resident, "this exposure of his intentions afforded to myself, and whatever eventual benefits I foresaw to the interests of the two states, from the execution of them, I thought it my duty to expostulate with his Excellency, on so extraordinary a resolution, by such arguments as occurred to me on the occasion. I replied, that the remedy to this aggregate of evils was easy, and within his own power; that a strong and just administration would ensure the obedience of the bulk of his subjects on the firm principle of attachment to his person and government; that a conciliatory and encouraging conduct on his part would secure fidelity and enliven zeal; that the reform of the military establishment was the specific measure that would curb the arrogance of the aumils; and in conclusion I pledged myself, if his Excellency would reject the advice of interested favourites, and be guided by the impartial and friendly counsel which your Lordship would convey to him through me, that the affairs of his government could be conducted with ease to himself, to the acquisition of a high reputation, and to the prosperity and happiness of his subjects."



To a question in regard to the military reform, the Vizir replied, that, under his determination of resigning the government, all discussion of that subject was useless. In this opinion the resident acquiesced; and he deemed it, for the present, inexpedient to produce the Governor-General's letter of the 5th. With respect to the treasures and jewels left by the late Nawaub, he desired instruction; as from the expressions of the Vizir, and his character for avarice, he thought it was probably his intention to carry them along with him to the place of his retreat.22

The pleasure, which the resident expressed, at the prospect of the Nabob's abdication, was faint, compared with the eagerness of the Governor-General in grasping at the prey. "I am directed," says the military secretary, under date of the 21st of the same month, "by the Right Honourable the Governor-General, to acknowledge the receipt of your letters of the 12th and 14th instant.

"His Lordship is preparing detailed instructions to you, for the regulation of your conduct under the delicate and important circumstances stated in those letters. In the mean time he has directed me to communicate to you his sentiments on such parts of your dispatch of the 12th instant, as appears to his Lordship to require immediate notice.

"The proposition of the Vizir is pregnant with such benefit, not only to the Company, but to the inhabitants of Oude, that his Lordship thinks it cannot be too much encouraged; and that there are no circumstances which shall be allowed to impede the accomplishment of the grand object which it leads to. This object his Lordship considers to be the acquisition by the Company of the exclusive authority, civil and military, over the dominions of Oude.

"His Lordship does not consider the formal abdication of the sovereignty by the Vizir to be necessary to this end. On the contrary, he apprehends, that step, by necessarily raising a question with regard to the succession, would involve us in some embarrassment. His Lordship is rather of opinion, therefore, that the mode of proceeding on the proposition of the Vizir, must be, by a secret treaty with his Excellency; which shall stipulate, on his part, that, from and after a period, to be appointed by this government, the complete authority, civil and military, of the dominions of Oude shall vest in, and be exercised by, and in the name of the Company.

"In this treaty his Lordship proposes, that the sons of the Vizir shall be no further mentioned than may be necessary for the purpose of securing to them a suitable provision.

"With respect to what you have stated, relative to the wealth of the state, if the arrangement in the contemplation of the Governor-General should be agreed to by the Vizir, his Lordship will feel but little difficulty in allowing his Excellency to appropriate it to his own use, stipulating only on behalf of the Company, that all arrears of subsidy, or of whatever description, due to the Company, shall be previously discharged in full by his Excellency."[23]



In conformity with these ideas, the draught of a treaty was speedily prepared, and sent to the resident, accompanied by notes for a memorial explanatory of the grounds of the several articles. The ardour of the Governor-General embraced the object as accomplished, or sure of its accomplishment. In pursuance of orders, the Commander of the troops in Oude delivered in, what was entitled, a "Memoir of the precautionary movements, and distribution of the Company's troops, for the purpose of establishing the exclusive control and authority of the Company over the dominions of Oude."[24]

In the transmission of intelligence, receipt of instructions, and other preparatives, time was spent till the 15th of December; on which day, the plan of the Governor-General, in relation to the measure of abdication, was communicated for the first time to the Vizir, in the matured form of the draught of a treaty. After remarking upon the calmness with which the Vizir perused the treaty, and his observations upon some inferior points, "His Excellency," the resident says, "who had not thoroughly comprehended the extent of the first article, asked what meaning I annexed to it. Referring him to the article itself, I replied, that it vested the whole administration of the country in the hands of the English Company. He then asked, what portion of authority was to remain with his successor; to which I replied that the plan did not provide for a successor. His Excellency continued his inquiries, by asking, whether a family which had been established for a number of years, was to abandon the sovereignty of its hereditary dominions? I replied that your Lordship's justice and liberality had made an ample provision for the comfort and independence of that family; and briefly explained the consideration which had induced your Lordship to stipulate, that his Excellency should commit the sole and exclusive administration of Oude to the Company in

perpetuity." From this conversation, the resident adds, "I can hardly venture to draw any conclusion: And shall, therefore, only observe, that though his excellency is perfectly master of concealing his passions, yet, if he had entertained an immoveable repugnance to the basis of the treaty, he could scarcely have disguised it under smiles, and an unaltered countenance."25

A paper drawn up at the request of the Vizir by the resident, and afterwards altered by the Vizir to a correspondence with his own feelings, was transmitted to the Governor-General, as the authentic enunciation of his design of abdication. In answer to this, a very long paper, dated, the 16th of December, was received from the Governor-General. The purpose of this document was to corroborate the ideas on which, in the mind of the Vizir, the plan of abdication was supposed to be founded; and to convince him of the impossibility of reconciling his design with the appointment of a successor, or any other scheme than that of transferring the undivided sovereignty of the country to the English.

On the 19th of December the resident again wrote: "After my departure from the Nawaub Vizir, on the 15th instant, his Excellency either really was, or pretended to be, so much affected by the conversation,
that he could not conceal the perturbation of his mind, which he betrayed, by forbidding the customary visits, and by refraining to transact any of the ordinary business. Although there is no reason to suspect that he has disclosed the cause of his uneasiness; yet this conduct so indiscreet, so unmanly, necessarily occasioned much talk and speculation amongst his own dependants, and the inhabitants of the city.



"His Excellency, on the 17th, informed me of his intention to breakfast with me on the following morning; but at ten o'clock sent a message, that having been in the sun, his eyes were so much affected by a disorder he is liable to, that he could not fulfil his engagement that day, but would call upon me this morning. He accordingly came, and when entered into a private apartment, opened the conversation by observing, that in the paper transmitted to your Lordship, he had adverted to certain circumstances and causes, under the existence of which he found it impossible to conduct the affairs of his government; and that he entertained the hope that your Lordship would have called upon him for an explanation of those circumstances and causes.

"His Excellency proceeded, that the proposition offered by your Lordship was so repugnant to his feelings; departed so widely, in a most essential point, from the principle on which he wished to relinquish the government; and would, were he to accept it, bring upon him such indelible disgrace and odium, that he could never voluntarily subscribe to it. The sovereignty, he added, of these dominions, had been in the family near an hundred years; and the transfer of it to the Company, under the stipulations proposed by your Lordship, would, in fact, be a sale of it for money and jewels; that every sentiment of respect for the name of his ancestors, and
every consideration for his posterity, combined to preclude him from assenting to so great a sacrifice, for the attainment of his personal ease and advantage. His Excellency concluded; that the power and strength of the Company placed every thing at your Lordship's disposal.

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"Upon stating to his Excellency all the arguments suggested by your Lordship against the nomination of a successor, his Excellency replied; that under your Lordship's determination not to consent to that part of his proposition, he was ready to abandon his design of retirement, and to retain the charge of the government."

If this resolution was adopted, the resident called to his recollection, the reform of his military establishment, the accomplishment of which would be immediately enforced. "I must here," says the letter of the resident, "beg leave to call your Lordship's particular attention to his reply on this point; as tending to discover his real sentiments; and perhaps the true meaning of the words 'certain causes,' so repeatedly dwelt upon, and so industriously concealed. His excellency observed, that the reform of his military establishment upon the principles proposed by your Lordship, would annihilate his authority in his own dominions."[26]

Intelligence of these declarations on the part of the Vizir appears to have disappointed and provoked the Governor-General in no ordinary degree. On the 27th of December the Secretary writes; "My dear Scott, I am directed by Lord Mornington to acknowledge the receipt of your letter of the 19th instant to his Lordship's address. His Lordship is extremely disgusted at the duplicity and insincerity which mark the conduct of the Nabob Vizir on the present occasion; and cannot but strongly suspect, that his Excellency's principal, if not sole, view in the late transaction, has been to ward off the reform of his military establishment, until the advanced period of the season should render it impracticable, at least during the present year."[27] And in the letter of the Governor-General to the home authorities, dated the 25th of January, 1800, he says, "I am concerned to inform your honourable Committee that I have every reason to believe, that the proposition of the Nabob Vizir to abdicate the sovereignty of his dominions (a copy of which was transmitted with my separate letter of the 28th of November) was illusory from the commencement, and designed to defeat, by artificial delays, the proposed reform of his Excellency's military establishments."[28]



The truth is, that the vivacity of the Governor-General in the pursuit of his object was far too great. Had the sincerity of the Vizir been ever so indisputable, it was one thing to abdicate in favour of his son; a very different thing to abdicate in favour of the East India Company; and from a proposition to this effect, presented nakedly and impetuously, as that was of the Governor-General, it ought to have been expected that he would revolt. At the same time, it might have been regarded as probable, that if the externals of royalty were left to his son, he would be induced to dispense with the substantials. The Governor-General should have gone to Lucknow himself, when the imposing presence of his authority would have forcibly wrought upon a mind so timid, and accustomed to shrink before superior power, as that of the Vizir. The Governor-General, too, had so lately recognized the policy of setting up the shadow of a sovereign,[29] that the eagerness is the more remarkable, with which in this case he strove to escape from it. When the substance had been held for a time, it would have been easy to deal with the shadow, as experience might direct.

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Disappointed in his eager expectation, and piqued at the idea of having been duped, the Governor-General resolved to proceed in his plan for the military reform without a moment's delay. The reason for hurry was the greater, because the season approached, when additional inconvenience would attend the movement of the troops. “The resident,” says the Governor-General himself, in another letter to the home authorities,30 “was directed immediately, either from himself, or in concert with the commanding officer at Cawnpore, as the nature of the case might appear to him to require, to direct the several corps to move to such points of his Excellency's dominions, as might appear most adviseable; giving due notice to his Excellency of the entrance of the augmentation of the troops into his territories, and calling upon his Excellency to adopt the requisite measures for the regular payment of the additional force.”

On the 4th of January, 1800, “I informed,” says the resident, “his Excellency, that the first division of the troops, intended by your Lordship to augment the force in Oude, as stated in the paper which I had presented to him, was now in a situation immediately to enter his Excellency's dominions; and that I was anxious to advise with him on their destination. He entreated that no steps might be taken for their actual march into his dominions, until I had seen and reflected upon the sentiments which he was then employed in committing to paper, and upon some propositions he had to offer. I assured him it was totally impossible to delay the march of the troops; but that, as it would require a day or two to arrange a place for their distribution, if his Excellency would, in that space, come forward, in an unreserved manner, with any specific propositions, I should be enabled to judge what weight to allow them, and how far they would authorize me to suspend the progress of the corps. His Excellency having observed that his assent had not yet been given to the augmentation of the troops, I explained to him the principle on which your Lordship's determination was founded. To which he replied, that, if the measure was to be carried into execution, whether with or without his approbation, there was no occasion for consulting him.” To this last observation the resident found it not convenient to make any answer, and immediately diverted the discourse to another point of the subject.31



On the 15th of January, the Nabob communicated to the resident a paper, in which he thus addressed him: “You, Sir, well know, that the proposed plan never, in any measure, met with my approbation or acceptance; and that, in the whole course of my correspondence with the Governor-General, on this subject, not one of my letters contains my acquiescence to the said plan.”

He says again, “It may fairly be concluded from Lord Mornington's letters, that arrangements for the additional troops were not to take effect, until funds should be provided for their support, by the dismission of my battalions. Nothing having as yet been agreed upon, respecting the disbanding of the latter, and the additional Company's troops being on their march, whence are the funds to be derived for their payment? Their sudden approach too, leaves no time to form arrangements for them.”

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"Notwithstanding," says he, "I am well assured that, in consequence of the measure, thousands of people will be deprived of their subsistence; and that, by the disbanding of my troops, serious commotions and alarms will take place in the capital (for which reason I give previous warning of its mischievous effects), yet, dreading his Lordship's displeasure, and with the sole view of pleasing him, I am compelled to grant my assent to the introduction of the plan."

He then proceeds to enumerate certain things, which he still desired, as conditions under which the measure, if unavoidable, might take its effect. The first was, that the augmentation of the troops should not be carried beyond the extent of his means. Another was, that the additional force should be kept in one body, and permanently stationed in one place, which would render it more efficient against Zemaun Shah, and other enemies, defence against whom was its only pretext. A further condition was, that the English commander should not interfere with the collection of the revenue. After several other propositions of minor importance, he said, "From the kindness of the Sircar of the Company I am led to expect, that, having, in the present instance, in order to avoid the Governor-General's displeasure, given my consent to the introduction, as far as possible, of the plan, I shall not in future be troubled with fresh propositions."32

On the 18th, a paper or memorial, the draught of which had been communicated to the resident on the
11th, was dispatched by the Vizir to the Governor-General. He began by adverting to the length of time his ancestors had enjoyed the unlimited sovereignty of these provinces. He described the dangers which had threatened the government of his brother, as well from foreign foes, as the disaffection of his troops. "Notwithstanding," said he, "these circumstances, it never once entered the imagination of the British rulers to introduce such innovations, and carry into effect such arrangements, as those now suggested by your Lordship." He then described how completely he was the creature and dependant of the Company, and said, "it was in all ages and countries the practice of powerful and liberal sovereigns to spare neither expense nor trouble in assisting those whom they have once taken under their protection. Should the Company," said he, "no longer putting confidence in the sincerity of my friendship, deprive me of the direction of my own army, and spread their troops over my dominions, my authority in these provinces would be annihilated; nor would my orders be attended to on any occasion, whether trifling or momentous. Making myself, however, sure," he adds, "that it never can have been your Lordship's intention, or conformable to your wish, to distrust, degrade me, or lesson my authority in these dominions, I shall without ceremony disclose to your Lordship my unfeigned sentiments and wishes." And he then proceeds to remonstrate against the measure by a train of reasoning, not unskilfully conceived. "By a reference," said he, "to the second article of the treaty, it will be evident to your Lordship, that on my accession to the musnud, the force designed for the defence of these dominions was increased beyond what it had been in any former period; whilst on my part I agreed to defray the expense of the said augmentation. But in no part of the said article
is it written or hinted, that, after the lapse of a certain number of years, a further permanent augmentation should take place. And



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to deviate in any degree from the said treaty appears to be unnecessary.—From an inspection of the 7th article, we learn, that, after the conclusion of the treaty in question, no further augmentation is to be made, excepting in cases of necessity; and that the increase is to be proportioned to the emergency, and endure but as long as the necessity exists. An augmentation of the troops, without existing necessity, and making me answerable for the expense attending the increase, is inconsistent with treaty; and seems inexpedient.—Towards the latter end of the 17th article, it is stipulated, 'that all transactions between the two states shall be carried on with the greatest cordiality and harmony, and that the Nawaub shall possess full authority over his household affairs, hereditary dominions, his troops, and his subjects.' Should the management of the army be taken from under my direction, I ask where is my authority over my household affairs, hereditary dominions, over my troops, and over my subjects?—From the above considerations, and from the magnanimity of the Sircar of the English Company, I am induced to expect from your Lordship's kindness, that, putting the fullest trust and confidence in my friendship and attachment on every occasion, you will, in conformity to the treaty, leave me in possession of the full authority over my dominions, army, and subjects.—The fame of the Company will, by these means, be diffused over the face of the earth; and, my reputation increasing, I shall continue to offer up prayers for the prosperity of the Company."[33]



This remonstrance, which it was impossible to answer, the Governor-General found, in the forms of ceremony, a pretext for treating as an insult; and for not answering it. The following communication, signed by the secretary, was forwarded by express to the resident. "Your letter of the 18th instant, with its several enclosures, has been received by the Right Honourable the Governor-General.—His Lordship, not thinking proper to receive, in its present form, the written communication made to you by the Nabob Vizir on the 11th instant, as an answer to his Lordship's letter of the 5th November last to his Excellency—directs, that you lose no time in returning the original of that communication to his Excellency, accompanying the delivery of it with the following observations, in the name of the Governor-General:—The mode adopted in the present instance by his Excellency of replying to a public letter from the Governor-General, attested by his Lordship's seal and signature, and written on a subject of the most momentary concern to the mutual interests of the Company and of his Excellency, besides indicating a levity totally unsuitable to the occasion, is highly deficient in the respect due from his Excellency to the first British authority in India:—His Lordship, therefore, declines making any remarks on the paper which you have transmitted, and desires that the Nabob Vizir may be called on to reply to his Lordship's letter of the 5th November, in the manner prescribed no less by reason than by established usage: if, in formally answering his Lordship's letter, his Excellency should think proper to impeach the honour and justice of the British government, in similar terms to those employed in the paper delivered to you on the 11th instant, the Governor-General will then consider, how such unfounded calumnies, and gross misrepresentations, both of facts and arguments, deserve to be noticed." This was language to a legitimate hereditary sovereign. The course of procedure is worthy of notice. A party to a treaty fulfils all its conditions with a punctuality, which, in his place, was altogether unexampled: A gross infringement of that treaty or at least what

appears to him a gross infringement, is about to be committed on the other side: He points out clearly, but in the most humble language savouring of abjectness, much more than disrespect, the inconsistency which appears to him to exist between the treaty and the conduct: This is represented by the other party as an impeachment of their honour and justice; and if no guilt existed before to form a ground for punishing the party who declines compliance with their will, a guilt is now contracted which hardly any punishment can expiate. This, it is evident, is a course, by which no infringement of a treaty can ever be destitute of a justification. If the party injured submits without a word; his consent is alleged. If he complains; he is treated as impeaching the honour and justice of his superior; a crime of so prodigious a magnitude, as to set the superior above all obligation to such a worthless connexion.

But this is not the whole of the message which the resident was commanded to deliver, in the name of the Governor-General, to the Vizir: "The Governor-General further directs, that you peremptorily insist on the Nabob Vizir furnishing a detailed answer to the paper transmitted by his Lordship on the 16th December last, for his Excellency's information and consideration; and that such answer be duly attested by his Excellency's signature, in the same manner as his Lordship's paper was formally attested by the signature of his Lordship: his Excellency's early compliance with this demand is equally due to the dignity of this government, and to the candour of its proceedings; in consequence of his Excellency's own spontaneous proposal to abdicate the sovereignty of his dominions; if his Lordship's manner of receiving and answering that extraordinary proposition of the Vizir appears in any degree objectionable to his Excellency, it behoves his Excellency clearly to state his objections, in the most formal and authentic mode; otherwise the Governor-General must, and will conclude, that his Excellency's original proposition was purposely illusory; and it will become his Lordship's duty to treat it accordingly, as an unworthy attempt to deceive the British government:—In all the transactions of his Lordship's government, since his arrival in India, he has pursued a plain and direct course; and he is determined to adhere to the same invariable system of just and honourable policy, nor will he be diverted from the system, by any machination of artifice, duplicity, or treachery, which may be opposed to him: he has already found the advantage of this course in frustrating the projects of the enemies of Great Britain in India; and he is satisfied that it will prove equally efficacious in confirming the faith of his allies."



The earnestness with which the Governor-General desired that this message should be delivered with unimpaired vigour to the Nawaub, is visible in the immediately succeeding paragraph of the same letter: "A copy of the foregoing observations, in Persian, attested by the signature of the Governor-General himself, will be forwarded to you by the Persian translator: and his Lordship directs that you communicate the same to the Nabob Vizir, either in case you should have any reason to suppose that his Excellency is likely to entertain the smallest doubt of your being, not only authorized, but commanded by his Lordship, to convey to his Excellency the message contained in the preceding paragraphs, as nearly as possible in the terms in which they are expressed; or in the event of your thinking that the document, attested by his Lordship's signature, will be more impressive than the verbal mode of communication."[34]

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On the 20th and 28th of January, the resident complained to the Governor-General, that the Vizir, instead of giving his cordial assistance, in carrying into execution the measure of annihilating his army, was rather placing impediments in the way; by insisting that the English additional force should not be dispersed in small bodies over the country; by withholding the statement which had been required of the amount and distribution of his own battalions; and by delaying to issue the perwannahs, necessary to ensure provisions to the additional troops. With regard to the last article, the resident, however, issued his own orders; and such was the state of the government, that they were punctually obeyed.35

The resident deferred the message to the Vizir, till the Persian translation arrived. "Having received," says he, "on the 28th, in the evening, the translation in Persian of your Lordship's message to the Nawaub Vizir, I waited upon his Excellency on the 29th, in the afternoon, and, in obedience to your Lordship's commands, returned to him, in the most formal manner, the original draught of his proposed letter to your Lordship, accompanied with the paper of observations. His Excellency discovered considerable agitation in the perusal of the paper; and he expressed very poignant regret, at having unintentionally, as he affirmed, drawn upon himself such solemn animadversions from your Lordship.—It would, his Excellency observed, be the extreme of ingratitude and folly, wantonly to provoke the displeasure of that power, on which alone he relied, for the preservation of his honour, and the support of his authority. He attempted to apologize for the paper, by saying, that he meant it merely as a representation of arguments which might be produced, and not as a formal declaration of his own sentiments, and on that account had adopted the mode which your Lordship had viewed in so exceptionable a light.—In respect to the neglect in replying to the paper which had been submitted by your Lordship for his information and consideration, his Excellency assured me, that it arose from his inability to pursue, and reply, in detail, to the extensive train of reasoning which your Lordship had employed; and that he hoped your Lordship would have received the verbal communication, made through me, of the impossibility of his acceding to your Lordship's recommendation, as a full, and respectful answer.—His Excellency asked, for what purpose, or to what avail, could the attempt be, to deceive your Lordship by illusory propositions?"36



The intelligence from the resident, that opposition rather than assistance was given by the Vizir to the execution of a measure of which he so highly disapproved, produced a long letter of violent animadversions from the Governor-General, in which he told the harassed and trembling Vizir, "the means which your Excellency has employed to delay, and ultimately to frustrate, the execution of the above-mentioned plan, are calculated to degrade your character, to destroy all confidence between your Excellency and the British government, to produce confusion and disorder in your dominions, and to injure the most important interests of the Company, to such a degree, as may be deemed nearly equivalent to positive hostility on your part.";—"The conduct of your Excellency, in this instance," he afterwards adds, "is of a nature so unequivocally hostile, and may prove so injurious to every interest, both of your Excellency and of the Company, that your perseverance

in so dangerous a course will leave me no other alternative, than that of considering all amicable engagements between the Company and your Excellency to be dissolved."—This was most distinctly to declare, that if he did not immediately comply, the Governor-General would make war upon him. And since this was the motive depended upon, in truth, from the beginning, would not the direct and manly course have answered the main purpose equally well, and all other purposes a great deal better? We are the masters: such is our will: nothing short of strict and prompt obedience will be endured.

So ardent were the desires of the Governor-General, and so much was he accustomed to assume every thing on which his conclusions depended, that he maintained, in this letter, to the face of the Vizir, that of the plan for annihilating his army, the Vizir had, "after full deliberation, expressed his entire approbation."[37]

Before the end of February, the Vizir felt convinced, that compliance could not be evaded. The money demanded on account of the additional forces was paid; and orders were issued for commencing the discharge of his own battalions. The business of dismissing the troops occupied a considerable time; and was retarded by the necessity of employing a portion of them in collecting the taxes which then were due. It was a matter of considerable delicacy, to avoid commotion, and the demand for bloodshed, where so many armed men were about to be deprived of their accustomed means of subsistence. The business was conducted in a manner highly creditable to the ability as well as the feelings of the gentlemen upon whom it devolved. It was the disposition, and the principle of the Governor-General, to treat with generosity the individuals upon whom the measures of his government might heavily press. As considerable arrears were always due to native troops, and seldom fully paid, the complete discharge of arrears, on which the English government insisted, was a powerful instrument of conciliation. When dissatisfaction any where appeared, every effort was employed to correct misapprehension; patience was exercised; the means of coercion were rather exhibited, than used; pardon was liberally extended, even where resistance had been overcome; and before the end of the year, the measure was in great part carried into effect without bloodshed or commotion.[38]



In the month of November, 1800, when demand for a second body of new troops was presented to the Vizir, he complained, by letter, to the resident, in the following terms: "The state of the collections of the country is not unknown to you: You know with what difficulties and exertions they are realized, and hence I feel a great degree of solicitude and apprehension, lest, if I should fail at a season of exigency, my responsibility should be impeached: I therefore wrote to you, that, until I was secure of resources to answer the demands, I could not become responsible: Accordingly, Jye Sookh Roy has been directed to prepare a statement of the condition of the country, with respect to its resources: You shall be informed when it is ready; and you can then come and inspect it; and, in concert, devise resources for the additional demands, according to the assets; and I will act accordingly." In another part of the same letter, he said, "Formerly, in the plan proposed for the reform of the military, it was written, 'That

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the resources for the expense of the new troops would be found in the reduction of those of his Excellency:' Although the resources for the payment of the new British troops were not found in the reduction of those of the Sircar; now that you write, to have the charges of other new troops added to the debit of the state, when the reduction of the military has not yet supplied resources for the payment of the charges of the former new troops, how can I take upon myself to defray the charges of these new troops, without subjecting the Sircar to the imputation of a breach of faith."39

Of these complaints the Governor-General rapidly availed himself to found on them pretensions of a new description. "If," said he, in a letter to the resident, dated 22d of January, 1801, "the alarming crisis be now approaching, in which his Excellency can no longer fulfil his public engagements to the Company, this calamity must be imputed principally to his neglect of my repeated advice and earnest representations. The augmented charges might have been amply provided for, if his Excellency had vigorously and cordially co-operated with me, in the salutary and economical measure of disbanding his own undisciplined troops. It is now become the duty of the British government, to interpose effectually, for the protection of his interests, as well as those of the Company, which are menaced with common and speedy destruction, by the rapid decline of the general resources of his Excellency's dominions." It may be observed, as we go on, that if the prompt disbanding of the forces of the Vizir would disengage a revenue perfectly equal, and more than equal, as had all along been confidently affirmed, to the charge created by the additional force, the delay which the reluctance of the Vizir occasioned, and which was now overcome, could only occasion a temporary embarrassment; and that menace of common and speedy destruction, of which the Governor-General so tragically spoke, had no existence: Or, that, on the other hand, if the menace of destruction were real, the pretence of finding, in the discharge of the Vizir's battalions, an ample resource for the new impositions, was void of foundation. The letter goes on, "The Vizir is already apprized, that I have long lamented the various defects of the system by which the affairs of his Excellency's government are administered. Conscious of the same defects, his Excellency has repeatedly expressed a wish to correct them by the assistance of the British government. The continuance of the present system will exhaust the country to such a degree, as to preclude the possibility of realizing the subsidy. In place of inveterate and growing abuses must be substituted a wise and benevolent plan of government, calculated to inspire the people with confidence in the security of property and of life; to encourage industry; and establish order and submission to the just authority of the state, on the solid foundations of gratitude for benefits received, and expectation of continued security." The Governor-General here establishes the *goodness* of government, "as the solid foundation of submission to its authority." He would not add, what was equally true, that there ought to be no submission without it.



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The following passage of the letter deserves profound regard. "Having," continues the Governor-General, "maturely considered these circumstances, with the attention and deliberation which the importance of the subject requires, I am satisfied that no effectual security can be provided, against the ruin of the province of Oude, until the exclusive management of the civil and military

government of that Country shall be transferred to the Company, under suitable provisions for the maintenance of his Excellency and of his family. No other remedy can effect any considerable improvement in the resources of the state, or can ultimately secure its external safety, and internal peace."

If this was the only plan which could avert from the state every species of calamity; absolute master, as he was, of the fate of the country, why did the Governor-General hesitate a moment to carry it into execution?

He resolved to offer this proposition to the Vizir in the form of a treaty: but added, "Should his Excellency unfortunately be persuaded, by the interested counsel of evil advisers, absolutely to reject the proposed treaty, you will then proceed to inform his Excellency, in firm, but respectful language, that the funds for the regular payment of the subsidy, to the full extent of the augmented force, must be placed, without a moment of delay, beyond the hazard of failure.—For this purpose, you will require his Excellency to make a cession to the Company, in perpetual sovereignty, of such a portion of his territories, as shall be fully adequate, in their present impoverished condition, to defray those indispensable charges." In selecting the portions to be demanded, the object was,



to insulate the Vizir, as well for the purpose of precluding him from foreign connexions, as of defending him from foreign dangers. To this end choice was made of the Doab, and Rohilcund, in the first instance, with the addition of Azim Ghur, and even Gurrukpoor, if the revenue of the former country should prove inadequate.[40] A letter to the same purport, and nearly in the same words, was, at the same time, written by the Governor-General to the Vizir.[41] It closes with the following terms: "I request your Excellency to be satisfied, that the whole course of events in Oude, since your accession, has rendered it my indispensable duty to adhere with firmness to the tenor of this letter, as containing principles from which the British government never can depart; nor can your Excellency receive with surprise, or concern, a resolution naturally resulting from your own reiterated representations of the confusion of your affairs, and of your inability either to reduce them to order, or to conciliate the alienated affections of your discontented people." The corollary from these deductions most necessarily, and most obviously is, that any sovereign, who governs ill, and loses the affections of his people, ought to abdicate, or to be compelled to abdicate, the sovereignty of his dominions. We shall see how energetic and persevering an apostle of this doctrine the Governor-General became.

The subsidy which, according to the treaty of Lord Teignmouth, was already paid by the Vizir, amounted to 76,00,000: the annual expense of the additional force with which he was to be loaded, was 54,12,929: the whole would amount to 1,30,12,929 rupees. The Nawaub was required to make a cession of territory, in perpetual sovereignty to the English, the revenue of which, even in its present unproductive state, and



without any regard to the improvements of which it might be susceptible, should amount to such a sum, over and above the whole expense of collection. The revenue remaining to the Vizir after such a deduction would have been 1,00,00,000.[42] The territory, then, of which

he was to be deprived, amounted to more than one half, to not much less than two thirds, of his whole dominions.

The address of the Governor-General to the Vizir was presented to that prince on the 16th of February, and the first conversation on the subject between him and the resident was on the 26th. “His Excellency's conversation, on that day,” says the resident, “though it did not amount to a positive rejection of the first proposition, discovered an unreserved repugnance to the acceptance of it.” Before this letter, however, dated on the 6th of March, was closed, a letter addressed to the Governor-General was received from the Vizir. His complaints respecting the want of funds for payment of the enlarged subsidy, he explained as far from amounting to the alarming proposition into which they were framed by the Governor-General; but, as the fund which had been pointed to by the Governor-General as adequate, had not proved adequate; and as he had been repeatedly commanded by the Governor-General to make known to the resident his difficulties, and to make use of his advice, he had, for that reason, explained to him, and had done no more, the perplexities which weighed upon his mind. “In the course, however, of these conferences and communications, no impediment of affairs,” says he, “ever occurred; and no failure or deficiency whatever was experienced in the discharge of the expenses of the new troops, and in the payment of the kists of the fixed subsidy. On the contrary, those expenses and kists were punctually paid; accordingly the kist of the fixed subsidy, and the charges of the additional troops, have been completely paid to the end of January, 1801, and Colonel Scott has expressed his acknowledgements on the occasion.—It is equally a subject of astonishment and concern to me, that whereas, under the former government, the payment of the kists, though so much smaller in amount than the present, was constantly kept in arrear during three or four months, the jumma of the country was diminishing yearly, and yet no such propositions were brought forward,—they should be agitated under the government of a friend, who hopes for every thing from your Lordship's kindness; who is anxious to obey you, and to manifest the steadiness of his attachment; who punctually pays the full amount of his kists, notwithstanding their increased amount; and who has conformed to your Lordship.



“As my consent,” says he, to the first proposition is altogether impracticable, (accordingly I have already written an ample reply to that proposition); and, as it is impossible for me, with my own hands, to exclude myself from my patrimonial dominion (for what advantage should I derive from so doing?)—this, therefore, is a measure, which I will never adopt.

“With respect to what your Lordship writes, about providing a territorial resource for the payment of the British troops; since I have not, in any way, delayed or neglected to discharge the kists for the expenses of the troops, but have paid them with punctuality, where is the occasion for requiring any territorial resource?—I expect to derive the most substantial profits from bringing into a flourishing condition this country, which has so long been in a state of waste and ruin. By a separation of territory, my hopes

of these substantial profits would be entirely cut off, and a great loss would accrue. How then can I consent to any territorial cession?"[43]

This letter brought an answer of immense length from the Governor-General, under date the 5th of April. Having lamented the refusal which had been given to both his propositions, and given a description of the progressive decline of the country, from the mis-government of the Vizir, the Governor-General says, "I now declare to your Excellency, in the most explicit terms, that I consider it to be my positive duty, to resort to any extremity, rather than to suffer the further progress of that ruin, to which the interests of your Excellency and the honourable Company are exposed, by the continued operation of the evils and abuses, actually existing, in the civil and military administration of the province of Oude." After noticing the source of embarrassment still existing in the portion of his troops the dismission of which the Vizir had till now contrived to evade, the Governor-General subjoined, "But I must recall to your Excellency's recollection the fact, which you have so emphatically acknowledged on former occasions, that the principal source of all your difficulties is to be found in the state of the country. I have repeatedly represented to your Excellency the effects of the ruinous expedient of anticipating the collections; the destructive practice of realizing them by force of arms; the annual diminution of the jumma of the country; the precarious tenure by which the aumils and farmers hold their possessions; the misery of the lower classes of the people, absolutely excluded from the protection of the government; and



the utter insecurity of life and property, throughout the province of Oude. An immediate alteration in the system of management affords the only hope of providing either for the security of the Company's military funds, or for any other interest involved in the fate of Oude.—It would be vain and fruitless to attempt this arduous task, by partial interference, or by imperfect modifications of a system, of which every principle is founded in error and impolicy, and every instrument tainted with injustice and corruption."—What is here remarkable is, the Governor-General's declared principle of reform; That, of a system of government, radically corrupt, extirpation is the only cure.

He proceeds to infer, that as the Vizir professed himself inadequate to the task of reform; and the undiminished prevalence of evil, since the commencement of his reign, proved the truth of his declaration; he ought to renounce the government, and give admission to others, by whom the great reform could be effectually performed.

He added, "But whatever may be your Excellency's sentiments with respect to this the first proposition; the right of the Company to demand a cession of territory, adequate to the security of the funds necessary for defraying the expense of our defensive engagements with your excellency is indisputable." This right he proceeded to found on his fears with regard to the future; lest the progressive decline of the country, the fruit of mismanagement, should quickly render its revenue unequal to the payments required.[44]

On the 28th of April a letter to the same purport, nearly in the same words, under signature of the Governor-General, was sent to the resident. The determination

was now adopted to seize the territory, if the consent of its reluctant sovereign was any longer withheld. “Any further reference to me from Oude is,” said his Lordship, “unnecessary. I, therefore, empower you to act under the instructions contained in this letter without waiting for additional orders.—If, therefore, his Excellency should persist in rejecting both propositions, you will inform him, that any further remonstrance to me upon this subject will be unavailing; that you are directed to insist upon the immediate cession of the territory proposed to be transferred to the Company; and that in the event of his Excellency's refusal to issue the necessary orders for that purpose, you are authorized to direct the British troops to march for the purpose of establishing the authority of the British government within those districts.”45

The Vizir having stipulated for certain conditions, of which one was, that he should be guaranteed, by a formal obligation, in the future independent exercise of an exclusive authority in the remaining parts of his dominions;” it is declared, in the instructions to the resident, under date the 27th of May; “His Lordship cannot permit the Vizir to maintain an independent power, with a considerable military force, within the territories remaining in his Excellency's possession.—It must never be forgotten that the Governor's original object was not merely to secure the subsidiary funds, but to extinguish the Vizier's military power.”46 This is a part of the design, not only not disclosed by the language held to the Vizir, but hardly consistent with it. In that, he was told, that the vices of his troops were the cause on account of which the English wished them destroyed. According to this new declaration, if the troops had been better, that is more formidable, the English would have liked them only so much the worse.47



In a letter of the 8th of June, the resident gives an account of a conversation the day before between him and the Vizir. “I stated to his Excellency that the general tenor and spirit of his articles of stipulations had excited the greatest concern and surprise in your Lordship's breast, and that I was commanded by your Lordship to communicate to his Excellency your Lordship's absolute rejection of the whole of them. His Excellency replied, that as his paper contained conditions, on which alone his consent to the territorial cession could be granted, your Lordship's rejection of them allowed him no other alternative, than that of passive obedience to whatever measures your Lordship might resolve on.”

“I next proceeded to state to his Excellency the terms upon which your Lordship is disposed to guarantee to his Excellency and to his posterity the dominion of his Excellency's remaining territory. They were enumerated in the following order and manner: 1st, The continuance of the Company's right to station the British troops in any part of his Excellency's dominions: 2dly, the restriction of his own military establishment to an extent absolutely necessary for the collection of the revenues, and for the purposes of state: and thirdly, the introduction of such regulations of police, as should be calculated to secure the internal quiet of his Excellency's country, and the orderly and peaceful behaviour of his subjects of every description.

"His Excellency's reply to this," says the resident, "was striking: That the power of stationing the Company's troops in any part of his dominions, together with the other conditions, formed a combination of circumstances, the objects of which would be open to the comprehension of a child; and that it was impossible for him to agree to a territorial cession on such terms.

"I entreated his Excellency to reject from his mind such unjustifiable suspicions, and to summon all the good sense which he possesses, and to reflect on the consequences of a refusal of the propositions which your Lordship had prepared with so much thought and deliberation. He said he by no means meant to impute precipitancy to your Lordship's resolution. But if your Lordship's reflection suggested measures to which he could not accede; the utmost which could be suspected from him was passive submission to those measures. And he added, that if your Lordship would give him his dismission, and allow him to go on a pilgrimage; or whether that was permitted or not, the whole of his territorial possessions, and of his treasures, were at the disposal of your Lordship's power: he neither had the inclination nor the strength to resist it; but he could not yield a voluntary consent to propositions so injurious to his reputation."[48]



The Governor-General wished to avoid the appearance of force in seizing the greater part of the Vizir's dominions; and was exceedingly anxious to extort by importunity some appearance of consent. Not only was the resident urged to use incessant endeavours for this purpose, but on the 30th of June, notice was sent of the resolution to which the Governor-General had proceeded, of sending his brother Henry Wellesley on a mission to the Vizir, in hopes that his near relation to the head of the government would strike with awe the mind of that Prince, and convince him more fully of the impossibility of eluding its declared determination.

Every mode of importunity was tried and exhausted. The scheme of abdication was, with every art of persuasion, and some even of compulsion (if severity in urging pecuniary demands which would have otherwise been relaxed are truly entitled to that designation) urged upon the Vizir, as the measure which, above all, would yield the greatest portion of advantage, with regard, in the first place, to his own tranquillity and happiness; in the second place, to the people of Oude; and in the third, to the British government. If, on the other hand, this measure should unfortunately not obtain his consent, he was desired to consider the territorial cession as a measure which force, if necessary, would be employed to accomplish; and the resident did, in the month of July, proceed so far as to give notice to some of the aumils, or great revenue managers of the territories intended to be seized, to hold themselves in readiness for transferring their payments and allegiance to the British government; a proceeding which the Vizir represented as giving him exquisite pain, and overwhelming him with disgrace.

To all the pressing remonstrances with which he was plied, he opposed only professions of passive, helpless, and reluctant obedience. He also pressed and endeavoured to stipulate for leave to retire, in performance of a pilgrimage: that his eyes might not

behold the performance of acts, which he could not contemplate without affliction; though he desired to retain the power of resuming the government of all that remained of his dominions, when his scheme of pilgrimage should be at an end.

On the 3d of September, Mr. Wellesley arrived at Lucknow; on the 5th presented to the Vizir a memorial explanatory of the principal objects of his mission, and had with him his first conversation on the 6th. The two propositions were again tendered; and, with every expression of submissiveness, the Vizir undertook to give them a renewed consideration. His answer was delayed till the 15th; when his consent to the first proposition, as what would bring "an everlasting stigma on his name by depriving a whole family of such a kingdom," was again peremptorily refused. The answer which was made by the two negotiators, the resident and Mr. Wellesley in conjunction, is perhaps the most remarkable which occurs in the annals of diplomacy; "That his Excellency reasoned upon the first proposition as if the execution of it deprived him of the possession of the musnud; whereas the true extent and meaning of it, and indeed the primary object, was to establish himself and posterity more firmly and securely on the musnud, with all the state, dignity, and affluence, appertaining to his exalted situation." A man may be so placed with regard to another, that it is not prudent for him to dispute the truth of what that other advances, should he even assert that black and white are the same colour. It was necessary to be in such a situation, before a proposition like this could be tendered to a man with any hope of escaping exposure. The Vizir was called upon to consign for ever the sovereignty of all his dominions to the Company, and



to bind himself never to reside within them, yet this was not to deprive him of his throne! it was more firmly to establish him on it![49]

On the subject of the territorial cession, the Nawab still deferred an explicit answer.[1]

On the 19th of September, instructions were written to the two negotiators, in which they were informed of the determination of the Governor-General, in case of the continued refusal on the part of the Vizir, to give his consent to one of the two propositions, to take from him not a part only, but the whole of his dominions. His Lordship, as usual, supports this resolution with a train of reasoning. The British interests were not secure, unless there was a good government in Oude: Unless the Nawaub Vizir gave his consent to one of the two propositions, a good government could not be established in Oude: Therefore, it would be not only proper, but an imperative duty, to strip that sovereign of all his dominions. "His Lordship has therefore no hesitation," says the document, "in authorising you, in the event above stated, to declare to his Excellency, in explicit terms, the resolution of the British government to assume the entire civil and military administration in the province of Oude. Should the communication of the intended declaration fail to produce any change in his Excellency's disposition, his Lordship directs that you will immediately proceed to make the necessary disposition of the army, and every other arrangement for carrying that resolution into immediate and complete effect."[50]

On the same day, however, on which these instructions were written, the Vizir communicated to the two negotiations a paper, in which he gave his consent to the second proposition, provided he was allowed to depart on his pilgrimages, and his son, as his representative, was, during his absence, placed on the throne. The reason assigned was in these words; "for I should consider it a disgrace, and it would be highly unpleasant to me, to show my face to my people here." The negotiators felt embarrassment; resented the imputations which the condition and the manner of it cast upon the British government; but were unwilling, for considerations of slight importance, to lose the advantage of the Vizir's consent, even to the lowest of the two propositions, since they now despaired of it to the first. "Having," say they, "deliberately reflected on every circumstance immediately connected with the negotiation, or which might eventually influence the result of it, we decidedly and unitedly agreed in the opinion, that the important objects of it could not be accomplished in a more preferable manner than by closing with his Excellency's proposition." A paper, accordingly, declaring their acceptance of the proposition, and attested by their joint signatures and seals, was delivered to the Vizir on the 24th.[51]



On the 27th, his Excellency communicated a proposition, of which the purport was, to secure to him the exclusive administration of the reserved territory. On this topic he was informed that enough had already been said: that the right of the British government, in regard to Oude, extended, not only to the alienation of as much of the territory as it chose to say was necessary to defray the cost of defence; but, even with regard to the remainder, to the placing of it in the military possession of the British troops, and the maintaining of a good government within it. What was this, but to declare, that of this part too, the government, civil and military, must rest in the English, the Vizir possessing the name, but none of the powers of a king? "It is evident," said the Vizir, in a letter on the 29th, "that I can derive no advantage from alienating part of my country, whilst I shall not remain master of the remainder."[52] On this proposition, however, important as he deemed it, he from that time forbore to insist.



The negotiators complained of endeavours to protract the conclusion of the treaty; first, by demanding unnecessary explanations, though they related to matters of great importance, expressed in the treaty in terms excessively vague; and secondly, by delays in the delivery of the accounts, though exceedingly voluminous, and somewhat confused. Several discussions took place on the revenues of some of the districts: but on the 10th of November the treaty was mutually exchanged, and, on the 14th, was ratified by the Governor-General at Benares. By this treaty the Nawaub ceded a country, producing 1,35,23,474 rupees of revenue, including expense of collection; and the authority of the British government over the remainder was provided for by the following words; "And the Honourable the East India Company hereby guarantee to his Excellency the Vizir, and to his heirs and successors, the possession of the territories which will remain to his Excellency after the territorial cession, together with *the exercise of his and their authority* within the said dominions. His Excellency engages that he will establish in his reserved dominions such a system of

administration (to be carried into effect by his own officers) as shall be conducive to the prosperity of his
subjects, and be calculated to secure the lives and property of the inhabitants; and his Excellency will always advise with, and *act in conformity to the counsel,* of the officers of the said Honourable Company."[53] No dominion can be more complete, than that which provides for a perpetual conformity to one's counsel, that is, one's will.



On the same day on which the Governor-General ratified the treaty, he created a grand commission for the provisional administration and settlement of the ceded districts. Three of the civil servants of the Company were appointed a Board of Commissioners; and his brother Henry Wellesley was nominated to be Lieutenant-Governor of the new territory, and President of the Board.[2]

The Governor-General performed another duty on the same day, which was that of giving the home authorities, along with the intelligence of the conclusion of the treaty, an intimation of the several advantages which he wished them to believe it carried in its bosom. These were "the entire extinction of the military power of the Nawaub;" the maintenance of a great part of the Bengal army at the Nawaub's expense; deliverance of the subsidy from all the accidents with which it was liable to be affected "by the corruption, imbecility, and abuse, of that vicious and incorrigible system of vexation and misrule, which constituted the government of Oude;" the power acquired by the Company of becoming "the instrument of restoring to affluence and prosperity one of the most fertile regions of the globe, now reduced to the most afflicting misery and desolation, by the depraved administration of the native government;"
deliverance from the stain "on the reputation and honour of the British nation in India, upholding by the terror of their name, and the immediate force of their arms, a system so disgraceful in its principles, and ruinous in its effects."[1]



On these supposed advantages a few reflections are required. The impatient desire to extinguish the military power of the Vizir exhibits the sort of relation in which the English government in India wishes to stand with its allies. It exhibits also the basis of hypocrisy, on which that government has so much endeavoured to build itself. The Nawaub was stripped of his dominions; yet things were placed in such a form, that it might still be affirmed he possessed them.

With regard to the alleged pecuniary advantages, the case was this. An obligation was contracted to defend and govern a country, for only part of its revenues. The question is, whether this can ever be advantageous. The Company's experience, at least, has been, that the countries of India can, under their administration, hardly ever yield so much as the cost of defence and government. That it is injustice and robbery to take from any people under the pretext of defending and governing them, more than the lowest possible sum for which these services can be performed, needs no demonstration.

The necessity, perpetually exposed to view, of defending Oude, as a barrier to the Company's frontier, is a fallacy. When the Company received the taxes paid by the people of Oude, and pledged themselves for their good defence and government, the people of Oude became British subjects to all intents and purposes; and the frontier of Oude became the Company's frontier. The question then is, whether it was best to defend a distant, or a proximate frontier. For the same reason that the Company took Oude for a frontier, they ought to have taken Delhi beyond it; after Delhi, another province, and after that another without end. Had they defended the frontier of Bengal and Bahar, leaving the province of Oude, as they left the country beyond it, would not the nearer frontier have been easier to defend than the one more remote? If the greater difficulty of defending the more distant frontier of Oude consumed all the money which was obtained from Oude, was there in that case any advantage? If it consumed more than all the money which was obtained from it, was there not in that case a positive loss? The means are not afforded us of exhibiting the loss in figures; but the British legislature, which by a solemn enactment prohibited all extension of frontier, as contrary both to the interest and the honour of the British nation, had declared beforehand that money was only a part of the loss.



The Governor-General's pretensions, raised on the badness of the native government, seem to be overthrown by his acts. If this was incorrigible, while the country remained in the hands of the Nabob, why, having it completely in his power to deliver the people of Oude from a misery which he delights to describe as unparalleled, did the Governor-General leave a great part of the country with the people in it, to be desolated and tortured by this hateful system of misrule? If it was corrigible, as he contradicts himself immediately by saying it was, and by pledging himself in his letter to the home authorities “to afford every practicable degree of security for the lives and property of the Vizir's remaining subjects,” there was no occasion for wresting from the Vizir the greater part of his dominions, under the plea, and that the single, solitary plea, that any improvement of the intolerable system of government, while the country remained in his hands, was altogether impossible.



The truth ought never to be forgotten, which the Governor-General here so eagerly brings forward; That the misery, produced by those native governments which the Company upholds, is misery produced by the Company; and sheds disgrace upon the British name.[1]

From his first arrival in India, the Governor-General had cherished the idea of paying an early visit to the interior and more distant parts of the provinces more immediately subject to his authority; but the circumstances which had required his presence at Calcutta or Madras, had till now postponed the execution of his design. Part of his object was to ascertain the real effects of the Company's government upon the prosperity of the country, upon the wealth, industry, morals, and happiness of the population; and to acquire a knowledge of the character of the people, and of their modes of thinking, all more perfectly than, without personal inspection, he regarded as possible. The design was laudable. But a short reflection might have convinced

him, that, in a progress of a few months, a great part of which was spent on the river, all the observations which he, incapacitated from mixing with the natives, both by his station, and his language, was in a situation to make, were so very few and partial, that they could form a just foundation for few useful conclusions; and only exposed him, if he was inclined to over-rate them, to be more easily duped by the men through whose eyes it behoved him to see, and on whom he was still compelled to rely for all his information. To learn the effects of a government upon a people, and to ascertain their temper and modes of thinking, by personal observation, requires long, and minute, and extensive intercourse. What, in the compass of a few weeks, or months, can a man collect, respecting these important circumstances, by looking, from his barge, or his palanquin, as he proceeds along, and at one or two of the principal places conversing in state with a small number of the leading men, eager not to salute his ears or his eyes with an opinion or a fact, but such as they expect will minister to his gratification? What a man, in these circumstances, is sure to do, is, to confirm himself in all the opinions, right or wrong, with which he sets out; and the more strongly, the higher the value which he attaches to the observing process he is then performing. What was to be expected, therefore, accurately happened; the Governor-General saw none but admirable effects of the Company's admirable effects of the Company's admirable government; and if those of an opposite sort had been ten times as many as they were, they would all have been equally invisible to his eyes. In surveying a country, it is not easy to form sound opinions, even when the means of observation are the most perfect and full: in India, the Company's servants, setting out with strong anticipations, and having means of observation the most scanty and defective, have commonly seen such things only, as it was their desire and expectation to see.



Other advantages, which the Governor-General expected to realize by his presence in the different parts of the provinces, were; an increased attention to the discharge of their duties, in the various local ministers of government, civil and military, who would thus be more sensibly convinced of the vigilant inspection which was maintained over them; and, a new degree of confidence and satisfaction, with respect to their government, in the body of the people, thus made to see with their eyes the solicitude with which the conduct of those who commanded them was watched. But the circumstance which most strongly operated upon the mind of the Governor-General, at the time when he resolved to commence his journey, was, the effect which his departure, with the declared intention of visiting Oude, was expected to produce in accelerating the submission of the Vizir to the demands with which he was pressed. Preparations were made for the commencement of the voyage on the river early in July, 1801; but owing to the delay of the dispatches expected from Europe, and other causes, it was the 15th of August before he was enabled to embark. It was on the 18th, in a council held on board the yacht at Barrackpore, that Mr. Speke (the Commander-in-Chief having preceded the Governor-General in this excursion) was chosen, during the absence of the Head Ruler, Vice-President of the Council, and Deputy Governor of Fort William. On the 23th of September, the Governor-General was at Monghir. On the 14th of November, at the time of ratifying the treaty, he was on the Ganges, near Benares. And on the

19th of January, 1802, he was met at Cawnpore by the Nawaub Vizir, who had left his capital to do him honour by the ceremony of anticipation.[1]

The Governor-General resolved to sooth the mind of the Nabob, under the mortifying sacrifices to which
he had so lately been compelled to submit, by a studied display of personal respect; as well for the purpose of substituting pleasurable to painful feelings, as for that of moulding his inclination to the compliances which yet remained to be exacted of him. He abstained accordingly from soliciting his mind on those subjects, till he had made, as he conceived, a very favourable impression upon it. Soon after they had arrived at Lucknow, the Governor-General requested a private conference with his Excellency, and gave him intimation of the acts which he was expected to perform. These were, the immediate discharge of the arrear of the augmented subsidy, amounting to twenty-one lacs of rupees; the immediate reduction of his Excellency's military establishment to the scale described in the treaty; an exchange of one of the new districts for the purpose of removing an interruption in the line of the Company's frontier; the regular payment of the pensions to his relatives and dependants; the reform, on a plan to be given by the English, of the government within his reserved dominions; and the concentration of the British force, which was to be employed within those dominions, at a cantonment in the vicinity of Lucknow. For obedience, on most of these points, the Vizir was prepared, either by inclination, or his knowledge of the inability of resistance. For the payment of arrears he only requested time; and could not help expressing his opinion, that neither necessity nor utility required the concentration of the British force at Lucknow. The object of principal importance was, the introduction of a better government in his reduced dominions. On this subject the Nawaub professed that his opinions coincided with those of the British ruler; but complained that he was not
possessed of sufficient authority, within his dominions, to carry any of his own designs into effect. On this subject, he manifested great reluctance to explain what he meant. When explanation was obtained from him, it appeared, that he was galled by the interference of the resident, and made this last effort to obtain such an exemption from that restraint, as would have destroyed, says the Governor-General, “that degree of interference and control which is indispensably necessary for the support of the British influence in Oude; and would have rendered nugatory that stipulation of the treaty which provides for the security of the British influence over the measures of his Excellency's administration.” It also appeared, that he was desirous of a change of the resident, who was personally disagreeable to him. But on no one of these points did the determination of the Governor-General admit of any relaxation. In these circumstances, the Nawaub, whether disgusted with his situation, or in the spirit of stratagem, renewed his request for permission to absent himself on a pilgrimage, and to leave his government in the hands of his second son. Though the Governor-General stated his reasons for disapproving this design, he gave him assurance that he would not oppose it; and expressed the highest indignation when the Nawaub, as in distrust, betrayed afterwards an inclination to render the payment of arrears a condition dependant upon compliance with this request.[1]



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As an introduction to the measures which he designed to propose for improving the government of the Nawaub's dominions, the Governor-General held up to his view, what he regarded as the causes of the existing evils. The abuses arising from the employment of a licentious soldiery in executing the business of government among the people, were once more displayed, but chiefly with intent to declare, that for this evil a remedy, in the annihilation-reform, was already applied. Of all the evils which remained; evils, which the Governor-General had represented as so enormous that nothing less than the abdication of the sovereign, or the complete transfer of all his authority into the hands of the Company, could suffice for their cure, the causes, according to his enumeration, reduced themselves to two; First, "The want of a judicial administration for the protection of the lives and property of the subjects, for the detection and punishment of crimes, for the redress of grievances, and for the adjustment of disputed claims;" Secondly, "The abuses prevailing in the administration of the revenues—arising, principally, from the destructive practice of anticipating the revenues, of assigning the charge of the collections to persons who offer the highest terms, or the largest amount of nuzzerana; from the uncertain tenure by which the aumils hold the charge of their respective districts; the violation of the engagements contracted between the aumils, zemindars, underrenters, and ryots, the arbitrary and oppressive exactions which pervade the whole system of the revenue, through every gradation, from the aumil to the ryot; the defective and injudicious constitution of the whole system of revenue; and the injurious mode of making the collections."[1]



By these, the very words, in conjunction with the acts, of the Governor-General, we are given to understand, that a bad judicial, and a bad taxing system (excepting the army, the only causes of evil in Oude), are quite sufficient to render a government, the scourge and desolation of a country; and to make the subversion of such a government, both in name and in reality, but at any rate, in reality, if not also in name, a duty imperiously demanded at the hand of whoever has the power to bring it about.

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When, however, the Governor-General manifested a sensibility of such uncommon strength (and on such a subject the sensibility of a man is naturally in proportion to the united strength of his moral and intellectual virtues) to the unbounded evils which spring from defective systems of law and taxation, it is remarkable that he did not turn his thoughts to the effects produced by the systems of law and taxation, of which he himself superintended the administration. It is declared, in the strongest and most explicit terms, by several of the Company's servants, best acquainted with Indian affairs, in their examination before the House of Commons, in 1806, that, not in respect to army, judicature, or taxation, was the situation of Oude, though viewed with such horror by the Governor-General, more unfavourable, than that of other native governments of India; with which it might truly be regarded as upon a level.[1] The government of Bengal, before it passed into the hands of the English, had been distinguished among the governments of India for its vices rather than its virtues. Yet we have seen it declared, and put upon record, by the most experienced servants of the Company, in their solemn official reports, that in their opinion the new systems of judicature and taxation, so laboriously, and so disinterestedly introduced by the English government,

had not improved, but had rather deteriorated the condition of the great body of the people.[1] It is not, however, correct to say, that the Governor-General turned not his attention to the effects of the systems of judicature and taxation, the administration of which it was his business to superinted. He thought of them quite sufficiently; but he was altogether deceived. It was perfectly impossible for him to see with his own eyes what was sufficient to convince a mind, impressed both by anticipation and interest with other notions, that the British systems were ill adapted to the ends they had in view; and he was daily assured by those whose anticipations and interests were similar to his own, and who paid their court by speaking opinions calculated to please, that the effects produced were all excellent; he, therefore, believed that they were all excellent; he, therefore, believed that they were all excellent, and assured the home authorities, that he had been enabled to ascertain, by actual observation on his journey, that they were all excellent, and that in the highest degree. He concluded, therefore, most conscientiously, that nothing happier could be done for the people of Oude, than to assimilate their situation as nearly as practicable to that of the people in the Company's provinces.

From the specimens of the loose, and defective, and tautological language of the Governor-General, exhibited in his statement of the sources of evil in the government of Oude, the intelligent reader will perceive in what obscurity, on the subjects of judicature and taxation, the mind of that ruler remained; and how crude and insufficient were the ideas which, upon these subjects, floated in his brain. He had nothing further to recommend than, First, on the subject of judicature, to establish district courts, and a general court of appeal and control, upon the plan of the district courts, and the courts of Sudder Dewanny, and Nizamut Adaulut, in the Company's dominions; And, secondly, on the subject of taxation, to give the districts in charge to persons of undoubted character and qualifications, to pay those persons by a salary, and make their further profits depend upon the augmentation of their collections; to continue them in their office while their behaviour yielded satisfaction; to compel them, through the courts of justice, to fulfil their engagements with the middlemen, and the middlemen to fulfil their engagements with one another, and with the ryots.

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Along with the establishment of courts of justice, the Governor-General stated, also, the necessity of “an efficient system of police, calculated to secure the apprehension of offenders, for the purpose of bringing them to justice.” And he did not prescribe conformity with the practice of the Company in matters of detail, for which he referred the Nawaub to the advice of the resident, because matters of detail must, he said, be regulated by local circumstances, and adapted to the constitution of the government, and the actual condition of the people.[1]

How little security, for an improvement of the government, these changes afforded, it requires but a feeble insight into the springs of human affairs, sufficiently to discern. He would appoint new officers of justice and police; but where was any security that they would perform their duty, and not multiply, by the abuse of their powers, the evils they were intended to extinguish? It appears that the Governor-General was

ignorant how completely the English systems of law and taxation were unprovided with securities for the protection of the people, notwithstanding the superior intelligence and good intention of the English government itself. For preventing the gatherers and farmers of the taxes from their usual exactions and oppressions, the Governor-General trusted entirely to the courts of justice; but unless sufficient securities were created in the constitution of the courts, and code of law, the officers of justice would only become the sharers and protectors of every profitable crime.



Though it appears that the Governor-General had very little knowledge of what properties are required in systems of judicature, and of taxation, to prevent them from ensuring the misery of the people; yet of one security, he gives a just conception: "The rights of property, of all descriptions, of landholders, should be defined; and the definition of those rights should form the basis of adjudication."[1] When he mentions landlords, of course it is not exclusively. He means not that the rights of that class of men should have the protection of law; and the rights of other men be left the sport and prey of arbitrary will. He means that the rights of all men should be accurately defined. And he would allow, that not only their rights but their obligations should be defined, whence alone the violations of them can be effectually suppressed. These definitions, he would, in like manner, allow, ought, by all means, to be made known to every individual whom they concern, that is, the whole community; in other words, they should be formed into a book, and effectually disseminated and taught.[2] But when the Governor-General expressed his conviction of the great importance of embodying law in accurate definitions, that is, in a well-constructed code; in what degree was it unknown to him that this indispensable requisite to the good administration of justice was, over the greater part of the field of law, altogether wanting in the provinces which he governed, and even in his native country itself?





Having accomplished all the measures to which his notions of reform for Oude were extended, the Governor-General quitted Lucknow at the end of February, and proceeded to Benares, on his way to Calcutta. He had appointed the agents of the Bhow Begum to meet him there, for the adjustment of certain claims, which she preferred, both against the Vizir, and the English government. But he was still obliged to defer the decision. A circumstance had occurred with regard to the Begum which is too intimately connected with other proceedings of the English government in Oude, not to require to be shortly adduced. While the negotiations were proceeding with the Vizir, the Begum had formerly tendered to the English government an offer to constitute the Company her heir. The object of the Begum in this determination was to secure herself completely, by the protection of the English government, against the exactions to which she was exposed at the hand of her grandson. Against this disposal of her property, however, the law of the country, and the law of nations, interposed; it being an established principle of Mahomedan jurisprudence, that the sovereign is legal heir to the property of all his subjects; and the Governor-General acknowledging "the justice and policy of preventing the transfer of individual property, by gift or testament to a foreign state." He determined, however, to accept the legacy, and reasoned in favour of his determination in the

following words: “The exalted rank of the Begum, and the superior relation in which she stands towards his Excellency the Vizir, are circumstances which distinguish her condition from that of a subject possessing no rights of property independent of the will of his
despotic sovereign: She derives her title to her present possessions from the same source from which his Excellency derives his title to the musnud; her right therefore to dispose of her personal property, in any manner she may deem expedient, except for purposes injurious to the interests of the state, must be admitted—and the peculiar nature of the connection subsisting between his Excellency the Vizir and the Honourable Company, renders the Begum's proposed transfer of her wealth to the latter, at the period of her decease, wholly unobjectionable with reference to the public interests of the state of Oude.” The remarkable contrast, between this doctrine relative to the property of the Begum, and the doctrine which was promulgated by Mr. Hastings, as the ground on which he bartered to the late Vizir the liberty of taking it away from her, the doctrine too on which that Governor was defended, aye, and acquitted, before the high court of parliament,[1] will not escape the attentive student of Indian history, to the latest generation. The Governor-General adds; “The character of his Excellency the Vizir, and his inordinate passion for the accumulation of wealth, justify the Begum in seeking timely protection for herself, her family, and dependants, from the effects of his Excellency's known views, and sordid disposition.” Recollecting, it seems, the traffic, between a predecessor of the Governor-General, and a predecessor of his own, when certain benefits to the Company were exchanged for a permission to spoil the Begum, and other members of the royal family, the Vizir had looked to this quarter, as a source of indemnity for the cessions to which he was urged, and had signified his disposition to conclude a similar bargain. The indignation of the Governor-General is expressed in the following words: “The inclination manifested by his Excellency the Vizir,



in the form of a conditional assent to Lieutenant Colonel Scott's proposal for a territorial cession, to degrade and despoil the most distinguished characters of his family and his court—a design,

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though under some degree of disguise, particularly directed to the Begum—and his insidious and disgraceful attempt to obtain the sanction of the British name to such unwarrantable acts of proscription, have given additional weight, in his Lordship's mind, to the arguments above detailed, and have determined his Lordship not only to acquiesce in the Begum's proposal to its utmost extent, if it should be revived on her part; but to encourage her Highness to renew her proposition at the earliest period of time, and by every justifiable means.”[1] Such is the language, in which Marquis Wellesley treats a conduct, which had been pursued by one of his most distinguished predecessors; defended, as meritorious, by some of the most powerful of the public men in England; snd solemnly declared to be innocent, by a judicial decision of the High Court of Parliament itself.

In the mean time, the substitution of the forms and agents of the Company's government to those of the government of the Vizir was carrying on in the ceded provinces. The Governor-General had stated to the home authorities, in the letter in which he announced the ratification of the treaty, that the reasons which induced him to vest his brother with extraordinary powers for the superintendance of this service,

were the great difficulty of the task, the peculiarly appropriate qualifications which Mr. Wellesley had displayed in the negotiation with the Vizir, and the authority which he would derive from his relationship with himself. And he expressed his "trust, that in the course of a year or possibly within a shorter period of time, the settlement of the ceded districts might be so far advanced, as to enable him to withdraw Mr. Wellesley, and to leave the administration of the country nearly in the same form as that of Benares."[1] When this letter reached the Court of Directors, that body of rulers, professing their inability, till they received the proper documents, to decide upon the means by which the treaty had been accomplished, declared the obligation, under which they felt themselves, to lose no time, in condemning the appointment of Mr. Wellesley, who was the private secretary of the Governor-General, and belonged not to the class of Company's servants, as "a virtual supercession of the just rights" of those servants, whom the Court of Directors were bound to protect; and a violation of the act of parliament which expressly confines the filling up of vacancies in the civil line of the Company's service in India to the civil servants of the Company. They directed accordingly, "that Mr. Wellesley be removed forthwith." This letter, dated the 19th of August, 1802, transmitted, as was legally necessary, to the Board of Control, was returned, on the 20th of September, with a prohibition to express for the present any decision upon the appointment of Mr. Wellesley, for the following reasons; first, because the service to which Mr. Wellesley was appointed, being not in the fixed and ordinary line of the Company's service, and not permanent, but extraordinary and temporary, it did not appear that the rights of the covenanted servants, or the law which prescribed the mode of supplying vacancies, were infringed; secondly, because occasions might occur in which, for extraordinary duties, the employment of persons, without the line of the Company's service, might be expedient; thirdly, because, if there existed any such cases, it was proper to wait for the reasons of the Governor-General, before a decision was pronounced; especially, as Mr. Wellesley, it was probable, would have resigned his office, before the order for his removal could be received, and as he had disinterestedly declined all emoluments beyond the amount of what would have belonged to him, as private secretary to the Governor-General.[1]



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On the 13th of March, 1802, the Governor-General wrote to the Court of Directors in the following words: "I have the satisfaction to assure your Honourable Court, that the settlement of the ceded provinces has proceeded with a degree of facility and success, which has exceeded my most sanguine expectations."

A business, relating to another territorial cession, in the mean time occupied the attention of the Lieutenant-Governor. In addition to the territorial cessions which had been extorted from the Nawaub Vizir, was the tribute paid to the government of Oude by the sovereign of Furruckabad. The ancestors of this Prince had long solicited, and enjoyed, the protection of the East India Company, against the wish to dispossess them, which they knew was cherished by the Nabobs of Oude. Their principality extended along the western banks of the Ganges, adjoining the north-western boundary of the principality of Oude, a space of about 150 miles in length, and a third of that extent in breadth; yielding a revenue of nearly ten and a half lacs of rupees. It

was surrounded for the greater part by the territories belonging to Oude, which had been recently
transferred to the East India Company. For terminating the disputes, which had long subsisted between the princes of Furruckabad and Oude, a treaty, under the influence of the English government, was concluded in 1786; according to which it was agreed, that the Nawaub of Furruckabad should not retain any military force, beyond what was required for purposes of state; that the Nawaub of Oude should always maintain a battalion of Sepoys in Furruckabad for the protection of the territories and person of the Nawaub; and "on account," says the treaty, "of the troops which the Nawaub Asoph ul Dowlah shall so maintain, the Nawaub Muzuffer Jung will pay him the sum of four lacs and fifty thousand rupees yearly, instead of all the sums which the said Asoph ul Dowlah, in capacity of Vizir, used formerly to take from him; and henceforth his people shall be at his own disposal." The English government having, in its quality of protector, quartered a resident upon the Nawaub of Furruckabad, and a use having been made of his power, which the Marquis Cornwallis, in a dispatch to his masters, described as "having ever been highly offensive to the Vizir, as having in no degree promoted the interest or the satisfaction of the Nawaub, and as having—while it produced no sort of advantage to the Company—by no means contributed to the credit of the government of Hindustan," that Supreme Governor, in 1787, determined, "That the English resident at Furruckabad should be recalled, and that no other should afterwards be appointed."



The eldest son of the Nawaub Muzuffer Jung, being convicted of the murder of his father, was carried to Lucknow, and confined by orders of the Vizir, when the succession devolved upon the second son of the late Nawaub, at that time a minor. The appointment of a regent was regarded as a point of too
much importance to be left to the Vizir; the English government interfered, and made choice of an uncle of the young Nabob, who had formerly been minister. On the visit paid by the late Governor-General to Lucknow in 1797, he was waited upon by the young Nawaub, and the Regent, who had numerous complaints to prefer against one another. The regent was continued in his office, and terms were drawn up for better regulating the administration. The Marquis Wellesley, in his progress towards Oude, had required the presence of both the Nawaub and the Regent at Caunpore, and had carried them with him to Lucknow. His purpose was, both to receive their acknowledgments upon the late transfer of the Furruckabad tribute; and "to adjust," as he himself expresses it, "the terms of a new and improved arrangement of the affairs of that principality—upon terms calculated to secure its prosperity, and beneficial to the interests of the Honourable Company." The pressure, notwithstanding, of other affairs, prevented him from engaging in the business of the meditated changes; and he left the execution of them to the Lieutenant-Governor of the ceded country, to whom the Nawaub and Regent were desired to repair with all practicable expedition.[1]

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The termination of the Nawaub's minority was now approaching, when he desired that the power and management of his principality should be put into his own hands. In writing his instructions to Mr. Wellesley, the Governor-General remarks, that the time

was now come, when it became necessary, either to vest the Nawaub with the general government
of the country, or to demand the cession of it to the Honourable Company.



The advantages of the cession to the Company "both in a political and pecuniary point of view," he said, "were obvious." And to leave the principality to the rightful heir of its ancient masters, was extremely objectionable; inasmuch as the Regent, who had an interest in defaming him, had given him a very bad character. It is true, the Nawaub had also given the Regent a bad character; but the Regent, it seems, met with belief, the Nawaub not.

Two remarks are here unavoidable. The first is, that whatever were the springs of action in the mind of the Governor-General, he was forcibly drawn to believe, in conformity with his wishes; and few men, where the case is involved in any obscurity, are capable of believing in opposition to them. The next remark is, that we have here another instance of the doctrine, taught to the world, both by the reasonings, and still more remarkably by the practice of the Governor-General, that, whenever the character of a sovereign is bad, and his government either bad, or so much as likely to be so, he ought to be deposed, and his power transferred to hands, in which a better use may be expected to be made of it.

It is not to be supposed, that the Governor-General would wish to narrow his doctrine to the basis of his particular case; because that would reduce it to the atrocious Machiavelism, That it is always lawful for a strong prince to depose a weak one, at least if he has first kept him a while in the thraldom of dependance, whenever he chooses to suppose that he himself would govern better than the weak one.

The Regent arrived at Bareilly, which the Lieutenant-Governor of the ceded districts had made the seat of his administration, on the 30th of April, 1802, a few days earlier than the Nawaub. The Lieutenant-Governor
requested to know what plan of reform he would recommend, for the government of the Nabob's country. "He appeared at first," says the Lieutenant-Governor, "very unwilling to disclose his sentiments, stating in general terms that he was unable to form any judgment of what was best for the country; but that he was willing to subscribe to any arrangement which the Governor-General might deem adviseable." The Lieutenant-Governor proceeded to press him, declaring to him, that "without a free and unreserved communication on his part, no confidential intercourse could subsist between them." The Regent stated his wish to decline the suggestion of any opinions, and entreated to hear what were the designs of the British government. "Being desirous," says the Lieutenant-Governor, "that the proposal, of vesting the civil and military authority in the hands of the British government, should originate with the Regent, I continued to urge him to an unreserved disclosure of his sentiments with respect to the most eligible plan for the future government." He then stated, that three modes occurred to his mind. One was, that the administration should still remain in his own hands. Another was, that the Nawaub, upon the expiration of his minority, should assume the reins of government. The third was, that the English should take the government to

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themselves. As to the first plan, the Lieutenant-Governor replied, that the aversion of the Nawaub would render it impracticable. From the second, if the character ascribed to the Nawaub, by the Regent himself, were true, the effects of good government could not be expected. Remained, as the only unobjectionable scheme, the transfer of all the powers of government to the Honourable Company. “Here,” says Mr. Wellesley, in his account transmitted to the Governor-General, “I stated, that your Lordship had long been of opinion that this was the only arrangement which could ultimately afford satisfaction to all parties, and establish the welfare and prosperity of the province upon a secure and permanent foundation.” The Regent was assured that a liberal provision would be made for all the persons whom this arrangement affected, and that his interests in particular would not be neglected. The Regent “stated in reply, that he had the fullest reliance upon the British government; and that he was ready to promote the Governor-General's views, by all the means in his power.”



Upon the arrival of the Nawaub, a representation was made to him of the necessity of a radical reform in the government of his country, and of the plan which the Governor-General approved. Requesting to receive the proposition in writing, it was transmitted to him in the following words; “That the Nawaub should be continued on the musnud of his ancestors with all honour, consigning over the civil and military administration of the province of Furruckabad into the hands of the Company's government: That whatever balance should remain from the revenues collected, after paying the amount of the Company's tribute, the charges of government, and the expense of a battalion of Sepoys, in the room of an army now maintained by the Regent, should be paid without fail into the Nawaub's treasury.” What is here remarkable is the *language;* the Nawaub was to be continued on the throne of his ancestors, with all honour; at the same time that the government and dominion of the country were wholly and for ever to be taken from him, and he was to be reduced to the condition of a powerless individual, a mere pensioner of the state. A new degree of skill, in the mode of stating things, had been acquired, since abdication was proposed to the Vizir. The Nawaub remonstrated, in moderate, but pathetic terms: “I have understood the proposition for delivering up the country of Furruckabad into the hands of the Company's government. I have no power to make any objections, to whatever you propose: but you know that the Governor-General, during my minority, delivered over the country to Kirrud Mund Khan, as deputy: Now that my minority has passed, when I was in hopes that I should be put in possession of the country and property, this proposition is made to me. I am totally at a loss what to do. If I deliver over the country to the English government, all my relations and my neighbours, and all the nobility of Hindustan, will say that I have been found so unfit by the English government, that they did not think proper to entrust me with the management of such a country: and I shall never escape, for many generations, from the sneers of the people. If, on the contrary, I say any thing in disobedience to your orders, it will be against all rules of submission and propriety.” He then proceeded to propose, that the English government should appoint one of its own servants, as superintendant of revenue; who should take cognizance of the collections; send even his own agents to the villages, to act in common with the Furruckabad collectors; and transmit the stated

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tribute to the Company. “In this way,” said he, “your wishes may be accomplished, and my honour and name preserved among the people.—As hitherto no person, throughout Hindustan, without a fault, has been deprived of the Company's friendship and generosity, if I should also gain my desires, it would not derogate from your friendship and generosity.”



The Lieutenant-Governor immediately replied, that his proposition was inadmissible; that, according to the conviction of the Governor-General, nothing but the transfer of the government could answer the ends proposed; and “he renewed that proposition with an earnest request that the Nabob would take it into his cool and dispassionate consideration.” The Nawaub, still venturing to declare it “extraordinary, that no other mode could be devised,” for the rectification of what was amiss, entreated to be furnished with a statement of the revenues, of the demands of the English, and of the balance which would remain for his subsistence, after deduction of them was made. By the account which was delivered to him, it appeared that he would receive 62,366 rupees, per annum. The Nawaub offered little further objection. Some moderate requests which he preferred were liberally granted. And a treaty was concluded on the 4th of June, 1802, by which the country was ceded in perpetuity to the English, but instead of the balance of the revenues, a fixed sum of one lac and 8,000 rupees per annum was settled on the Nawaub.

“It may be proper,” says the Lieutenant-Governor, in concluding his report, upon this transaction, to the Governor-General, “to observe, that Khirrud Mund Khan (the Regent) has afforded me no assistance towards obtaining the Nawaub's consent to the cession, although upon his arrival at Bareilly, he confessed himself to be aware of the necessity of it.—I have great reason to be satisfied with the conduct of the Nawaub; who, if he had been suffered to follow the dictates of his own judgment, would, I am persuaded, have acceded to your Lordship's proposals with very little hesitation. He has invariably expressed himself desirous of promoting your Lordship's views by all the means in his power.” The ground, then, upon which the necessity of taking the country was founded; namely, the bad character of the Nabob; was discovered, and that before the conclusion of the business, to be false.[1] “It is satisfactory,” says the Lieutenant-Governor in another dispatch, “to reflect that the transfer of the province of Furruckabad has not been less beneficial to the interests of the Nabob, than to those of the Company. Previously to my departure from the ceded provinces, I had an interview with the Nabob at Furruckabad, who expressed himself highly gratified by the arrangement which had taken place; and whose respectable appearance, surrounded by his family and dependants, formed a striking contrast with the state of degradation in which he appeared, when the affairs of Furruckabad were administered by his uncle, the Nabob Khirrund Mund Khan.”[2] It is curious enough to observe the doctrine which is held forth by the Anglo-Indian government. Uniformly, as they desire to transfer the sovereignty of any prince—the Nabob of Furruckabad, the Nabob of Oude, the Nabob of Carnatic, the Rajah of Tanjore,—to themselves, they represent it as no injury to the Prince to be deprived of his sovereignty, but, on the other hand a benefit, and a great one, if they are allowed to live upon a handsome income, as private men. Do the East India Company, and the

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servants and masters of the East India Company, limit their doctrine to the case of East India Princes, or do they hold it as a general doctrine, applicable to Princes in every part of the globe?

In what was called the settlement of the country, for which the Lieutenant-Governor was specially appointed, the principal duty which he prescribed to himself, the principal duty which was expected of him, was to put in play the English machinery for the collection of the revenue. The English collectors were distributed; and, after as much knowledge as they could, by inquiry and personal inspection, obtain respecting the ability of the contributors, an assessment at so much per village was laid on the land; and the terms of it settled for three years. In some of the districts, in which the present desolation seemed easy to be repaired, an increase of rent was to be levied each succeeding year.



The Sayer, including duties of transit, and some other taxes, the Lieutenant-Governor found here to be characterized by the same inconvenience, which had recommended the abolition of them in Bengal; namely, great expense of collection, great vexation to the people, and little revenue to the government. He, therefore, took them away; and established a regular custom house tax, in their place.

Salt, in the ceded districts, had heretofore only paid certain duties to the government; and was imported into the districts by dealers. These dealers are represented by the Lieutenant-Governor as few in number, able to support a kind of monopoly, and regulate the price at their will. The sale of salt was now erected into a monopoly in the hands of government. The Lieutenant-Governor calculated, that the profit to government, "without," he says, "*materially* enhancing the price to consumers," would be eleven lacs of rupees per annum.

The commercial resources of the country presented to the Lieutenant-Governor an object of particular care. There was no obstruction, but what might easily be removed, in the navigation of the Jumna, from its entrance into the country, to its junction with the Ganges. By removing the evils which had driven commerce from this river, piracy, and vexatious duties, he expected to increase exceedingly the commercial transactions of the country, and to render Allahabad, which was a sacred city of great resort, a remarkable emporium between the eastern and western quarters of Hindustan.[1]



The Commissioners of the Board of Settlement, in addition to their administrative duties, as assistants of the Lieutenant-Governor, were appointed the judges of circuit and appeal; and six judges, with the title of registers, were destined to hold Zillah Courts, at the six principal places of the country.[2]

In the new country were several Zemindars, who, as usual, under the native governments, had enjoyed a sort of sovereignty, and of whom little more was exacted than an annual tribute, and sometimes the use of their troops in war. In the first year of the Company's possession, these Zemindars were only required to yield the same

tribute which they had paid to the Vizir. To the alterations which were proposed in the second year, a Rajah, named Bugwunt Sing, who possessed the two forts of Sasnee and Bidgeghur, and maintained an army of 20,000 men, showed an aversion to submit. He was given to understand, that in the terms no alteration would be made, and that non-compliance must be followed by the surrender of his forts. It was deemed a matter of more than ordinary importance to dispossess Bugwunt Sing of these two forts, both as they rendered him too powerful for a compliant subject, and as his example afforded encouragement to other Zemindars.

On the 12th of December, 1802, Lieutenant-Colonel Blair, with a force consisting of four troops
of native cavalry, four battalions of native infantry, and a supply of ordnance, took a position about two miles distant from the fort of Sasnee. He was not ready to commence the operations of the siege till the 27th, when the approaches were begun, at the distance of 800 yards from the place. On the 28th the garrison began for the first time to fire. On the 30th, towards evening, a sally was made against the head of the trenches, and repulsed with a very trifling loss. On the 3d of January, 1803, about the same time of the day, another sally was made on the trenches, by a large body of infantry, under cover of a heavy fire from the fort; but though some of the enemy rushed impetuously into the trenches, they speedily retired. The breaching and enfilading batteries were completed on the night of the 4th. It was found necessary to increase the force, employed in the reduction of the Rajah. The 4th regiment of native cavalry, the 2d battalion of the 17th regiment, and five companies of his Majesty's 76th regiment were added; and the Honourable Major General St. John was sent to take the command. On the evening of the 14th, Lieutenant-Colonel Blair, judging the breach to be practicable, selected fifteen of the flank companies for the assault, and ordered them to storm a little before day-break, while a false attack was made on the opposite side of the fort. They descended into the ditch, and planted their ladders; but unhappily found that by the unexpected depth of the ditch, and the sinking of the ladders in the mud, they came short of the necessary length by several feet. After an ineffectual endeavour to mount, and after the sepoys had remained fifteen minutes upon the ladders, exposed to a heavy fire, the party was withdrawn, with the loss of ten men killed, and somewhat more than double the number wounded.



The Commander-in-Chief repaired to Sasnee with the reinforcement of another regiment of cavalry; joined the besiegers on the 31st; ordered the approaches to be advanced 200 yards, and the place to be invested as closely as possible. On the 8th, the town adjoining the fort was taken. The enemy defended it feebly; but made a strong, though unsuccessful, attempt, to recover it the following night.

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About eight o'clock on the evening of the 11th, the garrison evacuated the fort without being perceived. As soon as the event was known, a party of cavalry hastened, and with some success, to prevent them from getting into the fort of Bidgegur. The Rajah withdrew to a fort, which belonged to him, within the line of the Mahratta frontier.

The army proceeded on the 13th, and summoned Bidgegur, which the commander, without the consent of his master, declined giving up. Weather being adverse, the batteries were not ready till the morning of the 21st. On the evening of the 27th, the breach was made practicable, and at five o'clock in the morning, the assault was to begin; but during the night exceedingly dark and rainy, the garrison were discovered evacuating the fort. Though many were killed, the majority, and all the principal leaders escaped. The loss during the siege was trifling, but Lieutenant-Colonel James Gordon, an officer of merit, was killed by the explosion of a powder magazine in the fort, the morning after it was taken.1

In the month of March, the commission appointed for the provisional government of the ceded provinces was dissolved; Mr. Wellesley resigned his situation of Lieutenant-Governor; and immediately returned to Europe. In a dispatch, dated 19th of November
1803, the home authorities declare their entire approbation of the late transactions with the Vizir; "the stipulations of the treaty being calculated to improve and secure the interests of the Vizir, as well as those of the Company;" nay more, "to provide more effectually hereafter for the good government of Oude, and consequently for the happiness of its inhabitants." "We cannot conclude," they say, "without expressing our satisfaction, that the cessions in question have been transferred, and provisionally settled, with so little delay, as already to admit of their being brought under the general administration of the Bengal government. The special commission, at the head of which Mr. Henry Wellesley was placed, appears to us to have executed their trust, with zeal, diligence, and ability; and the settlement of the revenue, which they have concluded for a period of three years, holds out flattering prospects of future increase. The general report, delivered in by Mr. Wellesley, on the termination of his mission, has afforded us much satisfactory information with respect to the resources of the upper provinces; and we are happy to take this occasion of approving the conduct, and acknowledging the services of that gentleman."1



As the temptation of administrators to exaggerate the success of their measures is almost irresistible; as the distance of Indian administrators affords them, in this respect, peculiar advantages; and as it is pleasing to be led by flattering representations, this is a deception against which the public, as yet, are by no means sufficiently on their guard. "It is with the highest degree of satisfaction," says the Governor-General in Council, in a dispatch in the revenue department, to the home authorities, dated the 20th of October, 1803, "that his Excellency in Council acquaints your Honourable Court, that the wisdom of those measures, adopted during the administration of Mr. Wellesley, for promoting the improvement and prosperity of the ceded provinces, appears to have been fully confirmed, by the tranquillity which has generally prevailed through the country, and by the punctuality and facility with which the revenue, on account of the first year of the triennial settlement has been realized."1 From such a representation as this, every man would conclude, that great contentment and satisfaction prevailed. Hear Mr. Ryley, who was appointed judge and magistrate of the district of Etaawah, in February, 1803, and there remained till 1805. Being asked, as a witness before the House of Commons, on the 20th of June, 1806,

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"Were the Zemindars, and higher orders of the people attached to our government, during the whole period you were judge and magistrate of the Ettawah district?"—he answered; "Generally speaking, I believe the higher orders of people in our district were not at all well-inclined to the British government—Do you not believe that they are ripe for a revolt if a favourable opportunity should offer?—They certainly showed that disposition once or twice during the time I held that office.—During your residence there, did the inhabitants become more or did they become less reconciled to the British government?—I conceive they were subsequently much less reconciled, certainly, than they were at first.—To what cause do you attribute that?—To their being dissatisfied with the rules and regulations introduced into the country for their government.—Did that prevail principally among the Zemindars, or the inhabitants in general?—The inhabitants, in general, are so influenced by the conduct and desires of the Zemindars, who are independent princes, that their desire is principally that of the head men. Do you consider that the Zemindars, while they were nominally under the Nabob, considered themselves as independent princes, and acted as such?—Certainly, they considered themselves as independent princes."[1] It by no means follows, that any blame was due to the government, on account of the disaffection of the Zemindars; because they were dissatisfied, from the loss of their power; and so long as they retained it, good government could not be introduced. Yet a desire existed, on the part of administration, to conceal the fact, to conceal it probably even from themselves.



After several manifestations of a refractory spirit, the Zemindar of Cutchoura agreed to deliver up his fort. On the 4th of March, 1803, an English captain, and two companies of sepoys, were admitted within the outer wall, when the army of intimidation, which had accompanied them, was withdrawn. After they had been delayed, under various pretences, for several hours, a gun was run out from the upper fort to a position in which it could rake the passage in which the sepoys were drawn up, and the parapets of the walls on each side, were lined immediately with about eight hundred armed men; when a message was received from the Zemindar, that unless they retired, they would all be destroyed. As nothing could be gained by resistance, the commanding officer obeyed, and was not molested in his retreat. When the army had taken up its position before the place, the Zemindar wrote a letter, in which he affirmed, that he had been treated with indignity by the gentlemen who had arrived to demand surrender of the fort, that hostilities were begun by the English troops, and that so far from intentions of war, he was ready to yield implicit obedience. After what had happened, he was told, that nothing would suffice but the unconditional surrender of himself and all that appertained to him. The trenches were begun on the night of the 8th; the breaching battery opened on the morning of the 12th; and before night, had made such progress, that with two hours more of day-light, the breach would have been effected. Between seven and eight o'clock in the evening, the enemy rushed from the fort, with a resolution to force their way through the chain of posts which surrounded them. They were attacked, and pursued for several miles with considerable slaughter. The principal loss of the English was in Major Nairne, an officer of the highest promise, who was killed by a match-lock ball, as he was leading his corps to the charge.[1]

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The evidence of disaffection in the ceded districts broke out, in a manner somewhat alarming, at the commencement of the Mahratta war. On the 4th of September, 1803, a party of Mahrattas, led by a French officer, made an incursion in the neighbourhood of Shekoabad, in the district of Etaawah. Mr. Ryley is asked by the House of Commons, "Did the Zemindars and the other people not show an inclination to join him?" He answered, "They not only showed an inclination, but they actually did join him."[1]

The Rajah Chutter Saul possessed the fort of Tetteeah, and had not only shown a refractory, but a predatory disposition; he was therefore considered in rebellion, and a reward offered for his person, either dead or alive. On the 30th of September, Lieutenant-Colonel Guthrie marched to Tetteeah; and, as it had been dismantled by a detachment of the British army a few months before, expected to take it by assault. After a severe contest of some hours, he was overpowered by the enemy, and sent a message to Captain Dalston to hasten to his relief. On the arrival of that officer, he found the force under Colonel Guthrie completely broken, and sheltering themselves in the ditch, immediately under the wall of the fort: while the people within, not able to take aim at them with their matchlocks, were throwing powder pots, which exploded among them in the ditch, and the people of the surrounding villages were assembling to attack them from without. Captain Dalston with his field pieces soon cleared the tops of the walls; and enabled Colonel Guthrie and his party to make their escape from the ditch. The loss was serious. Colonel Guthrie and three other English officers were wounded, the first mortally. Of the native officers nearly one third were either killed or wounded. They were unable to bring off either their gun or tumbril, of which the one was spiked, the other blown up. On the following night, the enemy evacuated the fort, and the Rajah fled to the other side of the Jumna.

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Whatever belonged to the offenders was, in these cases, taken, as forfeited to the government; for their persons, all the more eminent among them found the means of escape.[1]

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# CHAP. X.

*The Nabob of Surat deposed—The Rajah of Tanjore deposed—The Nabob of Arcot deposed.*



The city of Surat, situated in the province of Gujrat, on the south side of the river Taptee, was by far the greatest place of maritime commerce in India, when the Europeans first discovered the passage by the Cape of Good Hope. Communicating easily with some of the richest provinces of the Mogul empire, it was conveniently situated not only for the traffic of the western coast of India, but, what was at that time of much greater importance, the trade of the Persian and Arabian gulfs. As it was the port from which a passage was most conveniently taken to the tomb of the prophet, it acquired a peculiar sacredness in the eyes of Musselmen, and was spoken of under the denomination of one of the gates of Mecca. It acquired great magnitude, as well as celebrity; for, even after it had confessedly declined, it was estimated in 1796 at 800,000 inhabitants; and though it is probable that this amount exceeds the reality, Surat may at this time be regarded as the largest city in India. When the votaries of the ancient religion of Persia, of which the Zend, and its commentary the Pazend, are the inspired and sacred books, were driven from Persia, and the tolerating policy of Akbar drew a portion of them to India; Surat, as the most celebrated landing-place from Persia, became the principal place of their abode; and there, about 14,000 of their descendants still preserve their manners, and adhere to their worship.

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The present fort or castle of Surat was erected about the year 1543, when Sultaun Mohammed Shah was King of Gujrat. As this kingdom soon after yielded to the Mogul arms, Surat became subject to the government of Delhi. It fell in with the Mogul policy, to separate the administration of the city, from the government of the castle. The Governor of the castle, and its garrison, were maintained by lands or jaghires, and tunkas or assignments on the revenue. The Governor of the town received the customs, or taxes on exports and imports; the taxes called mokaats, on almost all commodities; and the land revenue, subject to certain deductions for the Delhi treasury, of some surrounding districts.

For the maritime protection of the western side of India, the Mogul government established a fleet. Its expense, in whole or in part, was defrayed by assignments on the revenues of Surat. Some time after the command of this fleet had fallen into the hands of the chiefs called the Siddees of Rajahpoor, or about the year 1734, the Mahrattas, carrying their conquests over almost all the province, reduced the revenues of Surat to the taxes levied within the town, and the produce of a few remaining districts. The Nabob of Surat, thus straitened in his resources, began to fail in his payments to the fleet. Thereupon the Siddee blockaded the port; and compelled him to appropriate to those payments the revenue of the principal district from which any land revenue was now derived, as well as a considerable part of the duties collected

within the town. In the year 1746, died the Nabob Teigh Beg Khan, and was succeeded
in the Nabobship by Sufder Khan, whose son, Vukar Khan, entered at the same time upon the government of the castle. But Mea Atchund, who had married into the family of the late Nawaub, and was supported by his widow, and some of the leading men, contrived to possess himself of the castle, to the expulsion of Vukar Khan. He also applied to the Mahratta, Damagee, the ancestor of the present Guyckwar princes; and promised him a portion of the revenues of Surat, if aided by him in expelling also the Nabob of the town. By this, commenced the Mahratta chout, which was afterwards shared with the Peshwa. An officer, as collector of chout, was established on the part of the Peshwa, and another on the part of the Gwyckwar princes, who, under the pretence of its affecting the revenues, and hence the Mahratta chout, interfered with every act of administration, and contributed to increase the misgovernment of the city. Even when the English, at a much later period, conceived the design of forcing upon the Nawaub a better administration of justice, they were restrained by fear of the Mahrattas, to whom the chout on law-suits (a fourth part of all litigated property was the fee for government) was no insignificant portion of the exacted tribute.



Mea Achund succeeded in expelling the Nabob of the city; was himself after a little time compelled to fly; but a second time recovered his authority, which he permanently retained. Amid these revolutions, however, the government of the castle had been acquired by the Siddee. But the use which he made of his power was so oppressive to the city, that several invitations were soon after made to the English to dispossess him; and take the command both of the castle and the fleet. Fear of embroiling themselves with the Mahrattas, and the danger of deficient funds, kept the English shy till 1758, when
an outrage was committed upon some Englishmen by the people of the Siddee, and all redress refused. The Nabob agreed to assist them in any enterprise against the Siddee, provided he himself was secured in the government of the town. A treaty to this effect, reserving to the English the power of appointing a naib or deputy to the Nawaub, was concluded on the 4th of March, 1759; and on the same day the Siddee agreed to give up the castle and the fleet. Sunnuds were granted from Delhi, vesting the Company with the command and emoluments of both; in consequence of which, the Mogul flag continued to fly on the castle, and at the mast-head of the Company's principal cruiser on the station. The annual sum, allotted by the sunnuds for the expense of the castle and fleet, was two lacs of rupees; but the sources from which it was to be derived were found to be far from equal to its production.

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In 1763, the Nawaub Mea Achund died; and, under the influence of the Bombay government, was succeeded by his son. In 1777, the office of Naib was wholly abolished, by consent of the Company; and its funds transferred to the exchequer of the Nabob.

Another succession took place in 1790, when the father died, and the son, in right of inheritance, avowed by the English government, ascended the musnud. His right was exactly the same as that of the other governors, whose power became hereditary, and

independent, upon the decline of the Mogul government; that of the Subahdars, for example, of Oude, of Bengal, and Deccan, or the Nawaub of Arcot, acknowledged and treated as sovereign, hereditary princes, both by the English government, and the English people.



The expense which the English had incurred, by holding the castle of Surat, had regularly exceeded the sum, which, notwithstanding various arrangements with the Nabob, they had been able to draw from the sources of revenue. Towards the year 1797, the English authorities, both at home and at the spot, expressed impatience under this burthen, and the Nawaub was importuned for two things; the adoption of measures for the reform of government in the city; and an enlargement of the English receipts. The expedient in particular recommended, was, to disband a great proportion of his own undisciplined soldiery, and assign to the English funds sufficient for the maintenance of three local battalions. “The Nabob,” says Governor Duncan, “betrayed an immediate jealousy of, and repugnance to, any concession; as well on the alleged ground of the inadequacy of his funds; as of the principle of our interference with his administration; which he declared to be inconsistent with the treaty of 1759.” Notwithstanding this, he was induced, after a pressing negotiation, to consent to pay one lac of rupees annually, and to make other concessions to the annual amount of rather more than 30,000 rupees. But on the 8th of January, 1799, before the treaty was concluded, he died. He left only an infant son, who survived him but a few weeks: and his brother, as heir, laid claim to the government.

The power of the English was now so great, that without their consent it was vain to hope to be Governor of Surat; and it was resolved, on so favourable a conjuncture, to yield their consent, at the price alone of certain concessions. These were, the establishment of a judicature, and the payment of a sufficient quantity of money. The negotiation continued till the month of April, 1800. The chief difficulty regarded the amount of tribute. Importunity was carried to the very utmost. The re-establishment of the naibship was the instrument of intimidation; for the right of the claimant was regarded by the Bombay government as too certain to be disputed. Governor Duncan, in his letter to the English chief at Surat, dated 18th April, 1799, describing a particular sum of money as no more than what the Nabob ought to give, to ensure his succession, and prevent the English from appointing a naib, adds, “which we have as clear a right to do, as he has to become Nabob; or to enjoy the fruits of our protection to his family and himself. Both points stand equally specified in the treaty.” With regard to the right, however, of re-establishing a naibship, after having sanctioned its abolition, the case was by no means clear. The Court of Directors, in their letter to the Bombay Presidency, dated the 17th of February, 1797, had declared, “Although it cannot be denied that the present Nabob, his father, and his grandfather, owed their elevation to the influence of the Company; we doubt our right to impose upon the Nabob an officer under this denomination; from the consideration that the first naib, nominated by the Company's representatives in 1759, was appointed under an express article of a written agreement with the then Nabob Mea Achund, and that upon the death of a second naib the office was consolidated with the office of Nabob, and was not renewed upon the succession of

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the present Nabob." With regard to the right of inheritance in the present claimant, beside the declarations of Governor Duncan, of which that above quoted is not the only one, Mr. Seaton, the chief at Surat, in his letter to Mr. Duncan, of 26th of December, 1799, says, "The Supreme Government determined the musnud to be the hereditary right of his brother,
and from that decision consequently now his established inheritance."



The claimant consented to pay a lac of rupees annually, but perseveringly insisted that beyond that sum the revenues of the place would not enable him to go. After every mode of importunity was exhausted, and every species of inquiry was made, Mr. Seton became satisfied, that his statement was just, and on the 18th of August, 1799, wrote to the Governor of Bombay in the following words: "I have left nothing undone; and pressed him to the utmost. I am convinced he has not the means, or believe he really would pay more. Poor Mr. Farmer has been led into a false opinion of the resources of Surat; and I could almost venture to stake my life on it, that more than the lac is not to be got by any means short of military force. Take the Government from the family, and pension them (though such a measure would, in my humble opinion, be contrary to good faith), I scarce believe, after all endeavours, that the Company with these pensions, and the increased necessary establishments, would be more in pocket, than they will now with their present establishment and this donation. What were the views of the Company in possessing themselves of the castle? Whatever they were, they are not altered, and they were then satisfied with the castle, and tunka revenue, which is only diminished from a decrease of trade; and here a lac is unconditionally offered, which exceeds the amount of castle and tunka revenue by 25,000 rupees per annum; yet the present government are not satisfied therewith, and still want more; which cannot be raised, if the Nabob does not squeeze it out of the subjects."

A dispatch from the Governor-General, dated 10th March, 1800, was in due course received, which ordered the Nawaub to be immediately displaced,
and the government and revenues to be wholly assumed by the English. This was the most unceremonious act of dethronement, which the English had yet performed; as the victim was the weakest and most obscure. Some of the explanations with which this command was accompanied are not much less remarkable than the principal fact. Not negotiation, but dethronement, would have been adopted from the first, except for one reason, namely, a little danger. "The exigencies of the public service," says the Governor-General, "during the late war in Mysore, and the negotiations which succeeded the termination of it, would have rendered it impracticable for your government to furnish the military force, indispensably necessary for effecting a reform of the government of Surat, even if other considerations had not rendered it adviseable to defer that reform until the complete re-establishment of tranquillity throughout the British possessions in India." It is here of importance, once more, to remark upon the phraseology of the Governor-General. To dethrone the sovereign, to alter completely the distribution of the powers of government, and to place them in a set of hands wholly different and new, though it constituted one of the most complete revolutions which it is possible to conceive, was spoken of as a "reform of the government."

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The reasoning, by force of which the Governor-General claims the right to make such a reform, ought to be heard. “On a reference,” says he, “to the treaty of 1759, concluded with Mayeneddien, we find that it was only a personal engagement with that Nabob, and that it did not extend to his heirs. Independent of the terms of the treaty, the discussion which passed in 1763, on the death of Mayeneddien, as well as the letter from your government, dated the 25th of March, 1790, when the office of Nabob again became vacant, prove it to have been the general sense, that the operation of the treaty of 1759 ceased on the demise of Mayeneddien. The power of the Mogul having also become extinct, it follows, that the Company not being restricted, with respect to the disposal of the office of Nabob, by any specific treaty, are at liberty to dispose of it as they may think proper.”



Here two things are assumed; first, that the English of that day were not bound by the treaty of 1759; the second, that, wheresoever not bound by specific treaties, the English were at liberty to dethrone any sovereign whom they pleased; or, in the language of the Governor-General, “to dispose of the office of Nabob, as they may think proper.” Upon no part of this reasoning is any comment required.

Attention is also due to the conduct of the Bombay rulers. Governor Duncan, and Mr. Seton had, both of them, previously declared their conviction of the clear right of the Nabob, not only to the Nabobship by inheritance, but to the support and alliance of the English, by a treaty which their acts had repeatedly confirmed. Yet, no sooner did they receive the command of the Governor-General to dethrone him, than they were ready to become the active instruments of that dethronement, and, as far as appears, without so much as a hint, that in their opinion the command was unjust.

The Governor-General next proceeds to say, that the sort of government which was performed by the Nabob was exceedingly bad. Neither was the defence of the city from external enemies in a tolerable state; nor was its internal government compatible with the happiness of the people, under the prevailing “frauds, exactions, and mismanagement in the collection of the revenue, the avowed corruption in the administration of justice, and the entire inefficiency in the police. It is obvious,” he continues, “that these important objects,” namely, the security and good government of Surat, “can only be attained by the Company taking the entire civil and military government of the city into their own hands; and consequently,” he adds, “it is their duty, as well as their right, to have recourse to that measure.”

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Here again we see the doctrine most clearly avowed, and most confidently laid down as a basis of action, that bad government under any sovereign constitutes a right, and even a duty, to dethrone him; either in favour of the East India Company alone, if they ought to have the monopoly of dethronement; or in favour of mankind at large, if the privilege ought to be as diffusive as the reason on which it is founded.

It being deemed, by the Governor of Bombay, that his own presence would be useful for effecting the revolution at Surat, he left the Presidency in the end of April, and arrived on the 2d of May. After endeavouring to secure the co-operation of the

persons, whose influence was most considerable on the mind of the Nawaub, he opened the business to that ruler himself, on the 9th, and allowed him till the 12th to deliberate upon his answer. At the interview, on that day, the Nawaub declared; that he could not survive acquiescence in the demand; not only from the sense of personal degradation; but from the odium he must incur among all Mussulmans, if he consented to place the door of Mecca in the hands of a people who had another faith. The steps necessary for accomplishing the revolution without regard to his consent, were now pursued; and preparations were made for removing his troops from the guard of the city, and taking possession of it, by the Company's soldiers, the following morning. In the mean time, the reflections of the Nawaub, and the remonstrances of his friends, convinced him that, opposition being fruitless, submission was the prudent choice; he therefore communicated to the Governor his willingness to comply, and the treaty was mutually signed on the following day. It had been transmitted by the Governor-General, ready drawn; and was executed without alteration. The Nabob resigned the government, civil and military, with all its emoluments, powers, and privileges, to the East India Company. And on their part, the Company agreed to pay to the Nabob and his heirs one lac of rupees annually, together with a fifth part of what should remain, as surplus of the revenues, after deduction of this allowance, of the Mahratta chout, and of the charges of collection.



When the powers of government were thus vested in English hands, establishments were formed for the administration of justice, for the superintendence of police, for the collection of the revenue, and for the provision of the Company's investment. For this purpose, the Governor-General had given two leading directions; the first was, that each of these departments should be committed to distinct persons; and the second, that the powers vested in the several officers should correspond as nearly as possible with those of the corresponding officers in Bengal. They have, therefore, no need of description.

Though stripped of all the powers of government, and a mere pensioner of state, it was still accounted proper for Meer Nasseer ad Dien to act the farce of royalty. His succession to the musnud of his ancestors was now acknowledged by the English government, and he was placed on it with the same pomp and ceremony, as if he had been receiving all the powers of sovereignty, on the day after he had for ever resigned them.

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The great difficulty was, to obtain deliverance from the misery of the Mahratta chout. The Guyckwar prince expressed the greatest readiness to compliment the Company, to whom he looked for protection, with the share which belonged to him. With the Peshwa, the business was not so easily arranged.[1]

In the dispatch of the Court of Directors, dated “Political Department, 18th October, 1797,” and addressed “to our President in Council at Fort St. George,” they say, “We have requested Lord Mornington to make a short stay at Madras, previous to his proceeding to take upon himself the Government-General of Bengal, for the purpose of endeavouring to prevail on the Nabob of Arcot to agree to a modification of the

treaty with his highness in 1792." Lord Hobart had just been recalled, because he differed with the Government-General of that day, in regard to some of the expedients which he adopted for the attainment of this modification.2 The Directors, notwithstanding, go on to say. "It were to be wished that the zealous endeavours of Lord Hobart, for that purpose, had proved successful; and as, in our opinion, nothing short of the modification proposed is likely to answer any beneficial purpose, Lord Mornington will render a most essential service to the Company, should he be able to accomplish that object, or an arrangement similar thereto. But feeling, as we do, the necessity of maintaining our credit with the country powers, by an exact observance of treaties—a principle so honourably established under Lord Cornwallis's administration—we cannot authorize his Lordship to exert other powers than those of persuasion to induce the Nabob to form a new arrangement."1 It is sufficiently remarkable to hear ministers and directors conjunctly declaring, that "the principle of an exact observance of treaties" still remained to "be honourably established," at the time of Lord Cornwallis's administration. It was the desire of credit with the country powers, that now constituted the motive to its observance. But if the Company when weak could disregard such credit with the country powers, they had much less reason now to dread any inconvenience from the want of it. Besides, the question is, whether the country powers ever gave them, or gave any body, credit for a faith, of which they can so little form a conception, as that of regarding a treaty any longer than it is agreeable to his interest to do so.



In a letter in council, dated Fort William 4th July, 1798, the home authorities are told, that "immediately on his arrival at Fort St. George, the Governor-General lost no time in taking the necessary steps for opening a negotiation with the Nabob of Arcot, with a view to the accomplishment of your wishes, with regard to the modification of the treaty of 1792—The Governor-General, however, found his Highness so completely indisposed to that arrangement, as to preclude all hopes of obtaining his consent to it at present." The letter then promises, at a future day, a detailed account of the communications which had passed between the Governor-General and Nabob: but this was never sent.1



In 1799 the Governor-General, when he was again at Madras, and war with Mysore was begun, thought another favourable opportunity had arrived of urging the Nabob afresh on the subject of changes so ardently desired. The treaty of 1792 gave a right to assume the temporary government of the country on the occurrence of war in the Carnatic. To this measure the Nawaub and his father had always manifested the most intense aversion. It was hoped that the view of this extremity, and of the burthen of debt to the Company, with which he was loaded and galled, would operate forcibly upon his mind. The Governor-General accordingly proposed that he should cede to the Company, in undivided sovereignty, those territories which were already mortgaged for the payment of his subsidy, in which case he would be exempted from the operation of the clause which subjected him to the assumption of his country; while it was further proposed to make over to him, in liquidation of his debt to the Company, certain sums, in dispute between them, to the amount of 2,30,040 pagodas.

These conditions were proposed to the Nabob by letter, dated the 24th of April. The Nabob answered by the same medium, dated the 13th of May. The season for alarming him, by the assumption of his country, was elapsed, Seringapatam being taken, and the war at an end. The Nabob, therefore, stood upon the strength of his treaty, which he represented as so wise, and so admirable, that no change could be made in it without the sacrifice of some mutual advantage; that, even if the assumption of his country were necessary, which, thanks to the Divine mercy, was at present far from the case; may, "were the personal inconvenience ten times greater," the sacrifice would be cheerfully made, "rather than consent to the alteration of the treaty, even in a letter." Besides, there were other engagements, by which the Nabob must ever hold himself inviolably bound. These were, respect for "the loved and revered personages" by whom the treaty was framed, and the dying commands of his honoured father, to which he had pledged a sacred regard. He also plied the Governor-General with an argument, which to his mind might be regarded as peculiarly persuasive—an argument drawn pure from parliamentary stores—experience against theory: "I cannot," said he, "overlook a circumstance, which, in affairs of this sort, must naturally present itself to the mind of your Lordship; that the treaty, which is now suggested to be defective, has had a trial, my Lord, of more than seven years; and, without a single exception, has been found, for that period, not only sufficient for all common purposes, but has secured the fulfilment of every condition stipulated in it, with an harmony uninterrupted; and perhaps, I might add, almost unprecedented in any country or age."[1]



The Court of Directors, in their political letter to Fort St. George, dated the 5th of June, 1799, say, "We have been advised, by the Earl of Mornington, that the Nabob continues to oppose a determined resolution to the modification of the treaty of 1792, which has been repeatedly proposed to him. At the same time, we observe, that his Highness has distinctly acknowledged, that he is in the practice of raising money annually by assignments of the revenues of those districts, which form the security for the payment of the Company's subsidy." They add, "As this practice is unquestionably contrary to the letter, and subversive of the spirit, of that treaty, we direct, that, immediately upon the receipt hereof, you adopt the necessary measures for taking possession, in the name of the Company, of the whole, or any part, of the said districts, the revenues of which shall appear to be so assigned; and that you continue to hold the same, and collect the rents thereof, in order that the Company may not in future be deprived of the only security which they possess, under the before-mentioned treaty, to answer any failure in the Nabob, in the discharging his subsidy. You will immediately communicate to the Nabob the determination we have come to, and the orders you have received relative to this point."[1]



The affirmation, relative to the assignments on the districts in pledge, is contrasted with the following affirmation of the Nabob, in his letter of the 13th of May, just quoted, in which he answers the proposal and reasonings which the letter of the Governor-General had pressed upon his mind: "I do most unequivocally assure your Lordship, on the word and faith of a sovereign, that no one foot of the districts set

apart by the treaty of 1792 have been, or are, in any manner or way, directly or indirectly, assigned by me, or with my knowledge, to any individual whatsoever; and, having made this solemn and unreserved declaration, I would hope, that I need not urge more."[2]

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With respect to the command of the home authorities, to take possession of the districts, and all the rest of their expedients, the Governor of Fort St. George, on the 11th of April, 1800, writes, "Your letter to the Governor-General, dated the 16th June 1799, is still under his Lordship's consideration. But it is material for me to repeat—and with impressive earnestness, that no security, sufficiently extensive and efficient, for the British interest in the Carnatic, can be derived from the treaty of 1792; and that no divided power, however modified, can possibly avert the utter ruin of that devoted country."[1]

On the 13th of June, 1799, the home authorities wrote to the Governor-General, "In the event of a war with Tippoo Sultaun, the respective countries of the Nabob of Arcot, and the Rajah of Tanjore, will of course come under the Company's management: and we direct, that they be not relinquished, without special orders from us, for that purpose; in order to afford sufficient time for the formation of arrangements for relieving those respective princes from all incumbrances upon their revenues." Upon this subject the Governor-General writes, on the 25th of January, 1800, "The short duration of the war rendered it inexpedient for me to assume the management of the respective countries, of the Nabob of the Carnatic, and of the Rajah of Tanjore, on behalf of the Company.—The immediate effect of such an assumption would have been, a considerable failure of actual resource, at a period of the utmost exigency. I shall hereafter communicate my sentiments at large, with respect to the state of Tanjore, and the Carnatic. The latter now occupies my particular attention; and I fear that the perverse counsels of the Nabob of Arcot will prove a serious obstacle to any
effectual improvement of your affairs in that quarter."[1]

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Tuljajee, the Rajah of Tanjore, died in 1786, and was succeeded by Ameer Sing, his son. The conduct of this prince gave so little satisfaction to the English, that, after the peace of Seringapatam, which Lord Cornwallis concluded with Tippoo in 1792, they deliberated concerning the propriety of trusting him any longer with the civil administration of the country. But the supreme government "were of opinion, that, under all the circumstances in which the question was involved, it would be more suitable to the national character, to hazard an error on the side of lenity, than to expose themselves to the imputation of having treated him with excessive rigour." Accordingly, a treaty was concluded with him, dated 12th of July, 1793, and his country, which like Carnatic, had been taken under English management during the war, was restored to him, in as full possession as before.

In the year 1798, a convenient discovery was made; that Ameer Sing was not the legal heir to the musnud of Tanjore; but Serfojee, the adopted son of Tuljajee. The question of the rights of these two princes remains in obscurity. The documents have not yet been made accessible to the public; and we know not upon what grounds the decision was formed. This only we know, that it was determined to dethrone Ameer Sing, and

to set up Serfojee in his stead. Serfogee was obviously in a situation to submit implicitly to any terms which the English might think proper to prescribe. After some months, therefore, of preparation, a treaty was concluded with him, dated 25th October, 1799, by which he resigned for ever all the powers of government to the English, and received a pension of one lac of star pagodas, with a fifth of the net revenues.[1]



On the 7th of April, 1800, the Governor-General forwarded to the Governor of Fort St. George, certain letters and papers, found by the English in the palace of Seringapatam. These documents related to a correspondence of the two Nabobs of Arcot, the father and the son, with the Sultan of Mysore. The Governor-General directed Lord Clive to proceed without loss of time in conducting an inquiry into the circumstances of which the papers appeared to afford indication, and in particular transmitted a list of witnesses whose evidence was to be carefully and zealously collected. In the mean time, he himself had completely prejudged the question; and did what depended upon him to make Lord Clive prejudge it in a similar manner. "A deliberate consideration," says he, in the very letter which directed inquiry, "of the evidence resulting from the whole of these documents has not only confirmed, in the most unquestionable manner, my suspicions of the existence of a secret correspondence between the personages already named, but satisfied my judgment, that its object, on the part of the Nabobs Wallajah and Omdut ul Omrah, and especially of the latter, was of the most hostile tendency to the British interests.—The proofs arising from the papers would certainly be sufficient to justify the British government, in depriving that faithless and ungrateful prince, of all means of rendering any part of the resources of the territories, which he holds under the protection of the Company, subservient to the further violation of his engagements, and to the prosecution of his desperate purposes of treachery and ingratitude."[1]

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However, the Governor-General thought, it would, notwithstanding, be more consonant with "the dignity, and systematic moderation of the British government," not to take the country from its prince, till some inquiry had first been made. But he says, "Although it is my wish to delay the actual assumption of his Highness's government until that inquiry shall be completed, I deem it necessary to authorize your Lordship to proceed immediately to make every arrangement preparatory to that measure, which now appears to have become inevitable."[2]

Nothing surely ever was more fortunate than such a discovery at such a time. This the Governor-General has the frankness to declare. "While those orders, lately conveyed by the Honourable Court of Directors relative to the Company's connexion with the Nabob, were under my consideration, a combination of fortunate circumstances revealed this correspondence."[3] When the Governor-General, and all his superiors, and all his subordinates, in the government of India, were languishing and panting for the possession of the Carnatic, but afraid, without some more plausible reason than they yet possessed, to commence the seizure, here it was provided for them in extraordinary perfection. But the very circumstance which recommended it to the

eager affections of the East India functionaries will recommend it to the rigid scrutiny of those whose minds are more happily situated for appreciating the facts.

The documents on which so extraordinary a value was set by the Governor-General consisted almost entirely of certain things picked out from a mass of correspondence which purported to have passed between the "Presence" (the title which Tippoo bestowed upon himself), and the two vakeels, Goolam Ali Khan, and Ali Reza Khan, who accompanied, in 1792, the hostage sons of the Sultaun to Madras. Besides these, only two letters were produced; one from a subsequent vakeel of Tippoo at Madras; another, supposed to be from Omdut ul Omrah, but under a fictitious name.



It is proper to ascertain the value of one circumstance, on which those who are not partial to the British character will not fail to animadvert. As the British government was situated with respect to the papers of Tippoo, it was, it may be affirmed, the easiest thing in the world to procure evidence for any purpose which it pleased: And I wish we could say, that civilization and philosophy have made so great a progress in Europe, that European rulers would not fabricate a mass of evidence, even where a kingdom is the prize. The time is so very recent, when such expedients formed a main engine of government, and the progress in political morality appears to be so very slow, that it would be utterly unsafe to proceed upon the supposition that forgery is exploded as an instrument of government. Yet in the case of the British government, so much the greater number of those employed in carrying it on would probably refuse to share in the fabrication of a mass of evidence, that the small number of individuals who might have no insuperable objection to it would find it, in few cases, easy; in most, impossible, to accomplish their purpose. With regard to Lord Wellesley, even his faults bear so little affinity with this species of vice, and his most conspicuous virtues are so directly opposed to it, that we may safely infer it to be as unlikely in his case, as in any which can well be supposed, that he would fabricate evidence to attain the objects of his desire, notwithstanding the violence with which he was apt to desire, and the faculty which he possessed of persuading himself, that every thing was righteous by which his desires were going to be fulfilled.

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But an argument, more conclusive than any argument from character, either national or individual, can almost ever be, at any rate to strangers, and those whose partiality one has no reason to expect, is this: That the papers prove nothing; which most assuredly would not have been the case, had they been fabricated for the purpose of proving. On the other hand, if they had exhibited a proof which was very strong and specific, it would have been no easy task, after the very exceptionable manner in which they were examined to have proved that all suspicion of them was utterly groundless.

Among the objects recommended to the vakeels who accompanied the sons of Tippoo to Madras, one, very naturally, was, to communicate to him useful intelligence of every description. They had even a particular commission with regard to secret intelligence, in which a delineation of the defensive works of Fort St. George was particularly included; and they were furnished with a cipher for carrying it on.

With other articles of intelligence, which the vakeels availed themselves of their situation to transmit to their royal master, an account was given of the deportment of the Nabob of Arcot, towards the princes, and towards themselves; and of the conversations which took place between them. The letters relating to this subject were those which were regarded
as affording evidence against Wallajah, the deceased, and Omdut ul Omrah, the reigning, Nabob.



It is to be remarked, that Lord Cornwallis, after he had reduced Tippoo to a situation, in which he regarded him as too weak to be any longer formidable, adopted the liberal design of conciliating his mind, and gaining it, if possible, by a respectful, generous, and even flattering style of intercourse, to a state of good will toward the English nation. The same course he recommended to the Nabob Wallajah, who had suffered so deeply by the raising of Tippoo's house, and towards which he had often manifested so great a degree of contempt and aversion.

There were various circumstances which just at that time induced the Nabob to follow these injunctions of the Governor-General with great alacrity. The fame and authority of Tippoo were now sufficiently high to render his friendship an object of importance. The Nabob of Arcot, on the other hand, felt himself in a state of degradation, and reduced to a cipher among the princes of India. It soothed his vanity to hold some intercourse with as many of them as possible; and not least with one who now occupied so large a space in the eye of the world as the Sultaun of Mysore. It increased his dignity and consequence, when he induced other princes to use towards him the language of friendship, and to treat him as a prince upon a level with themselves. This rendered it more difficult for the English to accomplish their design of divesting him, as he dreaded, of all his sovereign powers, and reducing him and his family to the condition of mere pensioners of state. He seems, accordingly, to have been very eager, to add the forms of a confidential intercourse with Tippoo, to the other circumstances which held him forth to the world as a sovereign prince, and which he regarded with justice as the only barrier between
him and dethronement.



Attentions to the princes while at Madras, with assurances of his favourable sentiments towards the Sultaun, and of his ardent desire of a suitable return, were the expedients of which he made use. Oriental expressions of compliment are all extravagant, and hyperbolical; and we cannot, on such an occasion, suppose, that the Nabob would use the most feeble and cold. Another circumstance of great importance to be remembered was, that the letters contained not the expressions of the Nabob, but only the expressions of the vakeels reporting them; and that Indian agents reporting to their principals seldom pay any regard to realities, but, as far as they can go with advantage to themselves, heighten whatsoever they think will be agreeable to their master, extenuate whatsoever they think he will dislike. Now, when all the expressions which the vakeels of Tippoo report to have been used by the Nabob and his son are tortured to the utmost, nothing can be extracted from them but declarations of friendly sentiments, in an hyperbolical style. Even the Persian translator of the English government, who drew up a report upon the documents, highly praised by the Governor-General, and in which every effort is made to draw from them evidence of

guilt, has the candour to say, “The accuracy of reports from agents, natives of India, to their principals, cannot, under any circumstances, be implicitly relied on; and, in one of the reports of the vakeels which contains the substance of a conference between themselves, the princes, and the Nabob, at which Colonel Doveton was present, a speech is ascribed to that gentleman which is evidently fabricated; a circumstance which tends to weaken the validity of all their reports;—and if the evidence of the Nabob's conduct rested solely upon them, the proofs might be considered as extremely defective and problematical.”[1]



Thus far, then, the ground is clear. But, beside the reports of the vakeels, what further proof is alleged? There are the letters of Tippoo, and the key to the cipher. The letters of Tippoo contain no more than a return to the civil expressions of the Nabob; vague declarations of good will, couched in a similar style. The key to the cipher shows that Wallajah was designated by the term *Well-wisher of mankind,* the English by that of *New Comers,* the Nizam by that of *Nothingness,* the Mahrattas that of *Despicable;* and so on. And this is the whole matter of evidence which the papers contained.

To establish still further the dark designs which the Governor-General firmly concluded that a few hyperbolical expressions had already proved, a list of nine witnesses was transmitted to Madras, of whom the two vakeels, Golam Ali Khan, and Ali Reza Khan, were the chief. A commission consisting of two of the most approved servants of the Company, Mr. Webbe, the secretary to the Madras government, and Colonel Close, were selected to conduct the investigation. Every precaution was taken, such as that of preventing communication between the witnesses, to get from them either the evidence pure, or the means of detecting its impurity.

It was resolved to begin with the two vakeels, who of course could best elucidate their own correspondence. To form a proper judgment of their testimony, several circumstances ought to be remarked. In the first place, they were Orientals; that is, men, accustomed, in the use of language toward those on whom their hopes and their fears depended, to regard very little the connexion between their words and the corresponding matters of fact, but chiefly the connexion between those words, and the impression, favourable or unfavourable, which they were likely to make on the minds of the great persons, on whose power the interests of the speaker most remarkably depended. In the second place, it is impossible to conceive any dependance more abject, than was, at this time, the dependance of the Khans, Golam Ali, and Ali Reza, upon the English government. The government, under which they had found employment, was totally destroyed. Every source of independent subsistence was cut off; they lived upon a pension which they received from the English government, and which it was only necessary to withhold to plunge them into the deepest abyss of human misery. They had every motive which interest could yield to affirm what would be agreeable to the English government. They could have no interested motive to speak what would be agreeable to Tippoo, Wallajah, or Omdut ul Omrah. In these circumstances, if they had given a testimony in every respect conformable to the wishes of the English government, what depended upon their affirmation would have been regarded as of little or no

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value by any impartial judge. But in as far as they gave a testimony in opposition to those wishes, that is, in opposition, as they must have believed, to their own interests, their testimony has some of the strongest possible claims upon our belief.

Every thing was done to remove any obstructions which might exist in the minds of the witnesses to the production of such evidence as was expected. They were given to understand that no blame would be attached to them, who only acted under legitimate orders, for their instrumentality in the designs of their master. And they were assured in the strongest language, that any appearance of a design to conceal the truth, and they well knew what eastern rulers were accustomed to call the truth, would be visited upon them with all the weight of English indignation.



Of the two vakeels, Ali Reza was residing at Velore, Golam Ali at Seringapatam. As least remote, Ali Reza was examined first. In him, the examining commissioners say, in their report to the Governor, “we think it necessary to apprize your Lordship that we discovered an earnest disposition to develop the truth.” Golam Ali they accused of base endeavours at concealment. The evidence of both, taken together, tends not to confirm one single suspicion, if any could have been justly derived from the papers, but to remove them, every one.

They both distinctly and constantly affirmed, that the expressions of good will towards Tippoo, made use of in their hearing by Wallajah or his son, were never understood by them in any other sense than that of vague compliments. Ali Reza gave testimony to another point, with regard to which the Persian translator, commenting on his evidence, thus declares: “In the report of the Persian translator,” namely, the report on the documents, “it has been observed, that the expressions of attachment and devotion, ascribed by the vakeels to the Nabob Wallajah, and Omdut ul Omrah, are probably much exaggerated; and that little dependance ought to be placed upon the existence of facts, inferred merely from such expressions; This conjecture is confirmed by Ali Reza Khan, who acknowledges they were much exaggerated, and that it was customary with the vakeels to heighten the expressions of regard, which fell from Lord Cornwallis, or the Nabob Wallajah, for the purpose of gratifying the Sultaun; and observed very justly that the people of this country constantly exaggerate their expressions of regard to an extravagant degree.”[1]

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The vakeels reported certain expressions of the Nabob, complimenting the Sultaun as a pillar of the faith, and admiring the union of mussulmen; certain articles of intelligence which he was described as conveying; and expedients of secrecy which he was described as having employed. All this, however, is only the report of the vakeels, which is acknowledged to be incapable of proving any thing, and which, as it forged a speech for Colonel Doveton, would just as probably forge for the Nabob and his son. But the circumstances, even if the statement of them is supposed to be just, afford no ground for an inference of guilt. To call Tippoo a pillar of the Moslem faith, one of the most flattering of all compliments to his bigoted mind, was not criminal; nor to speak with approbation of the union of Moslems, which might be an

exhortation to the Sultaun to favour the Nabob, that is, the English, who always represented their interests as the same with his.

The articles of intelligence which he is said to have conveyed are exceedingly trifling; and have at any rate the appearance of having been conveyed for a good, not for an evil purpose; for the preservation of that harmony between Tippoo and the English, which at that time the English had very earnestly at heart. Having learned, that suspicions were caused, by some intercourse which appeared to take place between the Mysore and Mahratta Durbars, the
Nabob sent him his advice, that it would be better he should desist, and suspend his negotiations, at least during the administration of Marquis Cornwallis. Again, having learned the existence of a French war, and that Pondicherry was about to be attacked, the Nabob sent his advice to the Sultaun to withdraw his vakeel from Pondicherry, and to intermit all correspondence with the French. This is the whole of the intelligence, the conveyance of which was construed into direct acts of hostility.



A few expressions of want of regard for the English, mixed in the reports of the vakeels, hardly deserve attention; both because nothing was more likely to be inserted by the vakeels, they knowing nothing much more likely to be agreeable to their master; and because, if the attachment of the Nabob to the English had been ever so entire, it was perfectly in character with oriental sincerity, to affect to despise and abhor them, in order to conciliate a mind by which it was known they were disliked.

As to the appearance of a concern about secrecy, it is well known to be a feature of the human mind in the state of civilization under which the Sultaun and Nabob were educated, and in India to a singular degree, to make a great affectation of secrecy on very trifling occasions; and, for the shew of importance, to cover every thing as much as possible with a veil of mystery. Under the designation of *"the affair you know of,"* something was mentioned in the letters of Tippoo and the vakeels; and under this mysterious appellation the deepest villainy was supposed to be couched. On this, after examining their witnesses, the commissioners report, "We have the honour to inform your Lordship, that the expression of *'the affair known of,'* so frequently repeated in the correspondence, appears to refer to the subject of a proposed connection by marriage
between the families of Tippoo Sultaun and the Nabob Wallajah."[1]



On two occasions, while the vakeels remained at Madras, the Nabob made appointments for meeting with them secretly. But both of them persisted in steadily affirming, as witnesses, that nothing passed beyond general professions of regard. The affectation of a wish to conceal from the English the warmth of the attachment he professed, might well be one of the artifices made use of by the Nabob for extracting those appearances of regard from the Sultaun, which it was at this moment his interest to obtain. In exact conformity with this idea, he made offer, upon the departure of the vakeels from Madras, to establish a cipher for the purpose of secret communication. But so little value did the Sultaun attach to any expected communication from the Nabob, that he treated this proposal with total neglect; than which a stronger proof

can hardly be expected of the innocence of all the communications which from that quarter he had ever received.

The commissioners say, “We examined Gholam Ali Meer Suddoor, the Dewan Purniah, and the Moonshee Hubbeeb Olla,” that is, the men above all others acquainted with the secrets of Tippoo's government; “but as their testimony did not establish any fact, we thought it unnecessary to record their evidence.”2

Not only does this evidence afford no proof of a criminal correspondence with Tippoo, on the part of the Nabob; but the total inability of the English to produce further evidence, with all the records of the Mysore government in their hands, and all the living agents of it within their absolute power, is a proof of the contrary; since it is not credible that a criminal correspondence should have existed, and not have left more traces of itself.



It is just to bewail the unhappy situation, in which the minds of Englishmen in India are placed. Acted upon by circumstances which strongly excite them, their understandings are dragged, like those of other men, towards a conformity with their desires; and they are not guarded against the grossest illusions of self-deceit by those salutary influences which operate upon the human mind in a more favourable situation. The people of India among whom they live, and upon whom the miserable effects of their delusions descend, are not in a situation to expose the sophistry by which their rulers impose upon themselves. They neither dare to do it, nor does their education fit them for doing it, nor does their education fit them for doing it, nor do they enjoy a press, the instrument with which it can be done. Their rulers, therefore, have no motive to set a guard upon themselves; and to examine rigidly the arguments by which they justify to themselves an obedience to their own inclinations. The human mind, when thus set free from restraint, is easily satisfied with reasons for self-gratification; and the understanding waits, an humble servant, upon the affections. Not only are the English rulers in India deprived of the salutary dread of the scrutinizing minds, and free pens, of an enlightened public, in the regions in which they act; they well know, that distance and other circumstances so completely veil the truth from English eyes, that, if the case will but bear a varnish, and if they take care to stand well with the minister, they have in England every thing to hope, and seldom any thing to dread, from the successful gratification of the passion of acquiring.



It is most remarkable, that of all the Englishmen in India, of whose sentiments upon the occasion we have any record, the Governor-General and his council, the Governor of Fort St. George and his council, the examining commissioners, and the Persian translator, the very foremost men in India, not one appears to have doubted, that the evidence we have examined established undeniably the facts which they so eagerly desired to infer.

The examination of the witnesses was closed, and the report of the commissioners drawn up, and signed at Seringapatam, on the 18th of May, 1800. It was not till the 28th of May, 1801, that any further instructions of the Governor-General were

dispatched. In the memorable document of that date, addressed to Lord Clive, he states one reason of delay, as follows: “The critical situation of the negotiation depending with the Nizam appeared to me to render it adviseable to postpone the adoption of measures required for the security of the Carnatic. The successful issue of that negotiation appeared likely to facilitate the arrangements which became indispensably necessary in the Carnatic; while a premature prosecution of these arrangements might have impeded, and perhaps frustrated, the successful issue of the negotiation at Hyderabad.” Another reason was, that for some time he indulged the hope of being able to employ the weight of his own presence, in removing the obstacles which he expected to oppose the intended revolution in Carnatic. When that hope was relinquished, he desired that Mr. Webbe, the chief secretary to the government at Madras, might join him in Bengal, to communicate a more minute knowledge of circumstances than he could otherwise acquire.



“The delay,” says the Governor-General, “which has occurred, has enabled me to receive the sentiments of the President of the Board of Commissioners for the affairs of India, and of the Secret Committee of the Court of Directors, on the subject of the correspondence of the late and present Nabob of Arcot with Tippoo Sultaun: Those sentiments entirely accord with your Lordship's, and with mine, on the same subject.”

He proceeded to declare, that from the evidence which we have examined, he confidently inferred the existence of a criminal correspondence between the Nabob and Tippoo; and that the measure which, in consequence, he resolved to adopt, was the dethronement of the Nabob, and the transfer of his sovereignty to the Company.

An attempt, however, was still to be made, to obtain an appearance of the Nabob's consent to his own degradation. “I consider it,” says the Governor-General, “to be extremely desirable, that the Nabob should be induced to accede to the proposed arrangement, in the form of a treaty. In order to obtain his Highness's acquiescence in this mode of adjustment, it will be proper for your Lordship, after having fully apprized the Nabob of the nature of the proofs which we possess of his correspondence with Tippoo Sultaun, to offer the inducement of the largest provision to be made for his Highness's personal expenses, and in that event I authorize your Lordship to insert in the treaty the sum of three lacs of pagodas.”

The Governor-General had no very sanguine hopes, that the Nabob would smooth all difficulties by resigning the dignity to which he clung. He gave directions therefore on the contrary supposition, and said, “If the Nabob, Omdut ul Omrah, by refusing to acquiesce in the proposed arrangements, should compel the British government, contrary to its wishes and intentions, to exercise its rights and its power to their full extent, I authorize and direct your Lordship to assume the civil and military government of the Carnatic.”

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The Governor-General anticipated even another contingency. “It is possible,” says he, “that in the actual state of his Highness's councils and temper, the Nabob may be disposed to appeal to the authority of the Honourable the Court of Directors.” Well,

and what was his Excellency's determination in that event? “Being already,” said he, “in possession of the sentiments of the Secret Committee, founded on the discovery of the Nabob's faithless conduct, I shall consider it to be injudicious and unnecessary to admit the appeal; and by that admission to enter upon a formal trial of his Highness's criminal conduct.”[1]

Now, finally, the case stood, therefore, as follows. In a dispute, in which the Company, or their representatives, the rulers in India, on the one hand, and the Nabob on the other, were parties, and in which a great kingdom was at issue, the first of the parties not only resolves upon deciding in its own cause, which in the case of disputes about kingdoms can seldom be avoided, but, upon a mass of evidence of its own providing, evidence altogether *ex parte,* evidence which it examined by itself and for itself, and upon which it put any construction which it pleased, did, without admitting the opposite party to a hearing, without admitting it to offer a single article of counter evidence, to sift the evidence brought to condemn it, or so much as to make an observation upon that evidence, proceed to form a decision in its own favour, and to strip the opposite party of a kingdom. It is perfectly obvious, that, upon principles of judicature such as these, a decision in favour of the strongest will seldom be wanting.



Had the actions of the Nabob corresponded with the inference which the English rulers so eagerly drew, their conduct would still have implied a most extraordinary assumption. The principle of their conduct was, that, if an Indian prince did any injury, or but showed that he meditated injury, to the English, that moment the English were entitled to dethrone him, and take his kingdom to themselves. If the Nabob had actually contracted an alliance offensive and defensive with Tippoo, he was not a subject of the British government; he was a sovereign prince; and the utmost such an action implied was a violation of the treaty which subsisted between the English and him. But all that is necessarily done by the violation on one side of a treaty between sovereign states, is only to relieve the party on the other side from all the obligations which it imposed; to leave the two parties, in short, in the same situation, in which they would have been, if the treaty had not existed. It may happen, that, in such a case, it would be improper, in the obeying, so much as to make war upon the infringing party. That would entirely depend upon other questions, namely, the refusal of redress for injury, or of security against indubitable danger. But, even when war takes place, and two princes stand in the relation of active enemies, it is not the principle of just and polished nations to push the warfare to dethronement; nor can it ever be any thing but the height of injustice to carry hostilities beyond the line of redress for indubitable injury, and security against indubitable danger. How the assumption of the English, in the case before us, can be reconciled with these established principles, it is not difficult to determine.



As if aware, after all, how little all other pleas were qualified to support the measure which he was eager to pursue, the Governor-General forgot not his standard reason for the dethronement of princes; namely, the badness of their government. He affirmed, that no other expedient, but the dethronement of the Nabob of Arcot, and

the total transfer to the English of the government of Carnatic, afforded any chance for that reform which the impoverishment of the country, and the misery of the people, so forcibly required. Here, at last, he obtained a ground, on which, if the end for which government was instituted, and for which it ought to be upheld, is worthy of being regarded, he might stand with perfect assurance. Though we may suspect the servants of the Company of some exaggeration, when they describe the horrible effects of the Nabob's administration, there is no doubt that they were deplorable: It is equally certain, that no considerable improvement could be introduced, while the powers of civil administration remained at the disposal of the Nabob: And, though what the Company had attempted for improving the condition of their subjects, where they possessed the undivided powers, had hitherto displayed but little either of skill or success, some efforts had been nobly intended, and will doubtless be followed by more judicious expedients. Even under the bad system of taxation, and the bad system of judicature which the English would employ, the people would immediately suffer less than under the still more defective systems of the Nabob; and they would reap the benefit of all the improvements which a more enlightened people may be expected to introduce. On this ground, we should have deemed the Company justified, in proportion as the feelings of millions are of more value than the feelings of an individual, in seizing the government of the Carnatic long before; and, on the same principle, we should rejoice, that every inch of ground within the limits of India were subject to their sway. In matters of detail, I have more frequently had occasion to blame the Company's government than to praise it; and, till the business of government is much better understood, whoever writes history with a view solely to the good of mankind, will have the same thankless task to perform; yet I believe it will be found that the Company, during the period of their sovereignty, have done more in behalf of their subjects, have shown more of good-will towards them, have shown less of a selfish attachment to mischievous powers lodged in their own hands, have displayed a more generous welcome to schemes of improvement, and are now more willing to adopt improvements, not only than any other sovereign existing in the same period, but than all other sovereigns taken together upon the surface of the globe.



When the instructions for assuming the government of Carnatic arrived at Madras, the Nabob Omdut ul Omrah was labouring under an illness which he was not expected to survive. In these circumstances, the Governor forbore to agitate his mind with the communication of intelligence, which he was expected to receive with agony. On an occasion, when the whole family would naturally wish to be assembled, the younger son of the Nabob arrived from Trichinopoly with his attendants, who are not described as being either more numerous, or better armed, than those who usually escorted a person of similar condition. Upon a report to the Governor, that some of these attendants had been, or had been proposed to be, admitted into the palace of the dying Nabob, the Governor immediately concluded, that this was for some evil purpose unknown, and resolved to anticipate the effects, by taking possession of the palace immediately with an English force. Communication was made to the Nabob, with all the delicacy of which the circumstances admitted, prevention of confusion at his death being the motive assigned; and the troops took a position commanding all

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the entrances into the palace without resistance or commotion. The commanding officer was directed "to exert his vigilance in a particular manner, to prevent the removal of treasure from the palace, sufficient grounds of belief existing that a considerable treasure, a large sum of money, had been accumulated by their Highnesses, the late and present Nabob."[1] The English, even yet, were but ill cured of their old delusion, that every Indian prince was enormously rich. Of this supposed treasure we perceive not another trace.

On the 15th of July, 1801, the Nabob Omdut ul Omrah died. Immediately a commission was given to the two gentlemen, Webbe and Close, to state to the family the crimes which were charged upon the two Nabobs deceased, and to demand, with information that a due provision would be made for their support, that their consent should be given to the destined transfer of the Carnatic government.

The business was urgent, and without permitting the lapse of even the day on which the sovereign had expired, the gentlemen repaired to the palace. They were met by some of the principal persons in the service of the late Nabob. They first requested to know, if any particular arrangement had been traced by Omdut ul Omrah. Having been informed, that a will existed, they desired that it might be produced. Being informed that, without the violation of all decorum, the son and heir of the deceased could not be called upon to attend to ordinary business, before the ceremonies due to his royal father were performed, they replied that on ordinary occasions it was the principle of the English to respect the feelings of individuals, but, where this respect interfered with the business of a great government, the less must, in propriety, yield to the greater interest. The personages, who received their commands, retired to deliberate; and had not long returned with a declaration of submission, when the young Nabob was introduced, bearing the will of his father in his hand. The will directed, that Ali Hoosun, his eldest son, should succeed to all his rights, all his possessions, and "the sovereignty of the Carnatic:" and that the Khans, Mohammed Nejeed, Salar Jung, and Tuckia Alia, the individuals now present, should rbe regents, to assist the young Nawaub in the affairs of government, till his arrival at competent maturity of years.



The Nabob retired, and the commissioners desired, that the rest of the conversation should be private, between the regents and themselves. The pretended discoveries were described. The following passage, in the report of the commissioners, is memorable: "Nejeeb Khan expressed the greatest degree of surprise at this communication; professed his entire ignorance of the subject; and protested that it was impossible for the Nabob Omdut ul Omrah to cherish the intentions imputed to his Highness. Some of the principal documents having been produced, Nejeeb Khan asserted, that they contained none but expressions of civility and compliment; that the Marquis Cornwallis had repeatedly enjoined the Nabobs, Mahomed Ali, and Omdut ul Omrah, to cultivate a friendly intercourse with Tippoo Sultan; that the whole tendency of the correspondence produced was directed to that object, in conformity to the injunctions of Lord Cornwallis; and that the Nabob Omdut ul Omrah had recently addressed himself to Lord Cornwallis on the subject of these communications. The particular warmth of the expressions used by Omdut ul Omrah,

in his letter addressed to Gholam Ali Khan on the 14th Mohurum, 1209, having been pointed out to Nejeeb Khan—he observed that it was nothing more than an expression of civility, which might have been used on any ordinary occasion." On the cipher, of which a proposal appeared to have been made to the Sultan, and which proposal he entirely disregarded, the Khan observed, "that the moonshee of the Nabob was present, and could be examined with respect to the authenticity of the hand-writing, that the cipher might have been conveyed into the archives of Tippoo Sultaun by the enemies of Omdut ul Omrah;" and concluded by a most important request, that the family should be furnished with the evidence, stated to exist, of the supposed criminal intercourse; have an opportunity of offering such explanations as they might be able to give, and of presenting such counter-proofs as they might have to furnish; when, said he, "the proofs being compared, the Company might form a complete judgment."

A more moderate proposition, on such an occasion, was certainly never advanced. He did not so much as appeal from the judgment of an opposite party; he only requested that party to look first at both sides of the question. If the object had been to explore the truth of the accusation, it would have been easy to secure the papers of the late Nabob, in which, if no marks of a criminal correspondence existed, it would not be very probable that it had ever taken place.



"This discourse," say the commissioners, "being apparently intended to confound the object of our deputation"—yes, that object, to be sure, was a very different thing—"we stated to the two Khans, that the British government, being satisfied of the sufficiency of its proofs, had no intention of constituting itself a judge of the conduct of its ally." There is here one of the most astonishing instances, which the annals of the human mind can exhibit, of that blindness, which the selfish affections have a tendency to produce, when, unhappily, power is possessed, and all prospect both of shame and of punishment is removed. The British government had taken evidence upon the conduct of its ally, had pronounced a sentence of condemnation, and was proceeding, with impetuosity, to carry its decision into execution, yet it would not "constitute itself a judge of the conduct of its ally!" As if one was not a judge, so long as one abstained from hearing both sides of the question; as if, to all intents and purposes, saving only those of justice, it was not easy to be a judge upon very different terms!

The whole of the conference of this day, it appears, was spent, on the part of the Khans, in "asserting their disbelief of the hostile intercourse with Tippoo; and insisting on the reasonableness of their entering into the defence of Omdut ul Omrah's conduct in regard to the several points in which he was accused." When the day was far advanced, they were permitted, on their earnest request, to retire for the purpose of making the necessary preparations for the funeral of the deceased Nabob, and a second interview was appointed for the evening of the following day.



At this meeting, the evils of a divided government, the abuses which prevailed, and all the other arguments, which had been so often urged to prevail upon the Nabobs to resign their authority, were stated to the regents; they were assured that no remedy

would suffice, except the revolution proposed; and they were asked, whether they were prepared to enter into an amicable negotiation for that purpose. They remarked, that, “if the entire government of the Carnatic should be transferred to the hands of the Company, the station of Nabob of the Carnatic would be annihilated.” The answer of the commissioners is memorable. It seems to prove, that the English in India have so long, and successfully, made use of fiction, that they take their own fictions for realities. The commissioners had the confidence to tell the regents, “that the rank and dignity of the Nabob of Carnatic could not be injured,” by actual dethronement. Nay, what is more, they state, in their report, that the argument, which they made use of to prove it, for they did not leave it without an argument, “was admitted by the Khans to be conclusive.” The Khans, notwithstanding, declined giving any answer, on a proposition of so much importance, till they got the benefit of consultation with the different heads of the family; and they were allowed till the next day to prepare for a final declaration.

On this occasion, they began by representing, that the whole family, and the ministers of the late Nabob, having been assembled to deliberate, had come to certain conclusions. All these persons were convinced, that the British government would not insist upon the utmost severity of the terms which had been recently announced; and they had ventured to propose a different plan, by which, in their opinion, the security, which was the professed aim of the Company, would be completely attained. Their proposition was, to give up the reserved sovereignty over the Polygars, and the right of collecting the revenues in the assigned districts, and along with this to make some better regulations in regard to the debts. The commissioners repeated that “the proposition for vesting exclusively in the hands of the Company the entire administration of the civil and military government of the Carnatic contained the basis on which alone the proposed arrangement could be founded.” After strong expostulation, on both sides, the Khans declared, “that they were prepared to give a decided answer; and that the propositions which they had offered, and of which they delivered a written statement, contained finally, and unequivocally, the only terms on which they could accede to an arrangement of the affairs of the Carnatic by negotiation.”



The commissioners resolved to accept of an ultimate refusal from no lips but those of the Nabob himself. Upon their request, that he should be introduced, the Khans manifested considerable surprise; and expostulated against the proposition, on the ground both of decorum, from the regency of his father's death, and the immaturity of his judgment, at eighteen years of age. “It was not,” say the commissioners, “without a very long and tedious conversation, that we obtained from the Khans the appointment of a time for our receiving, from the reputed son of Omdut ul Omrah, his own determination on the proposition communicated to the two Khans.”



On the second day, which was the 19th of July, the projected interview took place. The proposition was re-stated, to which the acquiescence of the young prince was required; and the consequences held up to his view; the title of Nabob, with the dignity and emoluments of the head of the family, if he complied; the

loss of all these advantages, if he refused. “He replied, the Khans, being present, that he considered them to have been appointed by his father for the purpose of assisting him; and that the object of his own counsels was not separate from that of the Khans.” He was then given to understand that Lord Clive, the Governor, required an interview with him. To this proposition also the Khans manifested reluctance, but they were immediately informed that it was altogether useless. During a short absence of the Khans, for the purpose of preparing the equipage of the prince, “the young man,” say the commissioners, “with much apparent anxiety in his manner, whispered in a low tone of voice, that he had been deceived by the two Khans. Ali Hussain, accordingly, proceeded, without further communication with the two Khans, to the tent of the officer commanding the troops at Chepauk, at which place we had the honour of a personal interview with your Lordship.” The attendants of the Prince, including even the regents, were ordered to withdraw. At this meeting, it appears that the prince was even forward to declare his disapprobation of the refusal given by the Khans to the proposition of his Lordship; and “proposed that a treaty should be prepared, upon the basis of vesting the entire civil and military government of the Carnatic in the hands of the Company; and
stated, that he would be ready to execute the instrument, with, or without, the consent of the Khans, at another separate conference, which was appointed, for the next day, within the lines of the British troops.”



At that interview, however, Ali Hussain withdrew his acquiescence of the former day, which he described as the sudden and inconsiderate suggestion of the moment. He was again conveyed to a tent, to meet with Lord Clive, apart from his attendants and advisers. Being informed, that his sentiments of yesterday were understood to be still his real sentiments; that his altered declaration might be the offspring of fear; that he was at present, however, within the British lines; and, if it was necessary, should receive the effectual protection of the British power; he said that he acted under no constraint, and that the determination he had now expressed was that of his own deliberate, clear, and unalterable judgment. “It was then explained to him,” say the commissioners, “that no pains had been omitted, which could warn him of the consequences he was about to incur; that the duties of humanity towards him, and the duties of attention to the national character of the British government, had been satisfied; that he had himself determined the situation in which he would hereafter be placed; and that your Lordship, with concern for himself individually, now apprized him that his future situation would be that of a private person, hostile to the British interests, and dependant on the bounty of the Company.—This declaration Ali Hussain received with a degree of composure and confidence, which denoted that he acted from no impression of fear; and a smile of complacency which appeared on his countenance, throughout this discussion, denoted an internal satisfaction at the line of conduct he was pursuing. Being asked
if he wished to make any further observation, he said that he did not; and being also asked whether he had any objection to the introduction of the Khans into the tent, he said that he had none; which being accordingly done, he was directed by your Lordship to leave the tent.”

The British rulers had all along reserved to themselves an expedient against Ali Hussain, to wit, chicanery about his birth, and had regularly denominated him the reputed son of Omdut ul Omrah; though all that is stated is, that his mother, which, according to the muscleman law, is a matter of indifference, was not the principal among the women in the zenana; and though, at last, too, they precluded themselves from this pretence, by choosing him as the man with whom, in preference to all the rest of his family, they wished to negotiate, and at whose hands to accept the grant of the sovereignty.

Negotiation being in this manner closed, on the part of Ali Hussain, the son of Omdut ul Omrah; the English rulers directed their attention to Azeem ul Dowlah, a son of Ameer ul Omrah, who since the death of his father, had been kept in a state of great seclusion and indigence. To make known the intention of dealing with him as successor to the Nabob might shorten his days. But the English soon found an occasion of delivering themselves from this difficulty. The family resolved to place the son of Omdut ul Omrah on the musnud, to which they held him equally entitled by his birth, and by the will of his deceased father. The English held it necessary to prevent that ceremony; for which purpose the troops, already commanding the entrance, took possession of the palace; and placed a guard of honour about Azeem ul Dowlah. He was not long kept ignorant of what was to be done with him. The forfeiture of the government by Omdut ul Omrah; and "that satisfaction and security," as they expressed it, which the English rulers "deemed to be necessary to the preservation of their interests in the Carnatic," were explained to him; and he was asked whether, if acknowledged as head and representative of the family, these were terms to which he would submit. He made as little difficulty in expressing his compliance, as the circumstances in which he was placed gave reason to expect.[1] A reflection, however, suggests itself, which, at the time, the English rulers were probably too full of their object to make. If Azeem ul Dowlah had to the inheritance of the family any title whatsoever, beside the arbitrary will of the English rulers, his title stood exempt from that plea of forfeiture on which the measure of dethronement was set up. It was not so much as pretended that his father, Ameer ul Omrah, had any share in the pretended criminal correspondence of the late and preceding Nabob; and to punish a man for the sins of his grandfather, however it may be reconcileable with some systems of law, will not be denied, it is presumed, to be utterly irreconcileable with the essential principles of justice. Besides, though in a certain sense of the word, a prince may forfeit his crown to his subjects, it was not in the relation of subject and prince, that the British Company and the Nabob of Arcot stood; and in what sense it can be said that one prince forfeits his crown to another, it would not be easy to explain.



A treaty was immediately drawn up and signed, according to which all the powers of government were delivered over in perpetuity to the English, and totally and for ever renounced by the Nabob. Yet such is the memorable harmony, between the language which the English rulers desired to employ, and the actions they performed, that the first article of the treaty stands in the following words; "The Nabob Azeem ul Dowlah Behauder is hereby formally established in the state and rank, with the dignities dependant

thereon, of his ancestors, heretofore Nabobs of the Carnatic; and the possession thereof is hereby guaranteed by the Honourable East India Company to his said Highness Azeem ul Dowlah Behauder, who has accordingly succeeded to the subahdarry of the territories of Arcot."

As a provision for the new Nabob, including the maintenance of the female establishment, or Mhal, of his father, one fifth part of the net revenues of the Carnatic were pledged. The Company engaged to make a suitable maintenance for the rest of the family, and took upon itself the whole of the debts of the preceding Nabobs.[1]

Against this revolution there was transmitted to the home authorities a remonstrance in the name of the regents. A letter, as from the rejected Nabob, setting forth, in vehement and pathetic language, the proceedings which had taken place, and the cruel effects as regarded himself, with which they were attended, was transmitted to two gentlemen in England, of the names of Hall and Johnstone, who acted there as agents of the deceased Nabob. The rest of the family continued to vent their indignation, in acts of disrespect to the new Nabob, and in such other demonstrations as they dared to risk. The displays of their dissatisfaction were sufficiently active and manifest to give not only displeasure, but some degree of disturbance to the government. In due time, the approbation of the Honourable the Court of Directors, a favour as often as acquisitions were made, not often denied, arrived in proper form. "We have been induced," said the Secret Committee, "to postpone expressing our opinion on the late important transactions in the Carnatic, from a desire to be previously furnished with every information which could bear in any material degree upon the question; and we have accordingly waited with impatience for a review of the circumstances which led to the late arrangement in the Carnatic, which the Governor-General, in his letter of the 28th of September, 1801, to the Secret Committee, acquainted us he was then preparing, and which he proposed to forward by the Mornington packet." The Mornington packet arrived, and the promised review was not received. It never was sent. The Directors accordingly were compelled to approve without it. "We do not," they say, "feel ourselves called upon to enter into a detail of the circumstances connected with this case; or to state at length the reasoning upon those circumstances which had led to the conclusion we have come to, after the fullest and most deliberate consideration. It is enough to state to you, that we are fully prepared upon the facts, as at present before us, to approve and confirm the treaty in question; and we are of opinion, that, acting under the instructions of the Governor-General, you stand fully justified, upon the evidence, written as well as oral, on which you proceeded, in deeming the rights of the family of Mahomed Ali, as existing under former treaties, to have been wholly forfeited by the systematic perfidy and treachery of the late Nabobs of the Carnatic, Wallajah, and Omdut ul Omrah, in breach of their solemn treaties with the Company. The claims of the family having been thus forfeited, and right having accrued to the Company of making provision, at their discretion, for the future safety of the Carnatic, we are further of opinion that the nature of the security which has been provided by the treaty, for the defence and preservation of our interests in that quarter, is of a satisfactory description."[1]



BOOK VI. Chap. 10. 1801.

One expression alone, in this quotation, appears, on the present occasion, to require any comment. The Directors say, that the Nabob Mahomed Ali forfeited the rights which he enjoyed "under treaties with the Company." But surely his right to the throne of the Carnatic was not created by any treaty with the Company. It had, for a long series of years, been acknowledged, and proclaimed by the English, as resting on a very different foundation. At the commencement of their political and military operations in the Carnatic, the right of Mahomed Ali by inheritance, to the musnud of his ancestors, was the grand plea which they made use of against the French; and a zeal for the rights of the lawful Prince, was one of the colours with which they were most anxious to adorn their conduct. If, by the violation of a treaty, an hereditary sovereign incurs the forfeiture of his sovereignty, how would the case stand, not to speak of other sovereigns, with the East India Company itself? At a previous epoch, the Directors themselves had vehemently declared, that the treaty was violated; namely, by the assignments which the Nabob had granted on the districts set apart for securing the subsidy. All the rights, therefore, which a violation of the treaty could forfeit, were of course forfeited, on that occasion. Yet the Directors by no means pretended that they had a right to dethrone the Nabob on that occasion.[1]



In the letter of Ali Hussain to the agents of the family in England, "Being informed," he says, "on the 29th, that a public notification had been made through the different streets of Madras, that the Ameer's son would be placed on the musnud on the 31st instant, under the influence of government, I immediately addressed the Governor with the advice of the regents, on the suggested measure, and proposed to accept the terms which had been at first offered; a measure which my mind revolted at, but which seemed to be demanded by the trying exigencies of the moment: and I felt confidence within myself, that, if my offer had been accepted, the liberality of the British nation would have never held me bound by conditions which had been so compulsorily imposed on me; or would have ameliorated a situation, that had been produced by means, which neither honour, nor justice could bear to contemplate. My address was wholly and totally disregarded."[2]

Of this offer no mention whatsoever appears in the correspondence of the Company's servants with their employers.

On the 6th of April, 1802, the deposed Nawaub died. He was residing in the apartments of the Sultana Nissa Begum, his paternal aunt, when the malady, supposed a dysentery, began; and, in display of the resentments of the family, his situation was concealed from the English government, and the medical assistance of the English refused, till the case was desperate. Nearly at the same time, died Ameer Sing, the deposed Rajah of Tanjore.[1]



Pondicherry having been restored to the French, agreeably to the treaty of Amiens, Bonaparte alarmed the English by sending out a great list of military officers; seven generals, and a proportional number in the inferior ranks, with 1,400 regular troops, and 100,000*l.* in specie. The speedy renewal of the war gave them relief from their fears. Possession of Pondicherry was resumed by the English in

1803; but the French Admiral, Linois, had intelligence sufficiently prompt, to enable him to escape with the fleet.2

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# CHAP. XI.

*Two sets of Princes, connected with the English; one, whom they made resign both the military, and the civil powers of their government; another, whom they made resign only the military powers—Endeavour to make the Peshwa resign the military part of his government—Negotiations for that purpose from 1798 to 1802—Negotiations with Dowlut Row Scindia for a similar purpose—The dependance of all the Mahratta states expected as the effect of the resignation to the English of the military power of any one of them—Negotiation with Scindia ineffectual—War between Scindia and Holkar—The Peshwa driven from Poona—For the sake of being restored by English arms, the Peshwa consents to the resignation of his military power—A treaty for that purpose signed at Bassein—The Governor-General expects, that the other Mahratta states will not dare to quarrel with the English on account of the treaty of Bassein—Scindia assembles his troops, and marches to the vicinity of Boorhanpore—Persevering attempts to make Scindia execute a treaty similar to that of Bassein—The Peshwa restored—Probability of a war with the Mahratta Princes on account of the treaty of Bassein—Junction of the armies of Scindia and the Rajah of Berar—Scindia and the Rajah required by the English to quit their present menacing position, and replace their armies at their usual stations—Scindia and the Rajah evading compliance, the English regard them as enemies—Arguments by which the Governor-General endeavored to prove that the line of policy which led to this crisis was good—Investigation of those arguments.*



The relations, which the British government endeavoured to establish with the Princes of India, were different in different circumstances. They with whom their connection was the most intimate, the Nabob of Carnatic, the Rajah of Tanjore, the Nabob of Oude, formed one class. Another was formed by those who stood in the circumstances of the Nizam, of the Peshwa, and other Mahratta powers.

From the Princes of the first class, it had lately been the object of the British government to take away not only the military, but likewise the civil power, in the countries to which their titles respectively extended: and, leaving them the name of sovereign, to make them simply pensioners of state. With the rest, this object had been completely attained: With the Nabob of Oude, it was found expedient to make something of a compromise. A sort of delegated administration, which, however, he bound himself to carry on according to the pleasure of the delegator, was left to him in civil affairs, in a portion, not much more than a third, of his former dominions.

To this point the pretensions of the British government had advanced by degrees. At first they were neither very high, nor very definite. The English, for their own security, found it necessary to aid the Princes in defending themselves; and the Princes agreed to re-imbrues the English for the expenses which they incurred.

The powers of government, that is, in India, the

powers of the sovereign, may be looked upon as divided (in India they are very conspicuously divided) into two portions; the one, the military power; the other, the civil power; the one consisting in authority over the military force; the other in the administration of what is called the civil or non-military affairs of the state, the collection of the revenue, judicature, and police.

The English arrived at the first remarkable stage, when they made the Princes, with whom they were most nearly connected, strip themselves of their military power, to place it in the hands of the English. At this stage affairs remained during a considerable number of years. The sovereigns, placed in these circumstances, held their civil power in a state of absolute dependence. When the civil power, also, was taken away from them, nothing of sovereign remained, but the name. They were in the situation of the Rajah of Sattarah, only in the hands of a people, to whom it was agreeable to treat them with more indulgence.

With the Princes of the second class, the object at which the British government had begun to aim, was, to make each of them resign the military part of his power to the English. In respect to the Nizam, the business had been effectually accomplished by the treaty of 1800; when he agreed to receive the subsidiary force of the English, and alienated a great proportion of his dominions to defray its expense. The eagerness with which Lord Wellesley endeavored to establish the same relations with the principal Mahratta states, he himself informs us, was extreme.

It had suited the English, in their transactions with the Mahratta people, to suppose in the chieftain, called the Peshwa, a species of sovereign authority; over the rest of the Mahratta potentates; an

BOOK VI. Chap. 11. 1802.

authority, which it was abundantly evident that he did not exercise, and to which it was equally evident that the rest of the Princes paid no respect. In the spirit of this policy, it was the wish of Lord Wellesley to induce the Peshwa, in preference to all the rest of the Mahratta chiefs, to consign the defence of his government and dominions to a British force, and to alienate a part of those dominions for the maintenance of that force; an arrangement which that Governor denominates, “an intimate alliance, founded upon principles which should render the British influence and military force the main support of that power.”[1]

In 1798, when the Nizam consented to transfer the military powers of government within his dominions to the English, a similar proposal of “general defensive alliance, and mutual guarantee,”[2] as it is called by Lord Wellesley, was strongly pressed upon the Peshwa. The moment was conceived to be favourable. “The authority of Baajy Rao,” say the Governor-General, “was then reduced to a state of extreme weakness by the imbecility of his counsels, by the instability and treachery of his disposition, and by the prevalence of internal discord; and in that crisis, his government was menaced with destruction, by the overbearing power of Scindia. It was evident that the Peshwa could not expect to be relieved from the oppressive control of Scindia, and to be restored to a due degree of authority within his own dominions, by any other means than by the

aid of the British power."[1] The Governor-General informs us, that Bajee Rao did even apply to him for assistance. But when he was made to understand, that it would be granted only on the condition of permanently confiding his defence to a British force; that is, of transferring his military power to the hands of the English, "he deliberately," says the Governor-General, "preferred a situation of degradation and danger, with nominal independence, to a more intimate connection with the British power; which," adds the Governor-General, sufficiently disclosing his views, "could not be formed on principles calculated to secure to the Peshwa the constant protection of our arms, without, at the same time, establishing our ascendancy in the Mahratta empire."[2] The length of time, during which the Peshwa amused the Governor-General, is thus commented upon by that disappointed ruler: "Subsequent events justify a conclusion, that the long and systematic course of deceitful policy, pursued by the Peshwa on this occasion, was not less the result of a determined spirit of hostility, than of his characteristic jealousy and irresolution."[3]

The prospect of the war between the British power and Tippoo Sultaun inspired not the Peshwa, we are assured by the Governor-General, with any of the sentiments of a generous ally; but turned his attention solely to the advantages which the crisis presented "to the faithless and sordid policy of that Prince;" who not only, "by a course of studied and systematic deceit, avoided all active interference in the contest, but actually maintained an amicable intercourse with the enemy."[1]



The Governor-General even makes profession of having been duped by the Peshwa. "His Excellency," says he, speaking of himself in the third person, a novelty which this Governor-General introduced, and of which, in the end, the Directors complained, "in a letter addressed to the Honourable the Court of Directors, under date the 20th of March, 1799, expressed his conviction, that the disposition of the Court of Poonah continued perfectly favourable to the British interests; and that want of power would be the sole cause of its inaction, in the event of a war with Tippoo Sultaun." The course of the war, however, he says, suggested doubts; and at the termination of it they were confirmed, "by the correspondence between Tippoo Sultaun and his agents at Poonah, and by letters from Nana Furnavese, and other Mahratta chieftains, to Tippoo Sultaun, which were discovered among the records of Seringapatam. The combined evidence of those documents, and of the Peshwa's conduct during the war, affords unequivocal proofs of the hostility of his disposition towards the British power; and justifies a conclusion, that, if fortune had appeared to favour the enemy, the Peshwa would openly have espoused his cause."[2]

Here was the conduct most exactly, which had been ascribed to the Nabob of Arcot, and by which that prince was declared to have forfeited his throne. The Nabob of Arcot, and the Peshwa were both princes, connected, by treaty, in alliance with the British power. Both were accused of violating the obligations of that treaty, by corresponding with Tippoo

Sultaun. We have seen the treatment bestowed upon the one; it remains to contrast with it, that which was bestowed upon the other, of the two offenders.

"Although," says the Governor-General, "the faithless conduct of the Peshwa not only deprived him of all title to participate in the advantages of the war, but exposed him to the just resentment of the allies, the Governor-General determined to refrain from any measures of a vindictive nature: and to adopt the more liberal policy—of conciliating the Peshwa's interests—and of providing for the security of the allies, and for the general tranquillity of India—by repeating his invitation to the Peshwa to accede to the proposal of general defensive alliance and mutual guarantee; which his Excellency had before unsuccessfully offered to the Peshwa's acceptance."[1]

Such was the difference of treatment intended for the Peshwa. The following was the result. "At the close of the war in 1799," says the Governor-General, "the propositions for the conclusion of defensive and subsidiary engagements with the Peshwa were renewed; under circumstances of peculiar advantage to the latter; who, by acceding to those propositions, would not only have been emancipated from the oppressive control of Scindia, and have been reinstated in the due exercise of his authority—but would have been admitted to a participation in the conquered territory of Mysore.

"But, after a vexatious and illusory discussion of the propositions, during a period of several months, the negotiation was closed, by the Peshwa's rejection of the conditions of defensive alliance, under any admissible modification of them.

"The circumstances of that negotiation afford the strongest reason to believe, that the Peshwa never
seriously intended to enter into any engagements, on the basis of those propositions; and that he had no other intention, from the commencement of the negociation, than, to avoid the consequences of an unqualified refusal to treat; to deceive the public, and the Governor-General, by the appearances of a disposition to concur in the views of the British government for the tranquillity of India; and to deter Scindia from the prosecution of his ambitious designs, by persuading that chieftain, that the Peshwa had it in his power, and in his contemplation, to avail himself of the protection of the British arms."[1]



Nor were these the only occasions on which the Peshwa had been importuned on the same subject. "The negotiations," continues the same high reporter, "which followed the renewal of the Governor-General's propositions, in the month of April, 1800, were conducted, on the part of the Peshwa, in the same spirit of temporizing policy, and studied evasion, which characterized his conduct in every previous discussion. His long and degrading subjection to the power of Scindia; his repeated experience of the perfidy and violence of that unprincipled chieftain; the internal distraction which prevailed in his government; and the consciousness of his inability to relieve himself from the pressure of his accumulated difficulties, and to secure the efficient exercise of his authority; were insufficient to subdue the emotions of his jealous fears, and to induce him to rely, with confidence on the protection of that state, which alone

possessed the power and the will to extricate him from his embarrassments, and to place him in a situation of comparative dignity and security. Those negotiations were closed in the month of September, 1800, when various unprecedented acts of violence and extortion, on the part of Scindia, had aggravated the pressure of the Peshwa, and virtually annihilated his authority—by the Peshwa's absolute rejection of the principal articles of the Governor-General's proposition.



"And he may be considered to have rejected those propositions again, by his refusal to become a party in the treaty of general defensive alliance, concluded with the Nizam in October, 1800, which was tendered to his acceptance."[1]

But the complaints of the Governor-General are not confined to the arts by which the Peshwa endeavoured to preserve the advantage of appearing to enjoy the friendship of the British government, and at the same time to avoid the transference and loss of his military power. "While these several negotiations were depending," says the same great informant, "the Peshwa was at different times employed in carrying on intrigues at the court of Hyderabad, to effect the dissolution of the alliance between the Company and the Nizam, and to engage his Highness to unite with the Mahrattas, at any future favourable opportunity, for the subversion of the British power."[2]

Towards the end of the year 1801, the Peshwa came forward with a proposal "for subsidizing a body of British troops." To this, according to the Governor-General, he was "influenced, either by views and intentions similar to those which regulated his conduct during the negotiations of 1799 and 1800; or, if sincere in his proposal, by the hope of obtaining the aid of the British for the re-establishment and security of his authority, without hazarding the introduction of that degree of control and ascendancy, which," says the Governor-General, "it must be our interest to establish in the Mahratta state, and which it is his object to avoid."[1]

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"The Peshwa," continues the Governor-General, "is aware, that the permanent establishment of a British force, in the vicinity of Poonah, would immediately place him, in some degree, in a state of dependance upon the British power. And, therefore, he has stipulated, that the subsidiary force shall be retained within the Company's dominions at all times, except when he shall require its actual services."[2] For the charges of the troops, the Peshwa proposed to assign a territory, in a part of the Peshwa proposed to assign a territory, in a part of the Mahratta country, over which he had only a nominal authority, and "the cession of which," says the Governor-General, "would not in any degree contribute to render the Peshwa dependant on the support of the British power."[3] Because this arrangement would be extremely advantageous to the Peshwa, without yielding correspondent advantages to the British government, it was the opinion of the Governor-General, that it ought to be rejected. But he was of opinion, that rather than not get a British force subsidized, as he termed it, by the Peshwa; that is, placed in the service, and at the expense of that prince, it was adviseable to consent to his proposition with regard to the station of the troops, provided he would make an acceptable provision in land, or even in money, for their

maintenance. The Governor-General reasoned thus: “The measure of subsidizing a British force, even under the limitations which the Peshwa has annexed to that proposal, must immediately
place him, in some degree, in a state of dependance upon the British power; provided that measure be uncombined with any other arrangement, calculated to defeat its operation. The dependance of a state, in any degree, upon the power of another, naturally tends to promote a sense of security, derived from the support of a foreign power; produces a relaxation of vigilance and caution; and the operation of natural causes, in augmenting the dependance of the Peshwa on the British power, under the operation of the proposed engagements, would be accelerated by the effect which those engagements would produce, of detaching the state of Poonah from the other members of the Mahratta empire.”[1]



When “the Governor-General,” these are his own words, “notwithstanding his frequent disappointments in the accomplishment of his salutary views, determined, in June, 1802, to renew his negotiations for the conclusion of an improved system of alliance with the court of Poonah; the increased distraction in the Mahratta state, the rebellion of Jeswunt Rao Holkar, and his successes against the combined forces of the Peshwa and Scindia, appeared to constitute a crisis of affairs, favourable to the success of the proposed negotiation at Poonah. In the course of the discussions which ensued, the Peshwa manifested a desire to contract defensive engagements with the Honourable Company, under circumstances of more apparent solicitude, than had marked his conduct at any former occasion. The Peshwa, however, continued to withhold his consent to any admissible modifications of the Governor-General's propositions, until Jeswunt Rao Holkar, at the head of a formidable army, actually arrived in the vicinity of Poonah.”[2]

The crisis to which the Mahratta affairs were then approaching, was preceded and produced by the following circumstances.

BOOK VI. Chap. 11. 1802.

Mulhar Rao Holkar, one of the leaders in the army of the first Peshwa, was instrumental in pushing the conquests of the Mahrattas towards the north; and, according to the usual policy of the Mahratta government, received a portion of territory, in the province of Malwa, for the support of his troops. This happened about the year 1736; and laid the foundation of the sovereignty of the Holkar family; for, as the power of the primary government declined, that of the principal viceroys, according to custom, became independent; and, although the memory of their primitive connexion with the Peshwa was not yet obliterated, they not only acted as his equals, but frequently as his masters; and on no occasion, except when it suited their interest, allowed their will to be governed by his. Mulhar Rao Holkar died in the year 1766. He was succeeded by his nephew Tuckajee Holkar. This Prince reigned till the year 1797. He left four sons, Cashee Rao, Mulhar Rao, Eithojee Holkar, and Jeswunt Rao Holkar; the two former alone by the wife, or principal female in his haram. Cashee Rao succeeded Tuckajee, as the eldest son by his wife. A dispute, however, soon arose between Cashee Rao and his brother Mulhar Rao, who claimed

an equal share of the inheritance; and they both repaired to Poonah, for the purpose of settling their disputes by the intervention of the Peshwa.

Dowlut Rao Scindia exercised at that time a despotic authority over the Peshwa; and regarded the occasion as highly favourable for adding the possessions of the Holkar family to his own. Having made his terms with Cashee Rao, who is said to have renounced a claim of sixty, and paid a sum of six lacs of rupees, he surprised and slaughtered Mulhar Rao
with all his attendants, at Poonah, in the month of September, 1797. The wife of Mulhar Rao, left in a state of pregnancy, produced a son, who was named Khundeh Rao. Scindia possessed himself of the person of the infant; retained Cashee Rao, in a state of dependance; and proposed to govern the Holkar dominions in his name. The two brothers Eithojee and Juswunt Rao had attached themselves to the cause of Mulhar Rao, and were both at Poonah at the time of his murder. Eithojee fled to Kolapoor, where he was taken, in the commission of hostilities; sent to Poonah; and deprived of his life. Jeswunt Rao made his escape to Nagpoor; and was protected for some time; but the instigations of Scindia at last prevailed, and the Rajah placed him in confinement. He contrived to effect his escape, and fled to Mehysser, on the Nerbuddah. Scindia, at that time deeply engaged in his schemes for securing the ascendancy at Poonah, had not leisure to pursue the fugitive with vigour and expedition, and probably thought his resources too contemptible to excite any apprehension. This remissness enabled Jeswunt Rao to avail himself of the means which so plentifully exist in India, of collecting an army of adventurers, by the prospect of plunder. It was not till the year 1801, that Scindia really became alarmed at the progress of Jeswunt Rao. He then began to collect an army on the Nerbuddah, and ordered the chiefs in his dependance to join him with the smallest possible delay. On the 14th of October, 1801, a general engagement took place between the armies of the two chieftains, in the neighbourhood of Indore, the capital of the Holkar family. Holkar was completely vanquished, and fled with the loss of his artillery and baggage.[1]



In this situation of affairs, a favourable opportunity
appeared to the Governor-General to present itself, of extending his favourite plan for engrossing the military power of the princes in India, or (as he himself chose rather to name it) “the system of general defensive alliance and guarantee.” Colonel Collins, who had acted for some time as resident at Futty Ghur, was, in the month of December, 1801, directed to repair to the camp of Dowlut Rao Scindia. And in the instructions of the Governor-General to that officer, dated the 15th of January 1802, are the following words: “The events which have lately occurred in Hindostan, and the actual situation of the affairs of Dowlut Rao Scindia, appear to his Excellency to afford a more favourable opportunity, than any which has hitherto offered, of persuading that chieftain to become a party, in the proposed system of defensive alliance and reciprocal guarantee, under the provisions of the treaty concluded with his Highness the Nizam, on the 12th of October, 1800.”

BOOK VI. Chap. 11. 1802.

The next paragraph of this official paper is important, as exhibiting the views of the Governor-General, with regard to the effect which this defensive alliance, with any one of the Mahratta powers, would have upon all the rest. According to him it would produce one of two effects. Either it would compel them to give up their military power, in imitation of the state which had submitted to that stipulation; or, it would place them "in a dependent and subordinate condition,"—a condition in which "all their ambitious views, and aggressive designs, would be controlled." "It may reasonably," says the Governor-General, "be expected, that the success of a negotiation, for that purpose, with Dowlut Rao Scindia, will materially promote the complete accomplishment of his Excellency's views, by inducing the other Mahratta powers to concur in the proposed arrangement, with a view to avoid *the dependant and subordinate condition to which they must be reduced,* by their exclusion from an alliance, *of which the operation, with respect to them, must be, to control all ambitious views and aggressive designs on their part,* without affording to those powers the benefits of the general guarantee." The doctrine of the Governor-General, therefore, was, that, in this manner, every one of the Mahratta states would become dependent upon the English government; those who accepted the alliance, by the alliance; those who did not accept it, by being deprived of it; the same happy effect, in two opposite cases, by the same ingenious combination of means.



In regard to the terms of the proposed alliance, the document in question says, "The general conditions to which, in conformity to the proposed arrangement, it is desirable that Scindia should accede, are, 1st. To subsidize a considerable British force, to be stationed within his dominions: 2dly. To cede in perpetual sovereignty to the Company, an extent of territory, the net produce of which shall be adequate to the charges of that force: 3dly. To admit the arbitration of the British government, in all disputes and differences, between Scindia and his Highness the Nizam, and, eventually, between Scindia, and the other states of Hindostan: and 4thly. To dismiss all the subjects of France now in his service, and to pledge himself never to entertain in his service persons of that description."

It was declared to be "extremely desirable that Scindia should subsidize the same number of British troops, as is subsidized by his Highness the Nizam." If Scindia, however, as was suspected, would not, unless in a case of extreme necessity, agree to that proposal, the Governor-General was inclined to come down in his terms. He would consent to such a number of troops as even that of two battalions. The obligation of submitting Scindia's relations with other states, to the will of the English, it was not, in the opinion of the Governor-General, very material to exact; for this reason, that, if the other conditions were accepted, this would follow, as a necessary consequence, whether agreeable to Scindia or not. "His Excellency," says the paper of instructions, "considers Scindia's positive consent to the third condition, to be an object of inferior importance to the rest: as, without any specific stipulation, the arbitration of the British government will necessarily be admitted, to an extent proportioned to the ascendancy, which that government will obtain, over Scindia, under the proposed engagements—and to the power which it will possess of controling his designs."[1]

Though Scindia had not only been disposed to receive, but forward to invite the British resident to his camp, he would offer no specific proposition when Colonel Collins arrived. It was the wish of the British negotiator, who joined the camp of Scindia on the 20th of February, 1802, to draw from that chieftain a declaration of a desire for British assistance; and afterwards to present the scheme of the Governor-General as the condition on which that advantage might be obtained. Scindia, however, would not admit that he had any other motive for desiring the presence of a British resident, than to cement the friendship which already subsisted between him and the British government; and to possess a more immediate channel of communication: especially, "as he was guarantee to the treaty between the English government and the Peshwa;" in this expression, exhibiting, even at this early period, his jealousy with respect to the negotiation, which was now carrying on at Poonah, for superseding the existing treaty with the Peshwa, by a treaty upon the Governor-General's favourite system, called "the system of defensive alliance, and mutual guarantee."



After time for ascertaining the state of Scindia's counsels, the resident informed the Governor-General, that "Scindia was anxiously desirous to preserve the relations of friendship at that time subsisting between him and the English government. At the same time," said he, "I consider it my indispensable duty to apprize your Excellency, that I am firmly persuaded he feels no inclination whatever to improve those relations." In other words, he was not yet brought so low, as willingly to descend into that situation, in which a participation in the "system of defensive alliance and mutual guarantee" would of necessity place him.

It is important, at the same time, to observe the opinion of this select servant of the Company, with regard to the influence which the treaty so eagerly pursued with the Peshwa would have upon the interests of Scindia; an influence sufficient to make him court as a favour what he now rejected as equivalent to the renunciation of his independence and power. "Indeed," says the resident, "were the Peshwa to accept the aid of a subsidiary force from our government, I should, in this event, entertain strong hopes, that Scindia, apprehensive lest the authority of the head of the Mahratta empire might be exerted against himself, would solicit as a favour to be admitted to the benefit of the treaty of general defensive alliance." The resident, in this instance, declared his belief, that the same effect would result from this treaty with regard to Scindia, as the Governor-General had stated to him would be the effect of such a treaty, with any one of the Mahratta powers, upon every one of the rest.[1]



As the resident was convinced, that, in the present circumstances, it was vain to hope for the submission of Scindia to the system of the Governor-General, he thought the dignity of the British government would best be consulted, by forbearing to present the proposition.[2]

Holkar repaired so quickly the disaster sustained near Indore, that early in 1802 he resolved to change the scene of his operations from Malwa to Poona. Cashee Rao, who had been allowed to repair to Candeish, had for some time shown a disposition to

aid in carrying on a joint war against Scindia, for the preservation of the Holkar dominions; but as the resources both of his mind and of his fortune were small, so he had latterly professed his determination to adhere to a system of neutrality in the dispute between Scindia and Jeswunt Rao. The release of the infant Khundeh Rao had been always demanded by Jeswunt Rao, as a condition without which he would listen to no terms of accommodation. Representing Cashee Rao as incapacitated by mental imbecility for the exercise of the powers of government, he proclaimed the infant, head of the Holkar family; demanded, as uncle, the custody of his person, and the administration of his dominions; and gave out his design of marching to Poona, for the purpose of receiving justice at the hand of the Peshwa; that is, of putting down the authority of Scindia, with respect to whom the Peshwa had long been placed in a state of prostrate subjection.



Before the middle of the year 1802, Holkar had prepared a large, and as compared with that of his opponents a well disciplined army; and began his march to the south. Scindia, alive to the danger which threatened his interests at Poona, detached a large portion of his army under one of his principal generals, Suddasheo Bhow. This force arrived in the vicinity of Poona, at the close of the month of September; and afterwards effected a junction with the troops of the Peshwa. On the 25th of October the two armies engaged. After a warm cannonade of about three hours, the cavalry of Holkar made a general charge. The cavalry of Scindia gave way, when that of Holkar cutting in upon the line of infantry, put them to flight and obtained a decisive victory.[1]

Colonel Barry Close had been sent in the capacity of resident to Poona, in the month of December of the preceding year, with much reliance upon his approved ability and diligence for leading the Peshwa to a conformity with the earnest wishes of the English government, on the subject of the defensive alliance.

BOOK VI. Chap. 11. 1802.

A few days before the arrival of Colonel Close, the Peshwa had communicated to Colonel Palmer, his predecessor, his consent “to subsidize a permanent force of the Company's infantry, to the extent of six battalions, with the corresponding artillery, as the Governor-General had proposed; and to assign territory in Hindustan, producing twenty-five lacs of rupees annual revenue; but that the troops should be retained within the Company's dominions at all times, except when the Peshwa should formally require their actual services.” There was still a great distance between the compliance of the Peshwa, and the Governor-General's demands. “I am to have my last private audience of the Peshwa,” says Colonel Palmer, “this evening: when I will make a final effort to convince his Highness of the lasting security, power, and prosperity,” (such was the language which the Governor-General and his agents held even to one another upon their scheme for reducing to dependance the Princes of Hindustan,) “which he will derive from embracing your Lordship's proposals; though I apprehend, that nothing short of imminent and certain destruction will induce him to make concessions, which militate with his deep-rooted jealousy and prejudices,” (so the aversion to a final renunciation of all independent power was coolly

denominated;) "of which he thinks," continues the dispatch, "that he has already made extraordinary sacrifices."[1]



The negotiation languished for six months, because the Governor-General, who, during a considerable part of that time, was earnestly endeavouring to accomplish a similar treaty with Dowlut Rao Scindia, did not transmit to the resident his instructions upon the subject of this proposal, till the month of June.

During this interval, the new resident had time to make his observations upon the character and views of the Peshwa, of which he delivered a most unfavourable report. "Every day's experience," said he, "tends to strengthen the impression, that from the first, your Lordship's amicable and liberal views, in relation to this state, have not only been discordant with the natural disposition of the Peshwa; but totally adverse to that selfish and wicked policy, which, in a certain degree, he seems to have realised: A slight recurrence to the history of his machinations is sufficient to demonstrate, that, in the midst of personal peril, and the lowest debasement, he viewed the admission of permanent support from your Lordship with aversion."

With regard to the Peshwa's government," he says, "it seems, if possible, to become less respectable every day. The great families of the state, with whom he is at variance, prevail over him at every contest."[1]

When the instructions of the Governor-General arrived, he remarked, upon the stipulation of the Peshwa respecting the station of the subsidized battalions, that "if the Peshwa should ever conclude subsidiary engagements on these terms, he would never apply for the aid of the stipulated force, except in cases of the utmost emergency: and his expectation, probably, is, that the knowledge of his ability to command so powerful a body of troops would alone be sufficient to give due weight to his authority, and to preclude any attempt which might otherwise be made for the subversion of it."

BOOK VI. Chap. 11. 1802.

On the next great point, "as the Peshwa," he said, "probably derives no revenue from the territory which he proposes to assign for the charges of the subsidiary force; and his authority in it is merely nominal, his power and resources would not in any degree be reduced by the cession; and the situation of the districts would be too distant and distinct from those territories in which the Peshwa's authority is established and acknowledged, to excite in his mind any apprehension of being overawed or controlled by the proximity of the Company's territorial power and resources. In his Excellency's judgment, therefore, the cession of the proposed territory in Hindustan would not in any degree contribute to render the Peshwa dependent on the support of the British power."

The expense, also, both of taking and of retaining possession of these territories, surrounded as they were by the territories of other Mahratta chiefs, and subject to their claims, was stated by the Governor-General as a ground of objection.

Upon the whole, he observes, “By this arrangement, the Peshwa would derive the benefit of our support, without becoming subject to our control.” He, therefore, concludes; “Under all these circumstances his Excellency is decidedly of opinion that an unqualified concurrence in the Peshwa's propositions would produce more injury than benefit to the British interests in India.” At the same time, “From the view,” he declares, “which has thus been taken of the disposition and conduct of the Peshwa towards the British power; and from a consideration of the actual condition of his government, with reference
both to its internal weakness, and to the state of its external relations, it is to be inferred, that in the actual situation of affairs, no expectation can reasonably be entertained of the Peshwa's acquiescence in any arrangement founded on the basis of the Governor-General's original propositions.”



What then was to be done? Was the pursuit of the subsidizing arrangement to be resigned? The desires of the Governor-General were too ardent for that conclusion. He resolved, on the other hand, to accede to the wishes of the Peshwa, in regard to the station of the troops, provided he would either assign a less exceptionable territory, or even engage to pay a competent annual sum from his treasury.[1]

Of the discussions on this new proposition, the detailed reports have not been communicated to parliament, and hence the particulars are unknown. Though Baajee Row manifested, as the Governor-General informed his honourable masters, a solicitude apparently more sincere than formerly, to contract defensive engagements with the British government, he would assent to no admissible modification of the proffered plan, till Jeswunt Rao Holkar was in the vicinity of Poona.

To whomsoever of the two antagonists the impending contest should yield the ascendancy, the Peshwa perfectly foreknew that the result would be equally fatal to his authority. On the 11th of October, he transmitted through his principal minister a set of proposed to the British resident. In these, it was proposed to agree, that the troops should be permanently stationed within his dominions, and that a district should be assigned for their maintenance in his territories bordering on the Toombudra.[1] We
are informed by the Governor-General, that “during the discussions which ensued on the basis of these propositions, the evasive conduct of the Peshwa excited considerable doubts of his sincerity, even at that stage of the negotiation: and that on the 24th of October, when the army of Jeswunt Rao Holkar had arrived within a few miles of Poona, the Peshwa dispatched a deputation to that chieftain, with distinct proposals for an accommodation, which Jeswunt Rao Holkar rejected.”[2]

BOOK VI. Chap. 11. 1802.

On the day of the action, the Peshwa, surrounded by a small body of troops, waited for the result, and then fled; leaving in the hands of his minister, for the British resident, a preliminary engagement to subsidize six battalions, with their proportion of artillery, and to cede a country, either in Guzerat or Carnatic, yielding twenty-five lacs of rupees.

The wishes of the Governor-General were accomplished, beyond his expectation. And he ratified the engagement on the day on which it was received.3

Two grand objects now solicited the attention of the British government. The first was the restoration of the Peshwa; and his elevation to that height of power, which, nominally his, actually that of the British government, might suffice to control the rest of the Mahratta states. The next was, to improve this event for imposing a similar treaty upon others of the more powerful Mahratta princes; or, at any rate, to prevent, by all possible means, their alarm from giving birth to an immediate war, which (especially in the existing state of the finances) might expose the present arrangement to both unpopularity and trouble.



The following occurrences were meanwhile taking place. The Peshwa, having repaired in the first instance to a fortress, not far distant from Poona, afterward pursued his flight to the fortress of Mhar, on the river Bancoote, in the Concan, a maritime country on the western side of the Ghauts. Holkar, whose object it probably was to obtain possession of the person of the Peshwa, and to make the same use of his authority which had been made by Scindia, attempted, but not with sufficient rapidity, to intercept his flight.

Disappointed in this prospect, Holkar turned his views to Emrut Rao, the adopted son of the Peshwa's father, the late Ragoba; and detaching a body of troops to the place of his residence, brought him to Poona. The Peshwa's flight from his capital was treated as an abdication, or akin to an abdication, of the government; and affairs were administered in the name of Emrut Rao.

To the British resident, who remained at Poona, when it fell into the hands of Holkar, that chieftain, as well as Emrut Rao, diligently represented their views as friendly toward the British state, or even submissive; and they employed their earnest endeavours to prevail upon him to remain at Poona. As this, however, might appear to afford the sanction of his government to the new authority, he thought it his duty to withdraw, and having, not without difficulty, obtained that permission, departed on the 28th of November.

“At the conferences,” says the Governor-General, “holden, by the resident, with Emrut Rao and Jeswunt Rao Holkar, on the eve of the resident's departure from Poona, both those chieftains expressed their solicitude for the preservation of the friendship of the British government; and directly and earnestly, appealed to the resident for his advice in the present situation of affairs. Jeswunt Rao Holkar expressly intimated a wish for the mediation of the resident, for the express purpose of effecting an accommodation with the Peshwa.”1



The Peshwa seemed unable to believe himself in safety, in any place accessible to Jeswunt Rao Holkar; and requested that a British ship might be sent to Bancoote, to convey him when he should account it necessary to Bombay. This determination the resident at Poona thought it would not be adviseable to encourage. But, “under the determination,” says the Governor-General, “which I had adopted, of employing

every effort, for the restoration of the Peshwa's authority, and in the actual situation of the Peshwa's affairs, it appeared to me, to be extremely desirable, that the Peshwa should immediately place himself under the protection of the British power, by retiring to Bombay."[2]

The resident from Poonah arrived at Bombay on the 3d of December. The Peshwa, notwithstanding the permission to place himself under the protection of the British government at Bombay, had yet remained in the Concan, with a declared desire, however, of repairing to his own city of Bassein, where he would enjoy the protection of a British force. His minister arrived at Bombay on the 8th of December. At a conference, the next day, with Colonel Close, he expressed the earnest desire of his master to conclude the proposed engagements with the British government; to the end that, all its demands being complied with, and all obstacles removed, he might as speedily as possible be restored to his authority by the British troops. On the 16th, the Peshwa arrived at Bassein; and was presented with a draught of the proposed treaty. The 18th was appointed for the day on which the arrangement should be completed. After a long discussion, the whole of the draught was accepted, with some alterations in one or two of the articles. And the treaty, called, from the place of transaction, the treaty of Bassein, was signed on the 31st.



The great and leading articles were those to which the Peshwa engaged himself, by the paper left behind him, when he fled from Poona; the permanent establishment within his dominions of the force hired from the Company; and the assignment of a portion of territory, convenient for the English, as the equivalent in exchange. Of the remaining articles, the most important was that, by which the Peshwa bound himself never to make war upon any state, but to submit all his differences with other powers to the English; and, in short, not to hold any intercourse with other states, except in concert with the English government.

A local affair of considerable importance was commodiously regulated through this treaty. The pecuniary claims of the Peshwa upon Surat, and the territory lately ceded by the Guyckwar in Guzerat were commuted for a territory yielding a revenue of the same annual amount.

BOOK VI. Chap. 11. 1802.

In one respect this Mahratta ally was left in a situation different from the situation of those other allies, the Nabobs of Oude and Carnatic. In their case the English rulers insisted upon a power of ordering, agreeably to their wisdom, the internal administration of the country; or rather of taking it wholly into their hands; alleging, as cause, the bad government of those rulers, which it was neither consistent with the interest, nor the humanity, nor the honour of the English government, to render itself the means of preserving in existence. With regard to the one of these powers, the design was partially, with regard to the other, it was completely, executed. With the Peshwa, for the present, the same demand for good government produced not the same effects. In the 17th article of the treaty, "The Honourable Company's Government," it is said, "hereby declare, that they have no manner of concern with any of his Highness's children, relations, subjects, or servants; with respect to whom

his Highness is absolute." Nay more, "the subsidiary force is to be at all times ready for such services, as, the due correction of his Highness's subjects and dependants, and the overawing and chastising of rebels, or exciters of disturbance." In other words, to what degree, soever, of misery, the vices of the Peshwa's government may reduce his subjects, the English have "no manner of concern" with that: But if these unhappy subjects make any effort to relieve themselves, the English troops shall be employed in exterminating them. When combinations of rulers take place, and the control of subjects is sufficiently removed, the treatment which is carved out for subjects is pretty much the same, whether the soil be Asiatic or European; the subjects, Mahrattas, or French.



The turn, which the counsels of Scindia might take, or might take, or might receive, in consequence of the present transactions with the Peshwa, was the object which next solicited, and that in a high degree, the attention of the British government. By a letter, dated the 16th of November, 1802, the resident at Poona is apprized, "that it is the Governor-General's intention to avail himself immediately of the state of affairs at Poona, and of the defeat of Scindia's troops by Holkar, to renew overtures to Scindia, for the purpose of inducing that chieftain to enter into the terms of the general defensive alliance." And along with the notification of the engagements concluded with the Peshwa, Scindia received, an invitation to co-operate with the British government in the restoration of that chief to his throne, and also proposals for a treaty to be concluded with himself, on terms similar to those which had been accepted by the Peshwa.[1]

In another letter, on the 22d of the same month, the Governor-General still further unfolded his policy. "In fulfilling the obligation now imposed on us, of re-instating the Peshwa in his government, and restoring his authority, his Excellency is anxious; first, to avoid all contest with either Scindia or Holkar; and secondly, to refrain from checking the progress of the present warfare between these chieftains." As the immediate march of the British troops for the restoration of the Peshwa would be likely to begin a war between Holkar and the Company, and to terminate that between him and Scindia; as the intermediate period, at the same time, "presented the most favourable crisis for the accomplishment of his Excellency's views of defensive alliance with Scindia;" and, as "a delay in the advance of the troops might afford the further advantage of improving the terms of the defensive alliance with the Peshwa, by obtaining his consent to those conditions which he theretofore rejected," the resident was informed that there was no occasion to be in a hurry, in commencing operations for the re-instatement of the Peshwa.[1]



Though the Governor-General expressed his conviction, that "nothing but necessity would induce Scindia to co-operate in the success of the present arrangement;" he yet entertained the hope, that he would perceive his inability to prevent that success; and, as the engagement with the Peshwa would place him under the power of the English, whether he consented to the plan of hired troops, or did not consent to it, that he would account dependance, with the benefit of their alliance, less objectionable, than dependance, without it.[2] The home authorities, accordingly, who are always presented

with the fair face of things, were told by his Excellency, under date the 24th of December, 1802, “I entertain a confident expectation of the complete accomplishment of all our views, and of the restoration of tranquillity, within the Mahratta dominions, by the means of amicable negotiation. It appears probable, that Scindia will cordially co-operate with the British government, in the restoration of the Peshwa's authority; and will consent, in the actual state of his own affairs, to become a party in the proposed system of defensive arrangements.”[3]

Yet the resident at Poona is told, in a letter dated the 30th of the same month: “Notwithstanding the Peshwa's recent recognition of his engagements with you, his Excellency the Governor-General is induced to apprehend, from the general tenor of the information contained in your dispatches, and from the character and disposition of the Peshwa, that his Highness is more disposed to rely on the exertions of Scindia, than on those of the British government, for his restoration to the musnud of Poona.” Under such views, “his Highness,” he added, “may possibly evade the conclusion of a definitive treaty, on the basis of the preliminary engagement. This result will be rendered still more probable by an accommodation between Scindia and Holkar. The intelligence contained in a dispatch from the resident with Dowlut Rao Scindia, under date the 19th instant, strongly indicates the probability of that event. And it is apparent, that the principal inducement, both of Scindia and Holkar, to enter into such accomodation, is the apprehension which they entertain of the interference of the British power, for the restoration and establishment of the Peshwa's authority. It may be expected, therefore, that an accommodation between these chieftains will be accompanied by proposals to the Peshwa, under the mediation and guarantee of Scindia, of a nature which his Highness may be disposed to accept, rather than be indebted for the restoration of his authority to the interposition of the British government.”[1] It was the 10th of February, 1803, before the Governor-General disclosed to the home authorities his opinion that, “the knowledge,” as he expresses it, “of our arrangement with the Peshwa, may induce Dowlut Rao Scindia, and Holkar, to compromise their differences; and to offer to the Peshwa proposals for restoring his Highness to the musnud of Poona, which his Highness may be disposed to accept, notwithstanding the actual conclusion of engagements for that purpose with the British government.”[1]



BOOK VI. Chap. 11. 1803.

With regard to the policy which the state of things created by this conduct would suggest, he says: “In such an event, it is not my intention to attempt to compel the Peshwa to adhere to the faith of his engagements, at the hazard of involving the Company in a war with the combined Mahratta states.”[2]

This is an admission, that the probable evil of a war with the combined Mahratta states was more than a counterbalance for the probable good to be derived from placing them all in dependance; the effect, which the treaty with the Peshwa, he said, would produce, whether they entered, or refused to enter, into the scheme for hiring the British troops.

Notwithstanding this opinion of the preponderant evil of a war with the combined Mahratta states, the Governor-General declares, that, if the Peshwa adhered to his

engagements, and had the concurrence of his principal subjects, he should not allow the chance of any other opposition to deter him. Yet from that preponderant evil, the power of the Peshwa would still be the only defalcation; and how little the account which could be justly made of the power of the Peshwa, the Governor-General was amply informed.

To one view, taken by the Marquis Wellesley, of the question of restoring the Mahratta sovereign, philosophy will not withhold unqualified praise. “The stipulations of treaty” (says he, in his instructions, dated 2d of February, 1803, to the Governor of Fort St. George), “on which I founded my intention to facilitate the restoration of the Peshwa's authority,



originated in a supposition that the majority of the Mahratta jaghiredars, and the body of the Peshwa's subjects, entertain a desire of co-operating in that measure. Justice and wisdom would forbid any attempt to impose, upon the Mahrattas, a ruler, whose restoration to authority was adverse to every class of his subjects. The recent engagements with the Peshwa involve no obligation of such an extent. Whatever might be the success of our arms, the ultimate objects of these engagements could not be attained, by a course of policy so violent and extreme. If, therefore, it should appear, that a decided opposition to the restoration of the Peshwa is to be expected, from the majority of the Mahratta jaghiredars, and from the body of the Peshwa's subjects, I shall instantly relinquish every attempt to restore the Peshwa to the musnud of Poona.”[1]

This virtuous example, till such a time as the majority of the people in every civilized country have become sufficiently enlightened to see the depravity of the case in its own essence, will help to stamp with infamy the most flagitious perhaps of all the crimes which can be committed against human nature, the imposing upon a nation, by force of foreign armies, and for the pleasure or interest of foreign rulers, a government, composed of men, and involving principles, which the people for whom it is destined have either rejected from experience of their badness, or repel from the experience or expectation of better. Even where the disparity of civilization and knowledge were very great; and where it were beyond dispute, that a civilized country was about to bestow upon a barbarous one the greatest of all possible benefits, a good and beneficent government; even there, it would require the strongest circumstances to justify the employment of violence or force. But, where

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nations, upon a level only with another, in point of civilization, or perhaps below it, proceed with bayonets to force upon it a government, confessedly bad, and prodigiously below the knowledge and civilization of the age, under the pretence of fears that such a nation will choose a worse government for itself, these nations, or their rulers, if the people have no voice in the matter, are guided by views of benefit to themselves, and despise the shame of trampling upon the first principles of humanity and justice.

In paying the homage which he counted due to the will of a nation of Mahrattas, the Marquis Wellesley was not making a sacrifice of interests, which he held in low esteem. In his address to the home authorities, dated the 24th of December, 1802, he declared his conviction, that “those defensive engagements” which he was desirous of “concluding with the Mahratta states, were essential to the complete consolidation of

the British empire in India, and to the future tranquillity of Hindustan."[1] Yet the complete consolidation of the British empire in India, and the future tranquillity of Hindustan, which could never exist till a sufficient bridle was put in the mouth of the Mahratta power, he thought it his duty to sacrifice, or to leave to the care of unforeseen events, rather than violate the freedom of will, in this important concern, of the people of one of the Mahratta states.

When the Governor-General resolved on restoring the Peshwa, upon the supposition that he and his subjects were consenting to the plan, a very low estimate of the opposition to be expected from other quarters was presented by the Governor-General to his superiors, in his language of the 10th of February, 1803. "No reason," said he, "exists, to justify an apprehension, that in the event supposed, Scindia would proceed to such an extremity, as to make opposition, either singly, or united with Holkar. Nor is any such desperate course of proceeding to be apprehended from the Rajah of Berar. Uncombined with the power of Scindia, Holkar will not probably venture to resist the Peshwa. Holkar also has anxiously solicited the arbitration of the British government with respect to his claims. He has transmitted distinct propositions with that view to Lieutenant-Colonel Close."[1]



The substance of these propositions was, that the Peshwa should give to him a crore of rupees for the payment of his troops; that he should also give to him a fortress, as he had given Ahmednugger to Scindia; that he should effect the release of Kundee Rao; and grant him investiture, as the heir and representative of the Holkar family. Both the Governor-General and the Peshwa held these demands inadmissible. So far from yielding money to Holkar, the Peshwa thought he ought much rather to get money from him, on account of the depredations committed on his dominions. The gift of a fortress to one person was no reason, he said, why he should be called upon to give one to another: and as to the proposition for disinheriting Cashee Rao, it was forbidden by justice, and by the investiture which had been bestowed upon him during the life of his father; at the same time there was an expedient for reconciling the interests of both, as Cashee Rao had no children, and might secure the succession to Khundee Rao by adoption. The Governor-General held, that the rights of Cashee Rao, founded on descent, should on no account be allowed to be disputed. But he was of opinion, that the Peshwa ought willingly to grant a considerable sum of money, to obtain the departure of Holkar; and was even ready to guarantee a loan raised for that purpose: And, if the grant of a fort and jaghire would suffice to avert a rupture, it would not, he conceived, be good policy to withhold it.[1]



"On the receipt of these instructions," says the Governor-General, "Colonel Close endeavoured to persuade his Highness the Peshwa, to offer to Holkar such concessions as might induce Holkar to compromise the subsisting differences, and to admit his Highness's peaceable return to his capital. His Highness, however, manifested an insuperable aversion to offer any concession to Holkar, whom he considered to be a rebel against the legitimate authority of the sovereign power of the Mahratta empire." It then remained for Colonel Close to communicate by letter to

Holkar, the sentiments of the Governor-General on the subject of his demands; the assurance, that the British government would use its influence to adjust his claims upon Scindia; an offer, to guarantee any adjustment which he might accomplish with the Peshwa; and, lastly, the expression of a hope that he would not oppose the execution of the recent engagements between the British and Poonah states.2

The expectations of the Governor-General that he might be able, through the operation of the new treaty with the Peshwa, to intimidate Scindia into an acceptance of the chains which he had forged for him, he did not easily relinquish. That chieftain, after such operations as he had in his power for the increase and equipment of his army, proceeded towards the south; crossed the Nerbuddah on the 4th of February; and on the 23d arrived in the vicinity of Boorhanpore. Colonel Collins, who had left the camp of Scindia early in the preceding May, but had received in the month of December commands to return for the purpose of proposing to him a treaty, on similar terms with that of Bassein, arrived at his camp on the 27th of February, "The advices," says the Governor-General in his address to the home authorities of the 19th of April, 1802, "which I received from that officer, and from other quarters, induced me to entertain suspicions that Dowlut Rao Scindia meditated an accommodation with Jeswunt Rao Holkar; and a confederacy with that chieftain, and with the Rajah of Berar, for the purpose of frustrating the success of the arrangements concluded between the British government and the Peshwa: without, however, intending to proceed to the desperate extremity of provoking a contest with the British arms.



"This suspicion," he adds, "was corroborated, by the artifices practised, at the camp of Scindia, upon the arrival of Colonel Collins, with a view of eluding the communication of the propositions with which Colonel Collins was charged, under my authority. And the appearance of Scindia's intentions became still more unsatisfactory, from the evasive, and indirect, or vexatious replies, which Colonel Collins received to my propositions, after he had, at length, obtained access to Dowlut Rao Scindia."

At an interview, which the resident at last obtained with Scindia on the 24th of March, that chief informed him that a messenger was on his way to his camp from the Peshwa, for the purpose of explaining to him the nature and extent of the engagements recently concluded between the Peshwa and the British government, and that till the communications of this agent were received, he could not give a decided answer to the proposition about concluding with the English a treaty similar to that of Bassein. He gave, at the same time, the strongest assurance, that he had no intention to obstruct the execution of the agreement between the Peshwa and the British government; on the other hand, that he desired to improve the friendship at present happily existing between that government and the Peshwa, as well as himself.



In this declaration, the Governor-General professed his belief that Scindia was perfectly sincere. "Nor is that sincerity," said he, "inconsistent with a desire to delay his assent to the treaty of Bassein, and to the propositions immediately affecting his separate interests, until he shall have received a direct communication from the

Peshwa;—or incompatible with the project for a confederacy between Scindia, Holkar, and the Rajah of Berar, for purposes of a defensive nature—which I consider to be the extreme object of Scindia, in negotiating such a confederacy, without any views whatever of hostility towards the British power."

Berar was the next, in power and consequence, among the Mahratta states. "The intelligence which I have received from the court of the Rajah of Berar," says the Governor-General, "indicates that chieftain's dissatisfaction at the conclusion of defensive engagements between the British government and his Highness the Peshwa.—Whatever may be the aversion of the Rajah of Berar to the interposition of the British government, in the affairs of the Mahratta empire, any attempt, on the part of that chieftain, to obstruct the execution of the treaty of Bassein, would be inconsistent with the systematic caution of his character; and imprudent, in the actual state of his military power, and in the exposed situation of his territories."[1]



At so late a date, therefore, as the 19th of April, 1803, the home authorities were assured by their Indian substitute, that no prospect of a war, the offspring and consequence of the treaty of Bassein, presented itself in any quarter. The same language was employed even so late as the 20th of June. "Every circumstance," he assured them, "connected with the restoration of the Peshwa, justifies a confident expectation of the complete and pacific accomplishment of the beneficial objects of the late alliance.—Although the information," he added, "contained in Lieutenant-Colonel Close's address to your Honourable Committee, and the tenor of my latest advices from the courts of Dowlut Rao Scindia, and the Rajah of Berar, tend to countenance the rumours of a projected confederacy, between these chieftains, and Jeswunt Rao Holkar, the existence of any such confederacy is still a subject of considerable doubt.—If any such combination has been formed, its object is probably restricted to purposes of a defensive nature, without involving any views of hostility towards the British power.—The local situation, and comparative power and resources, of Scindia and Ragojee Bhonslah, preclude the apprehension of any attempt of these chiefs to subvert the Peshwa's government, or the treaty of Bassein, at the desperate hazard of a war with the British power. The situation of Holkar's power is entirely precarious and accidental. The instability of the resources of that adventurer reduces the continuance of his power to the utmost degree of uncertainty; and absolutely deprives him of the means of opposing any systematic or formidable resistance to the operation of an alliance with the Poonah state.—My instructions to Colonel Collins of the 5th May, and to Lieutenant-Colonel Close, of the 7th May, together with my letter of the 15th May to the Rajah of Berar, have probably already produced an arrangement of a pacific nature, with all the chiefs of the Mahratta empire, whose formal accession to the treaty of Bassein has not yet been signified to me."[1]

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The Peshwa received not the treaty, ratified by the Governor-General in council, earlier than the 18th of March, 1803. The Governor-General informs the Court of Directors, that "he received it with demonstrations of the highest satisfaction."[2]

As early, however, as the month of November preceding, the Governor of Fort St. George, under intimations from both the Governor-General and the resident at Poona, was induced to assemble a considerable army at Hurryhur, on the Mysore frontier; which, under the character of an army of observation, might be ready to be employed as events should determine. The Governor of Bombay, received, in like manner, instructions to hold in readiness for immediate service the disposable force of that presidency. And a considerable detachment of the subsidiary force at Hyderabad was, through the resident, directed to be placed in a similar state of preparation.3



At the end of February the whole of the subsidiary or hired force in the service of the Nizam, under the command of Colonel Stevenson, together with 6,000 infantry, and 9,000 of that Prince's native cavalry marched from the capital towards the western frontier of the Hyderabad dominions, and reached Paraindah, distant 116 miles from Poona, on the 25th of March.

From the army assembled at Hurryhur under the immediate command of General Stuart, the General-in-Chief of the forces under the presidency of Madras, a detachment, consisting of one regiment of European, and three of native cavalry, two regiments of European, and six battalions of native infantry, with a due proportion of artillery, amounting, in the whole, to 1,709 cavalry, and 7,890 infantry, exclusive of 2,500 horse belonging to the Rajah of Mysore, began to advance towards Poonah, on the 8th of March. For the command of this detachment; a service, requiring, as he affirmed, considerable skill, both military and diplomatic; the Governor of Fort St. George recommended the brother of the Governor-General, Major-General the Honourable Arthur Wellesley, as a man who, not only possessed, in a high degree, the other requisite gifts, but who, by his command at Seringapatam, had been accustomed to transactions with the jaghiredars of the Poona state, and successful in gaining their confidence and respect. A man so related, and so recommended, was not likely to see the merits of any competitor set in preference to his own.

On the 12th of April, the force under General Wellesley crossed the Toombudra. On the 15th, the distance was not great between him and Colonel Stevenson, who arrived at Aklooss. Jeswunt Rao Holkar, who had some time quitted Poona, arrived at Chandore, 300 miles from Poona, on the same day on which Colonel Stevenson arrived at Aklooss;



and nothing remained to oppose the British army. It was unnecessary, therefore, to carry the whole of the troops to Poona, where the country was too recently, and severely ravaged, to yield any supplies. Colonel Stevenson was directed to place the troops of the Nizam at Gardoree, within the Nizam's frontier, and to take post with the subsidiary troops, augmented by the King's Scotch Brigade, further up the Beema, near its junction with the Mota Mola.

Emrut Rao was left at Poona, with a guard of about 1,500 men, alone, and helpless, when Holkar marched. It was, nevertheless, reported, that this defenceless individual, who from first to last is represented, by the English themselves, as utterly averse to the part which he was constrained by Holkar to act, had it in contemplation to burn

the city of Poona; that is, to render his peace impracticable with the people into whose hands he saw that he must inevitably fall. Intimation of this report, and it would seem of some belief in the danger which it announced, was transmitted (repeatedly we are told) by Colonel Close to General Wellesley. The Peshwa, by whom it is not wonderful that it was believed, transmitted an urgent request that General Wellesley would detach some of the Poona officers with their troops to provide for the safety of his family. Counting the Poona officers, with their troops, a security ill-proportioned to the danger, General Wellesley resolved to attempt an unexpected arrival. Intelligence was received on the 19th, that Emrut Rao was still at Poona on the 18th, and had removed the family of the Peshwa to Servagur; which was concluded to be a step preparatory to the burning of the town. General Wellesley, therefore, taking with him only
the cavalry, and making a night march through a difficult pass, and a rugged country, arrived at Poona on the 20th, having accomplished, from the evening of the 19th a march of forty, and from the morning of that day, that is, in a period of about thirty-two hours, a march of sixty miles. Emrut Rao heard of the march of the British cavalry, on the morning of the 20th, and quitted Poona, but without any act implying that he had ever entertained a thought of setting fire to the place.



In conducting the Peshwa to Poona, it only now remained to provide a sufficient quantity of pomp. The description shall be given in the words of the Governor-General himself. “During these transactions, arrangements were made by the Governor of Bombay, and by Lieutenant-Colonel Close, for the march of the Peshwa towards Poona. A detachment, consisting of his Majesty's 78th regiment (which left Bengal on the 7th of February, and arrived at Bombay on the 5th of April, 1803), five companies of his Majesty's 84th regiment, a proportion of artillery, and 1,035 sepoys—in all 2,205 men, was formed, and placed under the command of Colonel Murray, of his Majesty's 84th regiment, as an escort to his Highness, who left Bassein, attended by Colonel Close, on the 27th of April.

“On the 7th of May, the Peshwa passed General Wellesley's camp, at Panowallah, near Poona. On the 13th, his Highness, attended by his brother Chimnajee Appa, and by a numerous train of the principal chiefs of the Mahratta empire, proceeded towards the city of Poonah; and, having entered his palace, resumed his seat upon the musnud, and received presents from his principal servants.

“During the procession, the British resident, accompanied by his suite, paid his compliments to his Highness, when a salute was fired by the British troops, encamped in the vicinity of Poona, under the command of General Wellesley. This salute was immediately answered from the fortress of Seonghur.

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“While the procession passed the bridge into the city, a second salute was fired from the British camp; and as the Peshwa approached the palace, salutes were fired from the several posts of the Mahratta troops. At sunset salutes were fired from all the hill forts in the vicinity of Poona.”[1]

Notwithstanding the confident expectation which the Governor-General had expressed to the home authorities, not only on the 19th of April, but as late as the 20th of June, that no war would rise out of the treaty of Bassein;2 yet before that time, as he himself informs us, "he had great cause to doubt the sincerity of Scindia's professions; while the increasing rumours of an hostile confederacy, against the British government, between that chieftain and the Rajah of Berar, rendered it indispensably necessary to ascertain, with the least practicable delay, whether the British government were likely to be exposed to a contest with the confederated chieftains. These considerations determined the Governor-General to lose no time in furnishing Colonel Collins with detailed instructions for the guidance of his conduct, in this important and delicate crisis of affairs. With a view to expedition, the Governor-General's instructions were, in the first instance, transmitted in the form of notes, under date the 5th of May, 1803, and were afterwards formed into a detailed dispatch, which was forwarded to Colonel Collins on the 3d of June."3



Nay, when the time arrived, at which it was desirable to make it appear, that the hostile mind of Scindia, and not provocation by the British Government, had produced the calamity of war, the Governor-General actually enters into an argument to prove, that from an early date, he had evidence which rendered in no respect doubtful, the existence of hostile projects in the mind of Scindia. After a display of the motives, in their own ambition, which Scindia and the Rajah of Berar had for aversion to the treaty of Bassein, "The belief," he says, "that those chieftains entertained designs hostile to the British government, at the earliest stages of the negotiation between the resident and Dowlut Rao Scindia, is supported by the information which the Governor-General has from time to time received of the proceedings of that chieftain." Of this information he specifies three instances; one contained in a letter of Colonel Collins, dated the 9th of March; a second received on the 17th of June; and the third alone, not more conclusive than the former, sent by Colonel Collins on the 14th, not received till after the date of his pacific declaration to the home authorities. "These facts," he then subjoins, "reciprocally confirm each point of the evidence of Scindia's hostile projects; and, combined with information, at various times communicated, by the resident with Dowlut Rao Scindia, of the proceedings of that chieftain; with the repeated rumours of the formation of an hostile confederacy between Dowlut Rao Scindia, and the Rajah of Berar, and Jeswunt Rao Holkar, and with the tenor and result of the resident negotiations, must be considered to amount to full proof of the alleged design of subverting the alliance formed between the British government and the Peshwa."1



The resident with Dowlut Rao Scindia, having received the Governor-General's instructions, obtained an audience of that chief on the 28th of May. He was encamped at a place called Chickley, not far from Boorhampore, where his own dominions border on those of the Rajah of Berar. The conference was opened, on the part of the resident, by communicating to Scindia the treaty of Bassein, of which a copy was presented and read. "When the whole of the treaty had been distinctly explained to the Maharajah, I then asked him," says the resident, "whether he thought it contained any thing injurious to his just rights; since I had reason to think some

doubts had arisen in his mind on this head?"—It was one of his ministers who thought proper to reply; "acknowledging," says the resident, "that the treaty did not contain any stipulation prejudicial to the rights of the Maharajah; to which the latter assented."

"I proceeded," says Colonel Collins, "to state—that negotiations had of late been carried on between Dowlut Rao Scindia and the Berar Rajah—that these chiefs were, I understood, to have an interview shortly, somewhere in the vicinity of this place—that the Maharajah had concluded a peace with Jeswunt Rao Holkar, in whose camp a vakeel also now resided on the part of Ragojee Bhonslah—that Scindia had likewise avowed an intention of proceeding with his army to Poona, accompanied by the Berar Rajah—and that, on combining these circumstances, I could not but suspect that this court meditated designs adverse to the interests of the British government;—for, since his Highness the Peshwa was restored to the musnud of Poona, the presence of the Maharajah at that capital could not now be of any use, but, on the contrary, might be productive of evil consequences—nor could the longer continuance of the Maharajah in the Deccan be necessary to his security, since he had come to an accommodation with the only enemy from whom he had any thing to apprehend, south of the Nerbuddah; That, therefore, I felt it my duty to require an unreserved explanation from this court, as well respecting the intent of the proposed interview between the Maharajah and the Berar Rajah, as regarding the nature of the engagements entered into by those chiefs with Jeswunt Rao Holkar—as their recent union, and present proceedings, induced some suspicion, that they were confederated, either for the purpose of invading the territories of our allies, his Highness the Peshwa, and Nabob Nizam; or of subverting the arrangements lately concluded between the British government and Baajee Rao."[1]



The resident repeated the assurance of the peaceable and even amicable views of the British government; and stated the arguments of himself and of the Governor-General to prove to Scindia, not only that the British government and the Peshwa had a perfect right to contract the engagements into which they had entered, but that the interests of Scindia, by that means, were in no respect affected.

On the part of Scindia, it was in like manner, affirmed, that he had no intention whatever to invade either the territory of his Highness the Peshwa, or of the Nabob Nizam. But, in regard to the negotiations with the Berar Rajah and Holkar, the resident was informed, that Scindia could afford him no explanations till the conference between him and Ragojee Bhonslah had taken place. No mode of address, conciliatory or menacing, was left untried by the resident to extort a declaration, whether opposition to the treaty of Bassein was or was not in contemplation. Scindia was informed, that if he maintained his present suspicious attitude, the British government would be called upon to make preparations upon his frontier, which would be attacked in every part the moment that intelligence was received of his accession to any hostile confederacy. After various expostulations, both with the ministers and with Scindia himself, the resident says,

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that he turned at last to Scindia, and "conjured him, in language both urgent and conciliatory, to remove all his doubts and suspicions, by an immediate and candid avowal of his intentions."

"Dowlut Rao," he continues, "in reply to these instances on my part, said, that he could not, at present, afford me the satisfaction I demanded, without a violation of the faith which he had pledged to the Rajah of Berar. He then observed, that the Bhonslah was distant no more than forty coss from hence, and would probably arrive here in the course of a few days: that immediately after his interview with the Rajah, I should be informed whether it would be peace or war."

It is proper to state, that the resident, in answer to his remonstrance against the march of Scindia and the Rajah of Berar to Poona, received a solemn assurance, which he appears not to have disbelieved, that the Peshwa, after his return to his capital, had repeatedly written to the Maharajah and the Berar Rajah, inviting them both to Poona. It is also proper to give the following circumstance, in the words of the resident; "Neither Scindia," says he, "nor his ministers, made any remarks on the treaty of Bassein, nor did they request a copy of it."[1]



It will hardly be pretended that the words of Scindia, "after my interview with the Rajah, you shall be informed whether it will be peace or war," yielded any information which was not conveyed by the more evasive expressions of his ministers; "till after the Maharajah's interview with the Rajah, it is impossible for him to afford you satisfaction with regard to the declaration which you require." That the words were intended by Scindia to convey a menace or insult, there is not a single circumstance to countenance the slightest suspicion. And it is visible from the words of the resident, that they were not by him understood in that sense. "These words he delivered," says he, "with much seeming composure. I then asked, whether I must consider this declaration as final, on his part; which question was answered in the affirmative by the ministers of Dowlut Rao Scindia. Here the conference, which had lasted three hours, ended; and I soon after took a respectful leave of the Maharajah."

The Governor-General describes as very great, the effect which was produced upon his mind, by the phrase of the Maharajah. "This unprovoked menace of hostility," says he, "and the insult offered to the British government, by reference of the question of peace or war to the result of a conference with the Rajah of Berar, who, at the head of a considerable army, had reached the vicinity of Dowlut Rao Scindia's camp, together with the indication which it afforded of a disposition on the part of those chieftains to prosecute the supposed objects of their confederacy, rendered it the duty of the British government to adopt, without delay, the most effectual measures for the vindication of its dignity, and for the security of its rights and interests, and those of its allies, against any attempt on the part of the confederates, to injure or invade them."[1]



In consequence of a movement of Holkar towards the frontier of the Nizam, and some depredations committed in the vicinity of Aurungabad, General Wellesley, at the end of April, had directed Colonel Stevenson, with the British force under his command,

and the united troops of the Nizam, to move northwards to that city. Towards the end of May, General Stuart, with the army under his command, amounting to three companies of European artillery, one regiment of European, and two regiments of native cavalry, three corps of European infantry, and five battalions of sepoys, with a large train of artillery, crossed the Toombudra, and proceeded forward to Mudgul, a position where, without abandoning the defence of the English frontier, he was sufficiently near the scene of action, to support the advanced detachment, and overawe those who might be found refractory among the Mahratta chiefs. On the 4th of June, Major General Wellesley marched from Poona with the main body of the forces under his command, and on the 15th, encamped at Augah, near Scindia's fortress of Ahmednugger, at the distance of about 80 miles from Poona. "The total number of British troops," says the Governor-General, "prepared on the 4th of June, 1803, on the western side of India (exclusive of Guzerat), to support the arrangements with the Peshwa, amounted to 28,244 men; of this number 16,823 were under the immediate command of General Wellesley, and destined for active operations against the confederated chieftains, in the event of its being necessary to proceed to hostilities against those chiefs."[1]



The expense of bringing such an army as this into the field was no trifling price to pay for those "arrangements with the Peshwa," which this great force was "prepared on the 4th of June, 1803, to support." Yet this was not enough; for, immediately on the intelligence of Scindia's phrase about "peace or war," the Governor-General issued private instructions to the Commander-in-Chief of the Company's forces in India, to assemble the Bengal army on the Company's western frontier, and to prepare for an eventual war.

It deserves to be noticed, that the letter of the Governor-General to the home authorities, assuring them confidently that no war would rise out of the recent alliance contracted with the Peshwa, was dated on the 20th of June. The instructions to the Commander-in-chief, which directed the assembling of the army, and laid down a plan of the war, were dated on the 28th of the same month.

In the demand for prompt decision which might arise in the present eventual position of the British government with the Mahratta states, the Governor-General considered that his own distance from the scene of action would require a dangerous suspension of operations, if the power of adapting measures to the exigencies as they arose were not consigned to some individual upon the spot. So much would of necessity depend upon the person at the head of the military force, that a peculiar advantage would arise from combining in his hands, if adapted to the trust, the political powers which it was thought adviseable to convey. In General Wellesley the Governor-General imagined he saw the requisite qualifications very happily combined. That officer was accordingly vested with the general control of all affairs in Hindustan and the Deccan, relative either to negotiation or war with the Mahratta states. The instructions with which he was furnished for guidance in the use of those extraordinary powers are dated on the 26th of June. The new authority was to pass to General Stuart, as Commander-in-chief at the Madras presidency, if

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circumstances (an exigency very unlikely to arise) should render it necessary for that officer to unite the whole force of the army in the field, and to assume in person the general command. And the plenipotentiary commission of General Wellesley remained subject of course to the commands of the authority from which it was derived.[1]

On the 13th of May, the Governor-General addressed a letter to Scindia, and another to the Rajah of Berar. These letters, while they paid to these chieftains the compliment of conveying immediately from the head of the English government, intimation of the treaty of Bassein, and affirmed that no injury was done to the rights of either of them by that engagement, which it was within the undoubted competence of the Peshwa to contract, offered to each the benefit of a similar engagement, if they were sufficiently wise to see how deeply their interests were concerned in it; asserted the pacific views of the British government, even if they should reject this generous offer; informed them, however, of the suspicions, which several parts of their recent conduct had a tendency to raise, of their intention to form a hostile confederacy against the late arrangements; directed them, if they wished that their pacific declarations should be deemed sincere, to abstain from occupying with their armies an alarming position on the frontier of the Nizam, the British ally; desired Scindia, in particular, to carry back his army to the northern side of the Nerbudda; and declared to them, that, if they persisted in maintaining a warlike attitude, the British government must place itself in a similar situation, and the moment they rendered their hostile designs indubitable, would in its own defence be constrained to attack them.[1]



The Rajah of Berar, having arrived within one march of Scindia's camp on the 3d of June, was met by that Prince on the following morning. “The secretary of the British resident, who was dispatched to him with a complimentary message on the 5th, he received with distinguished attention: And he expressed, with apparent sincerity,” says the Governor-General, “his solicitude to maintain the relations of friendship which had so long subsisted between the British government and the state of Berar.” A conference between the chieftains took place on the 8th. On the 9th, the British resident sent to importune Scindia for the answer which he promised after his interview with the Rajah of Berar. Having received an evasive reply, the resident addressed, on the 12th, a memorial to Scindia, informing him, that if he should now refuse to give an explicit account of his intentions, and should continue with his army on the south side of the Nerbudda, “such refusal or delay would be regarded as an avowal of hostile designs against the British government.” The resident requested either the satisfaction which he was commissioned to demand, or an escort to convey him from
Scindia's camp.[1]



Having received a verbal message, which he regarded as an evasion, stating that the required explanation should be afforded in two or three days, the resident informed the Maharajah, that he received this communication as a final answer, refusing the satisfaction which the British government required; and that he purposed leaving his camp without further delay. The two Mahratta chiefs invented expedients for preventing the departure of the resident, and at the same time evaded

his endeavours to obtain a declaration of their designs. At length, on the 4th of July, he obtained an audience of both together in the tent of the Rajah of Berar. He entertained them with the old story—That "the treaty of Bassein" (I quote the words of the Governor-General, as combining his authority with that of his agent) "contained no stipulation injurious to the rights of any of the feudatory Mahratta chieftains; but, on the contrary, expressly provided for their security and independence—That the Governor-General regarded the Rajah of Berar, and Scindia, as the ancient friends of the British power; and was willing to improve the existing connection between their states and the British government—That the British government only required a confirmation of the assurance made by Scindia that he had no intention whatever to obstruct the completion of the engagements lately concluded at Bassein, together with a similar assurance on the part of the Rajah of Berar—And that it was the earnest desire of the Governor-General to promote the prosperity of the respective governments of Dowlut Rao Scindia, and the Rajah of Berar; so long as
they refrained from committing acts of aggression against the English and their allies."



The Mahratta chiefs did not think proper to make any remarks upon the assertions and argumentation of the British resident. They contented themselves with declaring, through the mouth of the Berar minister, by whom on their part the discourse was principally held, that it was the duty of the Peshwa to have consulted with them as chiefs of the Mahratta state, before he concluded a treaty which so deeply affected the interests of that state; and, moreover, that they had a variety of observations to make upon the stipulations themselves of the treaty of Bassein. The British minister insisted, as he had done so frequently before, on the right of the Peshwa to make a treaty for himself; but, with regard to the observations proposed to be made upon the several articles of the treaty of Bassein, he requested they might be committed to writing, and submitted to the consideration of the Governor-General.

Notwithstanding these allegations of grounds of complaint, the Mahrattas re-affirmed their sincere disposition to cultivate the friendship of the British government; declared that they had no design whatever to oppose any engagements with it into which the Peshwa might have entered; and promised that their armies should neither advance to Poona, nor ascend the Adjuntee Ghaut, across the mountainous ridge which separated their present position from the frontier of the Nizam. Remarking, however, that the British troops had crossed the Godavery river, and were approaching the Adjuntee Ghaut; they requested that Colonel Collins would use his endeavours to prevent their advance. The Colonel replied that it was incumbent upon Scindia to lead his army across the Nerbudda, and the Rajah of Berar to return to Nagpoor, if they wished their actions to
appear in conformity with their pacific declarations; and in that case, the British army, he doubted not, would also be withdrawn.[1]



On the 14th of July, General Wellesley addressed a letter, couched in respectful terms, to Dowlut Rao Scindia, setting before him the reasons which the British government had to consider his present menacing position an indication of designs, which would

render it necessary to act against him as an enemy, unless he withdrew his army across the Nerbudda; but making at the same time the correspondent offer, that, as soon as the Mahratta chiefs should lead back their armies to their usual stations, he would also withdraw from its advanced position the British army under his command.

A conference on the subject of this letter took place between the chieftains on the 21st of July. To a note, the next day addressed by the resident to Dowlut Rao Scindia, requesting an answer to the letter of General Wellesley, no reply was returned. The resident received the General's instructions to urge them once more on the separation of their armies; and received an appointment for a conference with Scindia on the 25th. On this occasion he was told, “that the forces of Scindia and the Rajah of Berar were encamped on their own territories; that those chieftains had solemnly promised not to ascend the Adjuntee pass, nor to march to Poona; that they had already given to the Governor-General assurances in writing, that they never would attempt to subvert the treaty of Bassein, which assurances were unequivocal proofs of their amicable intentions; lastly, that the treaty at that time under negotiation between Scindia and Holkar was not completely settled; and that until it should be finally concluded, Dowlut Rao Scindia could not return to Hindustan.” The resident remarked, that, as the actual position of the Mahratta armies could afford no advantage to their respective sovereigns, unless in the event of a war with the British power, the British government could not conclude that the determination of these sovereigns to keep their armies in such a position was for any other than a hostile purpose; and that, for the negotiation with Holkar, Boorhanpore was a much more convenient situation than the frontier, so much more distant, of the British ally. After much discussion, the 28th was named, as the day on which the resident should receive a decisive reply. The 28th was afterwards shifted to the 29th; the resident threatening to depart, and making vehement remonstance against so many delays. The interview on the 29th was not more availing than those which preceded. The resident sent forward his tents on the 30th, intending to begin his march on the 31st, and refused to attend a conference to which he was invited with Scindia and the Rajah of Berar. As he was prevented, however, from setting out on the 31st, by the heaviness of the rain, he complied with a request from both chieftains to meet them on the evening of that day at the tents of the Rajah of Berar.



After the usual topics were once more gone over, the Mahratta chieftains offered the following proposition: that the forces of the Rajah and of Scindia should, in conjunction, retire to Boorhanpore; while the British General should withdraw his troops to their usual stations. As these respective movements would leave to the Mahratta chieftains nearly all their present power of injuring the British state, while they would deprive the British government of the security afforded by the present position of its troops, the resident asured them that a proposition to this effect could not be received.

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The Princes made a second proposal: That the resident should fix a day, on which both the Mahratta and the British armies should begin to withdraw to their respective stations. Beside that the resident had no power to engage for the movements of the

British army, he plainly gave the Princes to understand, that their promise about withdrawing their armies was not sufficient security for the performance.

The lastly offered to refer it to General Wellesley, to name a day on which the British troops, and theirs, should begin their march; to name also the time at which he thought the British troops might reach their usual stations, when they too would so regulate their marches as to arrive at their usual stations at the same precise period of time. If this proposition were rejected, they said they could not retire without an injury to the honour and dignity of their respective governments.

The resident consented to postpone his departure, till time was given for referring the last proposition to General Wellesley; but required as a condition that the letters to that effect should be with him for transmission before noon of the following day. The letters, came; submitting for decision, however, not the last, but the first, of the three propositions which had been previously discussed. Observing this coarse attempt at more evasion and delay, that officer made immediate arrangements for quitting the camp of Dowlut Rao Scindia, and commenced his march towards Aurungabad on the 3d of August.1



Aware of the great unpopularity in England to which wars in India, except wars against Tippoo Saheb, were exposed; aware also of the vast load of debt which his administration had heaped upon the government of India, a load which a new and extensive war must greatly augment, the Governor-General has, in various documents, presented a laboured argument to prove, that the appeal to arms now made by the British government was forced, and altogether unavoidable.1 It may be requisite, as far as it can be done with the due restriction in point of space, to show how far his arguments are supported by the facts.

When Dowlut Rao Scindia and the Rajah of Berar united their armies, under circumstances so warlike, and in a position so threatening, as those of the union which took place on the borders of Nizam Ali's dominions in 1803; and when the English, should they begin to act in the rainy season, would enjoy important advantages, of which, if they left the enemy to begin operations in the dry season, they would be deprived, it will hardly be denied that the English had good reasons for commencing hostilities, if no other expedient could be devised to procure the dispersion of those armies, the position of which created that danger, which it was the professed object of the war to avert.

Still, however, two questions will remain, both of which must be clearly and decisively answered in the negative, to make good the Governor-General's defence. In the first place, allowing the necessity of war in August, 1803, to have been ever so imperative, was it, or was it not, a necessity of that Governor's own creating, a necessity of whose existence he alone was the author, and for which it is just that he should be held responsible? In the next place,
were the objects, on account of which this necessity was created, equal in value to the cost of a war? In the last place, was it true, that the alleged necessity existed, and that no expedient but that

of war could avert the danger which the new position of the two Mahratta chieftains appeared to involve.

The answer to the first of these questions will not require many words. The necessity, whatever it was, which existed for war at the time when hostilities commenced, was undoubtedly created by the Governor-General himself. The proof is so obvious, that hardly does it require to be stated in words. That necessity was created by the treaty of Bassein; and the treaty of Bassein was the work of the Governor-General. The Governor-General had no apprehension of war, either on the part of Scindia, or of the Rajah of Berar, previous to the treaty of Bassein, as is proved by all his words and all his actions. If we are to believe his solemn declarations, he had little apprehension of it, even after the treaty of Bassein, may till six weeks before the declaration of war.

For believing that, but for the treaty of Bassein, war, either on the part of Scindia, or of the Rajah of Berar, was in no degree to be apprehended by the British government, the current of the history, the circumstances and character of those Princes, and even the succeeding results, prove that he had sufficient and superabundant reasons. Undoubtedly those reasons must have been strong, when they sufficed to convince the Governor-General, even after these Princes had received all the alarm and provocation which the treaty of Bassein was calculated to produce, that they would yet be deterred from any resistance to the operation of that treaty, by the awful chances of a conflict with the British power. The weakness of which these Princes were conscious, as compared with the British state, was the first solid ground of the Governor-General's confidence. The extremely indolent and pacific character of the Rajah of Berar was another. Unless in confederacy with the Rajah of Berar, it was not to be apprehended that Scindia would venture upon a war with the British government; and scarcely any thing less rousing to his feelings than the treaty of Bassein would have induced that unwarlike Prince to form a confederacy with Scindia, in defiance of the British power. As for Holkar, it was the weakness of Scindia which made him any thing; and the united force of both, if, without the treaty of Bassein, it would have been possible to unite them, would have constituted a feeble source of danger to the British state.



The treaty of Bassein, therefore, as it was the cause assigned, by these Princes themselves, for their union, and the warlike attitude they had assumed, so it will hardly admit of dispute that it was the real cause. The Governor-General himself, when he came at last to the endeavour of making out as strong a case as possible for the necessity of drawing the sword, exhibits reasons which operated both on Scindia and the Rajah of Berar, for going to war on account of the treaty of Bassein, reasons which, to men of their minds, he seems to represent as little less than irresistible. “The conduct,” says he, “of Dowlut Rao Scindia towards the Peshwa, during a long course of time antecedent to the Peshwa's degradation from the musnud of Poona, and the views which that chieftain, and the Rajah of Berar are known to have entertained with respect to the supreme authority of the Mahratta state, afford the means of forming a correct judgment of the motives which may have rendered those chieftains desirous of subverting the treaty of Bassein.” Of these views he then exhibits the following sketch. “The whole course,” says he, “of Dowlut Rao Scindia's proceedings, since his accession to the dominions

of Madajee Scindia, has manifested a systematic design of establishing an ascendancy in the Mahratta state upon the ruins of the Peshwa's authority." After adducing a number of facts in proof of this proposition, he draws the following conclusion: "The actual reestablishment of the Peshwa, in the government of Poona, under the exclusive protection of the British power, and the conclusion of engagements calculated to secure to his Highness the due exercise of his authority on a permanent foundation, deprived Dowlut Rao Scindia of every hope of accomplishing the objects of his ambition, so long as that alliance should be successfully maintained. This statement of facts sufficiently explains the anxiety of Dowlut Rao Scindia to effect the subversion of the treaty of Bassein, and his prosecution of hostile designs against the British government."[1] "The motives which must be supposed to have influenced the Rajah of Berar, in combining his power with that of Dowlut Rao Scindia for the subversion of the alliance concluded between the British government and the Peshwa, were manifestly similar to those which actuated the conduct of Dowlut Rao Scindia. The Rajah of Berar has always maintained pretensions to the supreme ministerial authority in the Mahratta empire,
founded on his affinity to the reigning Rajah of Sattarah.
Convinced that the permanency of the defensive alliance,
concluded between the British government and the Peshwa,
would preclude all future opportunity of accomplishing the object of his ambition, the Rajah of Berar appears to have been equally concerned with Dowlut Rao Scindia in the subversion of that alliance."



The Governor-General subjoins a reflection, actually founded upon the improbability there was of a union between those Princes, till the treaty of Bassein gave them so extraordinary a motive. "Although the views ascribed to those chieftains," says he, "were manifestly incompatible with the accomplishment of their respective designs; the removal of an obstacle which would effectually preclude the success of either chieftain, in obtaining an ascendancy at Poona, constituted an object of common interest to both."

The Governor-General then states his conjecture of the mode in which the treaty of Bassein induced them to reconcile their conflicting interests. "It appears," he says, "to be chiefly probable, that those chieftains, sensible that the combination of their power afforded the only prospect of subverting the alliance concluded between the British government and the Peshwa, agreed to compromise their respective and contradictory projects, by an arrangement for the partition of the whole power and dominion of the Mahratta state."[1]

The circumstances on which these conclusions are founded were all as much known to the Governor-General before as after he concluded the treaty of Bassein. He was, therefore, exceedingly to blame if he formed that agreement, without an expectation, approaching to a full assurance, that a war with the power of
Scindia and the Rajah of Berar, if not also (as might have been
expected) with that of Holkar combined, would be a part of the
price which the British state would have to pay for the advantages, real or supposed, of the treaty of Bassein. The question, then, or at least one of the questions, to which he should have applied the full force of a sound reflection, equally free from oversight

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or prepossession, was, whether the benefits, which could reasonably be expected from the treaty of Bassein, were a full compensation for the evils ready to spring from the wars to which it was likely to give birth: On the contrary, if he allowed his mind to repel from itself, as far as possible, all expectation of the expensive and bloody consequences likely to issue from the treaty; and, fixing his attention almost exclusively upon the advantages painted in his imagination, decided, upon what may be regarded as a hearing of only one side, that the treaty ought, if possible, to be made, he pursued a course which, in the management of public affairs, is indeed most lamentably common, but which on that account only deserves so much the more to be pointed out to the disapprobation of mankind.

The discussion of a question like this requires the use of so many words, because it imports a reference to so many particulars, that it would produce an interruption incompatible with the due continuity of a narrative discourse. It may, notwithstanding, have its use to point out merely the paths of inquiry.

To them, on whom, in this instance, peace or war depended, it belonged to ask themselves, whether the act of grasping at a new set of advantages, in relation to other states, which act it is pretty certain that those states, or some of them, will hostilely resent



does not constitute the war a war of aggression, on the part of the state which wilfully performs the act out of which it foresees that war will arise. A war, which is truly and indisputably defensive, is a war undertaken in defence, that is, to prevent the loss, of existing advantages. And though a state may justly assert its right to aim at new advantages, yet if it aims at advantages, which it cannot attain without producing a loss of existing advantages to some other state, a loss which that state endeavours to prevent with a war, the war on the part of the latter state is truly a defensive, on the part of the latter state is truly a defensive, on the part of the other is truly an aggressive, and, in almost all cases, an unjust, war.

The Governor-General is so far from denying that the treaty of Bassein did import the loss of advantages to Scindia, that we have just heard him enumerating the advantages of which it deprived that Mahratta chief; advantages on which it was natural for him to place the highest possible value; the power, as he imagined, of establishing his controling influence over the Peshwa, and, through him, over the whole or the greater part of the Mahratta states.

Many times is the answer of the Governor-General repeated in the documents which he had liberally supplied. These advantages, he cries, on the part of Scindia, existed only for purposes of injustice; his complaints are, therefore, to be treated with indignation.

The man who carefully visits the sources of Indian history is often called to observe, and to observe with astonishment, what power the human mind has in deluding itself; and what sort of things a man can pass upon himself for conclusive reasoning, when those against whom his reasoning operates are sure not to be heard, and when he is equally sure that those to whom his discourse is addressed, and whom

he is concerned to satisfy, have all the requisites for embracing delusion; to wit, ignorance, negligence, and, in regard to the particulars in question, a supposition, at the least, of concurring, not diverging interests.

It is truly surprising, that the object, which is marked by the Governor-General as the most profligate ambition, and the most odious injustice, cruelty, and oppression, in Dowlut Rao Scindia, to aim at, is the same object, exactly, at which he himself was aiming, with so uncommon a degree of ardour and perseverance, and at the expense of so many sacrifices. The object, incontestably, at which both were aiming, was, an all-controling influence over the Peshwa, and through him, as far as possible, over the other Mahratta governments. As far then as concerned the object of pursuit, the coincidence is complete, manifest, and indubitable, between the ambition of Scindia, and the ambition of the Governor-General. Wherein, then, did the ambition of these two leaders differ, so as to entitle the Governor-General to cover the ambition of Scindia with the epithets most expressive of the disapprobation and abhorrence of mankind, his own with epithets the most expressive of their approbation and favour? One mighty difference there was; that the one was the Governor-General's own ambition, the other that of another man; and a man the gratification of whose ambition in this instance was incompatible with the gratification of his. Another difference, which would be felt where it was desirable for the Governor-General that it should be felt, was, that the benefits, which were said to be great, arising from the accomplishment of this object of the Governor-General's ambition, were to be English benefits. From the accomplishment of the same object of Scindia's ambition would arise nothing but the prevention of these English benefits. Under this mode of viewing the question, however, it cannot be disguised, that Scindia would have the same grounds exactly for applying epithets of applause to his own ambition, and of abuse to that of the Governor-General.

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But differences, such as these, are more frequently the grounds of action in human affairs, than acknowledged, or even known, to be so; since nothing is more easy for the greater part of men, than to be ignorant of the motives by which they are actuated, and, while absorbed in the pursuits of the most vulgar and selfish ambition, to be giving themselves credit for the highest virtue, before the tribunal of their own consciences. What then will be said? That of this controling power, at which Scindia and the English both of them aimed, Scindia would make a bad use, the English a good one? If one ruler has a title to make at his pleasure this assumption in his own favour, so has every other ruler; and a justification is afforded to the strong, who are always in the right, for extending, as far as they please, their oppressions over the weak.

If we should allow, that the English government would make a better use of new power than a native one, as it would be disgraceful to think it would not, the reason will go further than the Governor-General would wish; for upon this reason not one native government should be left existing in India.

But beside this; what is it that we are precisely to understand by a better use? Is it a use better for the English? Or a use better for the English and Mahrattas both? This latter assertion is the only one which it would answer any purpose to make; meaning, in both cases, the people at large, not the handful of individuals composing the government, whose
interests are worth no more than those of any other equally minute portion of the common mass.



That the use of it, on the part of the English, would be good even for themselves, was so far from being a decided point, that all connections of the same description stood condemned, and forbidden, by a memorable clause of that very act of parliament, on which the government of the East India Company rested, and of which, by consequence, the treaty of Bassein was a flagrant violation. By how many of the Court of Directors, not to speak of other classes of men, it was condemned as injurious to British interests, we shall afterwards have occasion to observe.

But, whatever the effects in regard to the English, unless it appear that the control over the Peshwa and the Mahratta states, which was equally the object of ambition to Scindia and the Governor-General, would have been attended with worse consequences to the Mahrattas, if in the hands of Scindia, than if in the hands of the English, it will be difficult to show in what respect the ambition of Scindia was selfish and wicked; that of the English full of magnanimity and virtue. In what respects then were the people of the Mahratta states to be the better for the control of the English? Not as regarded oppression at the hands of their several and respective governments; for, in regard to the treatment which those governments might yield to their subjects, the English were ready to bind themselves not to interfere; and we have seen, in the case of the Nabobs of Carnatic and Oude, that the motives to misrule in the native governments, upheld by British power, were not diminished; but increased an hundred fold.

The grand benefit held out by the Governor-General is, that the Mahrattas would be withheld from war.
But this, if foreign war is meant, the Mahrattas had always regarded, and except in a few instances, had always found, a source of benefit, rather than harm. If internal wars are meant, these, it is plain, would be as effectually prevented, if the control of Scindia, as if that of the English, became complete over all the Mahratta states: And Scindia, had he been as skilful a rhetorician as the English rulers, would, as gairishly as they, have described the prevention of internal war, and the union and tranquillity of the Mahratta powers, as the grand, the patriotic, and virtuous aim of all his thoughts, and all his actions.

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But this is not all. Not only did Scindia lose advantages, in respect to a favourite object of ambition, which was exactly the same object, by the gaining of which the English had deprived him of those advantages; but, if he had been the greatest lover of peace and of justice of all the princes upon the face of the earth, he would still have had the greatest reason to resent the formation of the treaty of Bassein, and to resist to the utmost its execution. What is that, on the strength of which we have already seen

the Governor-General boasting of the prodigious value of the treaty of Bassein? Not the circumstance of its having made a dependant of the feeble and degraded Peshwa. This in itself was a matter of little importance. The treaty, for receiving the British troops, concluded with one of the chief Mahratta states, was declared to be valuable, because it afforded a controlling power over all the other governments of the Mahratta nation.1 And what is meant by a controling power? The power, undoubtedly, of preventing them from doing whatever the English government should dislike. But the state, which is prevented from doing whatever another state dislikes, is in reality dependant upon that state; and can regard itself in no other light than that of a vassal. If the loss of independence, therefore, is a loss sufficient to summon the most pacific prince in the world to arms, Dowlut Rao Scindia, and the Rajah of Berar, had that motive for offering resistance to the treaty of Bassein.



It will not weaken the argument, to say, that the Governor-General was deceived in ascribing these wonderful powers to the treaty of Bassein; because it was not surely unnatural in the Mahratta princes to apprehend that which the Governor-General hoped, and to do what lay in their power to prevent it.

It was idle, too, in the Governor-General, unless for the sake of immediate effect upon the minds of his ministerial and directorial masters, to which it was not ill-adapted, to declare so often, and with so much emphasis, that Scindia himself was unable to show wherein he was injured by the treaty of Bassein, and could not deny that his rights continued unimpaired. What then? Because Scindia and his ministers were far less skilful than the Governor-General in the use of language; had objections to the treaty of Bassein which they did not think it politic to acknowledge; knew not how to separate the objections they might wish, from those they did not wish, to avow; and, agreeably to the rules of Eastern etiquette, which never in general terms condemns, but always approves of, every thing proceeding from the will of a superior, did, in general courtesy, when urged and importuned upon the subject, apply a vague negation of injustice to the treaty of Bassein; does that hinder it from being now clearly seen that the treaty of Bassein had an operation injurious to that prince, an operation which the Governor-General regarded as the great source of all the good which it was expected to produce?



One thing, indeed, is to be considered, that in a great part of all that is said by the Governor-General, it is pretty distinctly implied, that to render the Indian princes dependant upon the British government was not an injury to them, but a benefit. If this were allowed to be true; and if it were possible, in other indulgences, to make up to a prince for the loss of his independence; yet, in such cases, the consent of the prince in question would seem a requisite, even were his subject people, as they usually are, counted for nothing; because, if any ruler, who has the power, may proceed to impose by force this kind of benefit upon any other ruler at his pleasure, this allegation would prove to be neither more nor less than another of the pretexts, under which the weak are always exposed to become the prey of the strong.

In the only objections, which Dowlut Rao Scindia, and the Rajah of Berar, explicitly produced to the treaty of Bassein, it must be owned they were not very happy. Scindia observed, that he was guarantee of the treaty which was in force between the British and Poona governments at the period when the treaty of Bassein was depending. And both princes affirmed, that the Peshwa, as a member of the Mahratta confederacy, ought not to have concluded a treaty but with consent of the leading chiefs of whom the confederacy was composed.

With regard to the first of these pleas, the answer of the Governor-General was conclusive. When a compact is formed between two parties, the office and duty of a guarantee is, to hinder one of the parties from neglecting, while the other fulfils, the obligations which it imposes. He is not vested with a right to hinder them from mutually annulling the obligations, if both of them please. It was not by the dissolution of the treaty of Salbye, nor in his capacity of its guarantee, it was by the formation of the treaty of Bassein, and in his capacity of a sovereign prince, that Scindia was injured, if injured at all.

In the answer of the British ruler to the second of those pleas, there is something which will require rather more of development. That the Peshwa had a right to conclude the treaty of Bassein, without consulting any of the Mahratta princes, makes a great figure among the arguments of the Governor-General. The idea of a confederacy does not imply that a member shall make no separate engagement, only no separate engagement, which in any respect affects the confederacy. The Governor-General truly affirmed, that there was nothing in the treaty of Bassein, which affected the Mahratta confederacy, that is, directly; though it was no less true, that, indirectly, it dissolved it. The Governor-General calls the other Mahratta princes, as distinct from the Peshwa, "the feudatory chieftains of the empire," though feudality is a sort of bondage which never had existence in any part of the world, but in Europe in the barbarous ages. And under this fiction, he proceeds so far as to say, "it may be a question, whether the Peshwa, acting in the name, and under the ostensible sanction of the nominal head of the empire;" (that is, by the right of a gross and violent usurpation, and in the name of a man whom he kept a degraded, wretched, and hopeless prisoner;) "might not conclude treaties which should be obligatory upon the subordinate chiefs and feudatories, without their concurrence."



The Governor-General proceeds to speak a more rational language, in the words which immediately follows. "But," says he, "it would be absurd to regulate any political question, by the standard of a constitution, which time and events have entirely altered or dissolved. The late Maharajah Scindia and Dowlut Rao Scindia, have uniformly exercised the powers of independent dominion—by making war on the neighbouring states, by concluding engagements with them, and by regulating the whole system of their internal administration—without the participation, or previous consent of the Peshwa, whose supremacy, however, both Maharajah Scindia, and Dowlut Rao Scindia, have uniformly acknowledged; Dowlut Rao Scindia, therefore, could not—even on the supposed principles of the original constitution—deny the right of the Peshwa to conclude his late engagements with the British government, without impeaching

the validity of his own proceedings, and those of his predecessor. Nor could he—according to the more admissible rules, derived from practice and prescription—justly refuse to admit the exercise of these independent rights of dominion, on the part of the Peshwa, which both Scindia and his predecessor assumed, in a state of acknowledged subordination to his Highness's paramount authority."[1]



The observation is emphatically just. It is the weakness of pedantry, or the villainy of imposture, to affect to "regulate any political question by the standard of a constitution;" when, however the name may remain as it was, the thing is wholly or materially altered. And the inference is conclusive, that, if Scindia and his predecessor had a right to adopt, without reference to the other states, what measures they chose in regard to foreign policy, so had the Peshwa; if it was now unlawful in the Peshwa, it had in them been heretofore unlawful. In his anxiety however to uphold the fiction of a feudal superiority in the Peshwa, the Governor-General uses a language almost contradictory, when he says, both that Scindia and his predecessor had "uniformly exercised the powers of independent dominion," and that they had "uniformly acknowledged the supremacy of the Peshwa:" the uniform exercise of the powers of independent dominion is the negation of all external supremacy. Besides, the word supremacy is a great deal too strong to express the sort of relation which the Peshwa ever bore to the rest of the Mahratta rulers. It imports, as borrowed from European affairs, a combination of ideas, which represents not any thing which ever existed in India; and, if employed as an accurate representation of any thing which ever existed in India, is only calculated to mislead.



It is curious to observe with what assurance the Governor-General makes, and repeats, again and again, the assertion, that "the treaty of Bassein not only offers no injury to the independence of the feudatory Mahratta chiefs; but expressly provides additional security for it."[1] The treaty was so worded, as not, in its terms, to contradict such an assertion. But what sort of a conduct is this? Does it justify the attempt to pass upon the belief of other men a proposition, if it is true only in sound, how great soever the difference between the sound and the substance?

The only article of the treaty of Bassein, which referred directly to the other states, was the 12th; according to which the Peshwa bound himself to make no war upon other states, and to submit all his differences with them to the English government. And to this it is that the Governor-General in his said declarations refers. But what was this except transferring the power of attempting to subvert the independence of the "feudatory Mahratta chiefs" from the Peshwa whom they did not fear, to the English whom they excessively feared? In this manner, it was, that the treaty of Bassein afforded additional security for their independence!

But let us pass from the question, whether the Mahratta chiefs had or had not just reason for resenting the treaty of Bassein: and let us consider the question of English interests naked, and by itself. What benefits to that people was it calculated to yield? And those benefits, were they an equivalent

for the evils which, as it did produce them, so it ought to have been expected to produce?



The Governor-General's own opinion of the good things likely to flow from the treaty of Bassein is adumbrated in a great variety of general phrases, though they are exhibited no where in very distinct enumeration. We shall adduce a specimen of the more remarkable of his forms of expression, and endeavor, with as much precision as possible, to ascertain the particulars at which they point.

"The stipulations of the treaty of Bassein have been framed exclusively with a view to maintain the general tranquility of India, by preventing the destruction of the Peshwa's power, and by securing his just rights from violence and usurpation."[1]

"The object of Lord Wellesley's policy is to establish a permanent foundation of general tranquility in India, by securing to every state the free enjoyment of its just rights and independence, and by frustrating every project, calculated to disturb the possessions, or to violate the rights of the established powers of Hindustan, or of the Deccan."[2]

"Every principle of true policy demands, that no effort should be omitted by the British government to establish a permanent foundation of general tranquillity in India, by securing to every state the free enjoyment of its just rights and independence, and by frustrating every project, calculated to disturb the possessions, or to violate the rights, of the established powers of Hindustan, and of the Deccan."[3]

"The conclusion of the treaty of Bassein promises to establish the British interests in the Mahratta empire,
on the most solid and durable foundations; to afford additional security for the permanent tranquillity and prosperity of the British dominions in India, and to effectually exclude the interests and influence of France from the Mahratta empire."[1]

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The object of the Governor-General, as he himself is fond of describing it, was, "A system of general defensive alliance between the British power, and the several states of Hindustan."[2] This was indeed a great and operas scheme of policy. Equally great, however, were the effects which the Governor-General expected from it; permanent tranquillity, as he thus declares, and justice, over the whole of India.

When the Governor-General, however, after ascribing these grand effects to the consummation of his proposed alliance, not with one, but with all, or most of the leading states of India, proceeds, in the warmth of his mind, to ascribe them all to the single treaty with the Peshwa, we find him practising a very ordinary fallacy, that is, predicating of a part, what ought to have been predicated only of the whole; as if, because the head, limbs, and trunk, constitute a man, it should be affirmed that the human foot is a rational animal.

It cannot bear to be affirmed, in a distinct proposition, that the mere addition of the inconsiderable power of the Peshwa gave the British government such a commanding

and absolute power all over India as every where to secure justice and tranquillity; that is, to compel undeviating obedience to its commands on the part of every government on that continent.



Besides, if it were allowed, for the sake of argument, that such a proposition were capable of being maintained, it followed, that no general system of alliance was required; that an alliance with the Peshwa alone, exclusive of the rest of the Indian princes, accomplished simply all that was proposed to be accomplished, by the immense, and troublesome, and complicated machinery of alliances with all the princes in India. Why, then, did the Governor-General aim at any more?

It is reasonable, however, to suppose, that the Governor-General means, what he so often tells us that he means, namely, that the alliance with the Peshwa was to be considered as about to fulfil the hopes which he held forth, only in so far as it had a tendency to produce other alliances, from the union of which, all taken together, those great effects might be expected to proceed.

But what tendency, then, had the alliance with the Peshwa to produce other alliances of the same description? We have seen, already, in what manner the Governor-General and his agents *supposed,* that it would produce them. They supposed that it would place the British power in a situation to coerce completely the other Mahratta sovereigns; that is, to restrain them from every course of action of which the British government should disapprove; and that the Mahratta sovereigns, seeing the coercion unavoidable, would choose coercion with the benefit of having the British government bound to defend them, rather than coercion detached from that benefit.

Experience, in a very short time, demonstrated the fallacy of these expectations. The treaty with the Peshwa did not produce an alliance with any other of the Mahratta states whatsoever. It did not produce the tranquillity of all India. It produced one of the most widely extended wars which India had ever seen. If this war reduced the Mahratta princes to the necessity of submitting to the will of the conqueror, it was not the alliance with the Peshwa, but the war, by which that submission was produced; an effect which the same cause might have equally secured, if the treaty of Bassein had never existed. If it be said, that the treaty of Bassein produced the effects which the Governor-General applauds, by producing at any rate the war out of which they flowed; what is this, but to say, that the treaty of Bassein was good, only as creating a pretext for war; and that it was fit and proper to be made, for the mere purpose of creating it? But to perform a public act, with an intention to produce a war, is purposely to be the author of the war, only with a machination contrived to impose a contrary, that is, a wrong belief, upon the world.

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The good things derived from the treaty of Bassein, must, then, be regarded as all summed up in these two effects; first, the war with the Mahratta chiefs; and secondly, the means which it contributed to the success of the war. As to the war, if that was a good thing, it might have been easily produced without the treaty of Bassein. Therefore the treaty of Bassein deserves but little admiration or applause upon that

account. As to the other question; namely, in what proportion it contributed to the success of the war, the Governor-General presents an answer on which he appears to lay the greatest stress. The treaty of Bassein was a contrivance to prevent the union of the Mahratta states. It is necessary, therefore, to inquire, how far the truth of this allegation extends



The treaty of Bassein was calculated to withhold the Peshwa from any confederacy hostile to the English. It was so far from calculated to prevent, that it was calculated to produce, a confederacy, hostile to the English, of all the rest of the Mahratta states.

A very limited question thus remains to be answered; namely, how much the chance of the accession of the Peshwa would add to the dangers arising from the chance of a confederacy, hostile to the English among the other Mahratta states; and how much would those dangers be lessened, by the certainty of his absence? The item in the account, it is evident, is the power of the Peshwa; and, that being remarkably small, as the danger of a confederacy could not be greatly augmented by its presence, so it could not be greatly diminished by the reverse.

There is, however, a view of the danger, which is drawn by the Governor-General, in very frightful colours. He says, that either Scindia or Holkar must have prevailed in the contest subsisting between them at the time when the treaty of Bassein was framed; that the successful prince, whoever it was, would have engrossed the power of the Peshwa; would thence have become too powerful to be resisted by any of the other Mahratta princes; would of course have subdued them all; and, uniting under his sceptre the whole power of the Mahratta nation, would have become a dangerous neighbour to the British state. From this danger it was delivered by the treaty of Bassein.

To make of this an argument in favour of the treaty of Bassein, two things must be allowed: it must be allowed that the danger held forth was such as it is represented; and it must be allowed that there was no better method of averting that danger. Both may be disputed. First, it is by no means certain, that the Mahratta state would have assumed a shape more formidable to the English, had the contending princes been left to themselves. It is not even probable. The probability is, that Scindia and Holkar, neither being able to succeed to the extent of his wishes, would have been obliged to compromise their differences; and the Peshwa might have acquired rather more of power and independence, than he had previously enjoyed. But if Scindia prevailed; as the greater power of that chieftain rendered it probable, if any of them prevailed, that he would be the successful contender; in what respect would his power be greater, than it was before Holkar appeared? At that time, he was master of the Peshwa; and yet so little had he increased his strength, that a mere adventurer was able in a few years to raise an army, an army against which he found it difficult to contend. Scindia possessed not talents to bind together the parts of an extensive dominion, as discordant as those of a Mahratta empire; and had he united the Holkar possessions, and even those of the Peshwa, to his own, he would have diminished,

rather than increased, his efficient power. Experience showed that by the attention he was obliged to bestow in holding in obedience the Peshwa's dominions in the south, his authority became little more than nominal, over his own in the north.

It would be tedious to run over all the possible shapes into which, if left to themselves, the Mahratta states might then have fallen; but it may safely be affirmed that no shape which they had any chance to assume would have been so formidable to the English, as that into which they were thrown by the treaty of Bassein.

But if the reality of the danger, which the Governor-General thought he foresaw, were as well proved as it appears to stand unsupported by proof, it would still remain to inquire whether it might not have been averted by other and better means, than the treaty of Bassein. Had the mind of the Governor-General not been imperiously guided by his passion for "the system of general defensive alliance between the British power, and the several states of Hindustan," he might have interposed, with so much effect, in the character of an arbitrator, as to establish a balance in the Mahratta empire; and a balance, which it would have been easy for the British government to keep perpetually trimmed. He might have so terminated the subsisting disputes, as to make the power of Scindia, of the Peshwa, Holkar, and the Rajah of Berar, nearly equal. In the contests which would of course prevail among them, the British government, by always showing itself disposed to succour the weakest party, might have possessed a pretty complete security for maintaining the Mahratta empire, if there was any use in such a care, in the shape which it had thus been intentionally made to assume. Not only did the power of the British state enable it to interpose with a weight which none of the parties would have been easily induced to resist; but such was in fact the state and disposition of the parties, that they all appealed eagerly to the British government, and most earnestly solicited its interference. The Governor-General, by rushing, with eyes fixed on nothing but the beauties of his "defensive system," to the conclusion of a treaty which gave to the British the government in fact of one member of the Mahratta state, and threatened in a most alarming manner the independence of all the rest, sacrificed the high advantage of acting as a mediator among the Mahratta princes, and created a confederacy which hardly any other combination of circumstances could have produced.



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The Governor-General ascribes to the treaty of Bassein only one other advantage, of the importance of which it seems desirable that an estimate should be made; namely, the destruction of the French influence in the Mahratta state. In the first place, it was not the treaty of Bassein by which that destruction was produced; it was the war with Scindia; and a war with Scindia if it had been worth a war, would have produced it without the treaty of Bassein. But, though what the treaty of Bassein did not produce was the destruction of the French influence, what the treaty of Bassein did produce was the union of Scindia with the Rajah of Berar, and the necessity, in order to accomplish that destruction, of vanquishing both of those princes together, instead of one.

The Governor-General, as suited his argument, and probably at that time his state of mind, represents the danger from French influence as prodigiously great. Not only does he affirm the power possessed by the French officers in the service of Scindia, to have been highly alarming to the British government; but he holds it out as probable, that some of the contending parties in the Mahratta state would have solicited the aid of the French government, have received a French army from Europe, have prevailed over all its opponents, and so have established a great Mahratta empire, supported and governed by the French. Upon this theory of evil, it will probably not be expected that I should bestow many words.

The influence of the French with Scindia was at this time so far from great, that it was completely undermined, and tottering to its fall. So well aware of this was Perron, the officer at the head of the
French party, that he had already intimated to the English an intention, which he soon after fulfilled, of withdrawing himself from the Mahratta service. Not only Scindia, but all his chiefs, had become jealous of the French to the highest degree. It was known to the English, that he meditated, and had already begun, a reduction of their power;[1] the English found, at the end of the war, that, instead of objecting to the condition which they proposed to him, of excluding the French from his service, he was eager to close with it; and there seems little room for doubt, that if the treaty of Bassein had not been concluded, the Governor-General might, if he chose, have made an arrangement with Scindia for discharging the French, without the lamentable expense of war.[2]



But if the condition and influence of the French officers had much more nearly corresponded with the apprehensions of the Governor-General, it is high time that a more sober estimate of the danger, than hitherto they have been accustomed to make, should be suggested to him, and to his countrymen. If the assertion were made, that it would not be in the power of French officers to render Scindia, or any native power, much more formidable than it would be without them, it would not be easy to refute that opinion. What renders the native sovereigns weak, is less the badness of their military officers, than the badness of their governments; and, under such governments, no officers can be very instrumental in the
creation of strength. If the commanding officer has not land assigned for the maintenance of his troops, he is always without resources: If he has land, he becomes a civil ruler; and the multiplicity and extreme difficulty of his civil functions leave little of his time for military cares. Besides, he has then an interest in peace; both because his country yields most when he is most attentive to it, and because his troops are more easily maintained at home than in the field. In the next place, to form a right judgment on this important subject, it is necessary duly to consider how many powerful causes must all be united, all operate in conjunction, to produce an efficient and formidable army. Of these, some of the most important are incapable of existing in the armies officered by Europeans in the service of the native princes of India. Allowing, what never would happen, that the physical requisites of an army were all provided, and bearing in mind that all the efficiency of these requisites depends upon the sort of machine which the officers, considered as an organized body, compose, the reader will easily perceive, that of the causes necessary to render that machine a good one,

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some of the most important cannot, in the circumstances we are contemplating, ever be found. To give to a body of men, that most peculiar, that highly artificial, and, when contemplated by itself, most extraordinary turn of mind, which is necessary to convert them into an organ of life, of unity, of order, of action, and energy to the animate and inanimate materials of an army, requires the utmost force of the legal and popular sanctions combined. But neither the legal nor the popular sanction can be made to operate with any considerable force upon Frenchmen, in such a situation as that of officers in the army of an Indian Prince. What is there, in such a situation, to restrain the operation of private views, arising
from the love of money, or the love of power, from pique, from jealousy, from envy, from sloth, and the many thousand causes, which are always producing opposition among men when they
are not under the operation of the strongest motives to resist them? Under an European government, it is not the power of the general, which produces that unity of will, by which an army is animated. In general, his power would be far from adequate to so extraordinary an effect. The whole power of government, operating with unlimited command over the means both of reward and punishment; the whole force of the popular sanction, holding forth the hatred and contempt, or the love and admiration, of those among whom he is to spend his days, as the portion of every man who conforms, or does not conform, to what is expected of men in his situation, are not only added to the authority of the General, but, so difficult is the effect accounted, that, even when all these forces, operating together, produce it to any considerable degree, the world thinks that it never can express sufficient admiration, never bestow a sufficient portion of applause. Which of these great, and indispensable powers, had any existence in the case of Perron, or any other officer, in a similar case? Upon his officers, it is plain, the popular or moral sanction had no means of operation. What cared they, what should be thought of them, by the people of Scindia's court or kingdom, as soon as it was more agreeable for them to be gone than to remain? What cared they for his punishments, when they had it in their power to make their escape from his dominions? A body of officers, in such a situation, is a rope of sand. The General who leads them is their slave; because he can retain their service only by pleasing them: He can seldom please
one set of them, without displeasing another: And he dares not restrain their excesses; which produce two deplorable effects, the unavoidable loss of discipline, and the hatred, wherever he
advances, of the people whom he is unable to protect. The chances, therefore, are innumerable, against the event, that any army, officered as that of Scindia by Frenchmen, should ever become formidable to one officered as that of the British in India.



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Of this truth the Governor-General himself appears to have been not altogether unapprized. The evidence is exhibited in the instructions which he issued to the Commander-in-chief, at the commencement of the war, for holding out to the French officers inducements to abandon the service of Scindia; and in the hopes which he entertained that those invitations would produce their effect.1 It is exhibited also in the declarations which he makes of the acquiescence with which, in several states of circumstances, he would have beheld the continuance of the French officers in the service of Scindia. Thus, the Governor-General, when he conceived suspicions that

the Peshwa, even subsequent to his flight from Poona, would refuse to execute his engagements for receiving the English mercenary force, declared that he would not attempt compulsion, nor risk a war with a combination of the Mahratta powers, even for the mighty benefits of the treaty of Bassein.2 Again, when he despaired of inducing Scindia to accede to the terms of his defensive alliance, he assured him, that the English government would still gladly preserve with him the relations of amity and peace, provided he did not resist the treaty of Bassein, or infringe the rights of any British ally.1 In other words; had the Peshwa not agreed to put his military power into the hands of the English, the Governor-General would have quietly beheld the whole of the Mahratta states, Scindia's Frenchmen and all, existing in their usual independence and turbulence, rather than incur the evils of a war for the sake of producing a change; And had Scindia not assumed an attitude which implied a determination to resist the treaty of Bassein, the Governor-General would not have made war upon him, in order to effect the destruction of his European force; a war, which, nevertheless, had that destruction been essential to the security of the state which he ruled, it would have been incumbent upon him to make.2



As to the chance of the arrival of a French army from Europe, a chance which the Governor-General represents as most formidable, how that was diminished by the treaty of Bassein, it is not easy to perceive. If any thing was likely to induce Scindia and the Rajah of Berar to seek assistance from an army of Frenchmen, of whom they were jealous only somewhat less than they were of the English, it was the treaty of Bassein. If it be said, that the reduction which was effected of the power of Scindia would have deprived a French army of the assistance to which it might otherwise have looked, it was the war, by which this effect was produced, not the treaty of Bassein. This is another argument which proves that the treaty of Bassein was good, only as furnishing a pretext for the war with Scindia and Berar.



Had Englishmen been capable of forming a sober estimate of the circumstances of France, at that time in a situation very little calculated for sending an army to India, the value attached to this contingency would not have been great. Neither would it be easy to show, that her chances of success, had France conducted an army to India, would not have been fully as great, at the close of the Mahratta war, as before. A prospect of deliverance from the English would probably have roused the whole Mahratta nation, then peculiarly exasperated, to have joined the invaders. As for the loss of Scindia's French officers, it would have been easy to supply their place, and to incorporate with the European battalions as many native troops as their funds could maintain. In regard to pecuniary supply, Scindia could not be less capable of aiding them after the war, than before. He was totally incapable at both times.

The Governor-General not only made a very high estimate of the advantages arising from the treaty of Bassein: He had a contrivance for making a very low estimate of the expense which it produced. It produced indeed a war, which laid upon the East India Company a frightful load of debt. But the contending armies of Scindia and Holkar could not, the Governor-General informs us, have been kept in the field, without ravaging the territories of the English

and the Nizam; and to stand protected against this danger, armies must have been placed on the frontiers, which would have cost nearly as much as the war. This is one of those vague assertions, which, without much regard to their foundation, are so often hazarded, when they are required, to serve a particular purpose, but which answer that purpose only so long as they are looked at with a distant and a careless eye. In the present case, it may safely be affirmed, that all the expense which a plan of defence required would have been the merest trifle in comparison with the enormous expenditure of the war. That much would have been required for defence, is fully contradicted by the Governor-General himself; who confidently affirmed his belief, that the treaty of Bassein, however alarming and odious to Scindia and Holkar, would yet be unable to move them to hostilities, because they knew their own weakness, and the dreadful consequences of a war with the British power. If for the mighty interests, placed at stake by the treaty of Bassein, it was yet improbable they would dare to provoke the British anger, it was next to a certainty, that they would be careful not to provoke it for the sake of a little plunder.

To have placed the subsidiary force with the Nizam upon his frontier, and to have increased to the necessary extent the troops stationed in Mysore, presented but little demand for expenditure, beyond what the maintenance of that portion of the army would have required in any other station. If some little expense must have attended these movements, it would be absurd to speak of it coolly as fit to be compared with the huge expenditure of the Mahratta war.

We are now then prepared to exhibit, in a few words, the statement of profit and loss by the treaty
of Bassein. What was gained by it was, the dependance of the Peshwa, and nothing more: What was lost by it was, all that was lost by the Mahratta war. The loss by the Mahratta war is the excess of what it produced in evil above what it produced in good. Of the good and the evil which was produced by the Mahratta war, nothing can be spoken with precision till it is known what they are. An account, therefore, of the events, and of the results of the war, will usefully precede the portion which remains of the inquiry into the nature and effects of the treaty of Bassein.

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# CHAP. XII.

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For the war, as soon as it should begin, the Governor-General had prepared a most extensive scheme of operations. To General Lake, the Commander-in-chief, at that time present with the army on the upper frontiers, instructions had been sent on the 28th of June; pointing out, not only the necessity of placing the army under his command, with the utmost expedition, in a state of preparation for the field, but also, though briefly, and in the form of notes, the objects to the attainment of which the operations of that army would immediately be directed. On the subsequent exertions of the Commander-in-chief, to make ready for action, the Governor-General bestows unqualified praise. “By the indefatigable activity,” says he, “zeal, ability, and energy of General Lake (whose personal exertions have surpassed all former example, and have been the main source of the success of the war in that quarter) the army of Bengal, on the north-west frontier of Oude, was placed, towards the close of the month of July, in a state of preparation and equipment favourable to the immediate attack of M. Perron's force, as soon as authentic advices should be received of the commencement of hostilities in the Deccan.”[1]

In this part of the extensive field, which the plan of the Governor-General embraced, he gave notice of two military objects was to conquer the whole of that portion of Scindia's dominions which lay between the Ganges and the Jumna; destroying completely the French force by which that district was protected; extending the Company's frontier to the Jumna; and including the cities of Delhi and Agra, with a chain of posts, sufficient for protecting the navigation of the river, on the right bank of the Jumna. The second of the military objects was of minor importance; the annexation of Bundelcund to the British dominions.

The political objects were also two. The first, to use the language of the Governor-General, was, “the possession of the nominal authority of the Mogul;” that is to say, the possession of his person, and thereafter the use of his name, to any purpose to which the use of that name might be found advantageous. Together with the city of Delhi, the person of the Mogul had for a series of years been subject to Scindia; more immediately, at that particular moment, to Perron, as the vicegerent of Scindia in that part of his kingdom. The acquisition of the country would, of course, place the Mogul, too, in British hands. The second of the Governor-General's political objects was, an extension of his general scheme of alliance. He desired that the whole of the petty states to the southward and westward of the Jumna, from Jyneghur to Bundelcund, should be united in “an efficient system of alliance” with the British government.[1]

Such were the ends to be pursued in the north; for the accomplishment of which the Commander-in-chief was vested with the same sort of powers, which had already been conveyed to General Wellesley, for the more secure attainment of those which were aimed at in the south. General Wellesley was expected, with the force under his command, to defeat the confederate army of Scindia and the Rajah of Berar; to protect from all danger, in that direction, the dominions of the Company and their allies; and to establish, in their subsidizing form, the governments of the Nizam, the Peshwa, and Guyckwar.



The province of Cuttack separated the Company's dominions in Bengal, from the northern circars. By the conquest of this district, the territory of the English nation in the northern part of India would be united, on the eastern coast, with that in the south, and would extend in one unbroken line from the mountains on the frontier of Tibet to Cape Comorin; the Mahrattas on that side of India would be deprived of all connection with the sea, and hence with the transmarine enemies of the Anglo-Indian government; a communication not liable to the interruption of the monsoons would be formed between Calcutta and Madras; and an additional portion of the Bengal frontier would be delivered from the chance of Mahratta incursions. The province of Cuttack belonged to the Rajah of Berar. Preparations were made for invading it about the time at which the operations of the principal armies should commence.

Scindia possessed the port of Baroach, and a contiguous district on the coast of Guzerat. The government of Bombay was made ready to seize them, as soon as the war should be declared.

General Lake took the field with an army of 10,500 men, consisting of about 200 European artillery, three regiments of European, and five of native cavalry, one regiment of European, and eleven battalions of native infantry. Beside this force, about 3,500 men were assembled near Allahabad for the invasion of Bundelcund; and about 2000 were collected at Mirzapoor, to cover Benares, and guard the passes of the adjoining mountains.

The army of Scindia, to which General Lake was to be opposed, was under the command of a Frenchman, named Perron, and stated by the Governor-General, on grounds of course a little uncertain, to have consisted of 16,000 or 17,000 infantry, formed and disciplined on the European plan; with a large body of irregular infantry, from fifteen to twenty thousand horse, and a train of artillery, which the Governor-General describes, as both numerous and well appointed.[1]



To understand the nature of the power of Scindia, in this quarter of India, a short history is required, not only of the peculiar composition of his army, but also of the territorial acquisitions which he there retained. Deboigne, though not the first Frenchman who was admitted into the army of Scindia, was the first who obtained any considerable degree of power. Born a Savoyard, of parents respectable, though poor, after having served some time in the army of his own prince, he entered the more splendid service of France, in quality of an ensign in the Irish brigades.[2] In the vicissitudes of his early life, we must content ourselves with effects; the causes very frequently remain unknown. We find him, next, an ensign in a Russian army, serving against the Turks. He was here taken prisoner; carried to Constantinople; and sold as a slave. After the war, being redeemed by his parents, he repaired to St. Petersburg, found means to recommend himself, and was made a lieutenant. He was detached to some Russian post on the Turkish frontier, and had the fortune to command the escort which attended Lord Percy in a progress among the Grecian islands. In consequence of the impression which he must have made upon that nobleman, and the views which he must have disclosed, Lord Percy furnished him with two letters of recommendation, one to Mr. Hastings, Governor of Bengal, and another to Lord Macartney, Governor of Madras, to whose acquaintance, it is said, he had already been admitted, during the residence of that nobleman as British ambassador at St. Petersburg. It is surmised, that he obtained the consent of the Empress to make a voyage to India, from which he was to return by way of Cashmere, Tartary, and the borders of the Caspian Sea. Be that as it may, he arrived at Madras in the year 1780, and engaged as an ensign in the service of the Nabob of Arcot. In 1782 he repaired to Calcutta, where the letter of Lord Percy procured him a favourable reception from Mr. Hastings. Without disclosing his connection with the Russian government, he described to that Governor the journey by Cashmere, and the shores of the Caspian, as the object which he now had in view; and was furnished by him with a recommendation to the Nawaub of Oude, and the British resident at Lucknow. It is said; that he was accommodated by the Nawaub of Oude, and the British resident at Lucknow. It is said; that he was accommodated by the Nawaub with a bill of exchange on Cashmere for 6,000 rupees, with which, instead of prosecuting his journey, he purchased arms and horses, and entered into the service of the Rajah of Jeypoor; that upon intelligence of this proceeding he was ordered down to Lucknow by Mr. Hastings, whom he thought it his interest to obey; that he found the means of exculpating himself in the mind of that ruler, and was permitted to return to Lucknow; that he now engaged in trade, which he prosecuted with success; that he came to Agra, in 1784, at which time the Rana of Gohud was closely besieged by Madajee Scindia; that he suggested to the Rana a plan for raising the siege, but

Scindia intercepted his correspondence, and, impressed with the proof of military talents which it displayed, consulted Mr. Anderson, the British resident, on the propriety of taking him into his service; that Mr. Anderson, to whom he had letters of recommendation, sent for him, introduced him to Scindia, and procured him the command of two battalions, to be disciplined in the European style. The terror which Scindia found to march before the grape and bayonets of Deboigne's battalions, and the effects which they produced in the battles of Lallsort, Chacksana, and Agra, from 1784 to 1789, made him eager to increase their number to eight, then to sixteen, and afterwards, it is said, to twenty battalions, at which amount they remained. A battalion complete, consisted of 500 muskets, and 200 gunners, with four field pieces and one howitzer. The military talents of Deboigne, and the efficiency of his troops, were the grand instrument which facilitated, or rather produced, the victories, and enlarged the dominions of Scindia, in the region of the Jumna. In 1792, with eight battalions, he fought the desperate battle of Mairta against a great army of Rattores, a warlike tribe of Rajpoots. In the same year, and with the same force, he defeated, after an obstinate conflict at Patun, the formidable army of Ishmael Beg. In 1792, he defeated the army of Tuckojee Holkar, containing four battalions disciplined and commanded by a Frenchman; and at last made Scindia, without dispute, the most powerful of the native princes in India. Deboigne was a man above six feet high, with giant bones, large features, and piercing eyes; he was active, and laborious to an astonishing degree; understood profoundly the art of bending to his purposes the minds of men; and was popular (because men felt the benefit of his equitable and vigilant administration), though stained with three unpopular vices, jealousy, avarice, and envy.[1]



Perron came into India as a petty officer of a ship, either with Suffrein, or about the time of Suffrein's arrival. Having travelled into the upper provinces, he first received employment in the army of the Rana of Gohud, where he served under the immediate command of an Englishman. After the destruction of the Rana, he joined, in quality of quarter-master-serjeant, a corps commanded by a Frenchman in the service of Scindia. Though he soon raised himself to a higher command, his corps was reduced, upon the return of the army into cantonments; and he was even unsuccessful in an application for employment in the army of the Begum Sumroo. When the brigade of Deboigne began to be formed, the prospects of Perron revived. He received the command of the Boorhanpore battalion; and had an opportunity of distinguishing himself in the battle of Patun. He commanded the detachment of Deboigne's army which besieged. Ishmael Beg in Canoor; and it was to him that Ishmael Beg surrendered. To the honour of their European education, Deboigne and Perron resolutely protected their prisoner from the death which Scindia, who had suffered from his prowess, thirsted to inflict upon him; and he remained in the fort of Agra, with a considerable allowance for his subsistence. When the corps of Deboigne became sufficiently numerous to be divided into two brigades, he gave the command of the first to M. Frimont, and that of the second to M. Perron, who, accordingly, upon the death of Frimont, became second in command. When the ambition of Scindia to establish a control over the Peshwa carried him to Poona, it was the brigade of Perron which attended him thither, and formed the principal part of his force. Perron, thus about the person of Dowlut Rao from the moment of his

accession, and one of the main instruments of his power, easily succeeded to the whole authority of Deboigne, when, in 1798, that commander withdrew with his fortune to Europe.1

M. Deboigne had received a large track of country, in the region of the Jumna, in assignment for the maintenance of his troops. Not only the territory as well as the army which had devolved upon Perron required his presence upon the departure of Deboigne; but the presumption of the Governors, both of Delhi and of Agra, had so much increased by the long absence of Scindia in the South, that it seemed to be high time to reduce them to obedience. In the month of October, 1798, Perron sent two battalions, commanded by Colonel Sutherland, one of the Englishmen who helped to officer Scindia's regular brigades, with an expectation that the Kelledar would deliver up the fort; but disappointed in that hope he sent three battalions more, and the place was invested. Though, from a humane regard to the aged Mogul and his family, who were kept as a sort of prisoners in the fort, much caution was used in firing at the place, it was ready for assault in nineteen days, when the Kelledar capitulated and surrendered.1



This was the occasion, on which, for the first time, the custody of the emperor was placed in the hands of a Frenchman. He had now, during ten years, been subject to the power of Scindia, under which he had fallen, by the following means.

In 1782, when Mr. Hastings so eagerly made peace with the Mahratta powers, their dominions were bounded, on the north, by that great chain of mountains, which extends in a direction nearly east and west, from Cuttack in the Bay of Bengal to Ajmere, and forms a great boundary between the southern and the northern portions of the Indian continent. This physical barrier, against the dangers to which the English dominions in the north of India were exposed from the vicinity of the Mahrattas, was not all. On the western half of this chain of mountains, on its northern side, and immediately bordering upon the Company's frontier, or that of their dependant, the Nabob of Oude, were placed, forming another line of defence, a number of small independent states, all jealous of the Mahrattas, and all dreading any extension of their power. The whole of that wide expanse of country, which extends from near Allahabad on the east to the river Sutledge on the west; bounded on the south by the mountainous ridge just mentioned; on the north, as far as Shekoab, by the Jumna; thence by a line passing near Secundra to the Ganges, and by the Ganges to Hurdwar; was, by the policy of Mr. Hastings, left open to the ambition of the Mahrattas. This country contained, among other principalities, the territory of Bundelcund and Narwar; that of Gohud, including Gualior and Bind; and the great provinces of Agra and Delhi, including the Jaat country, and nearly one half of the Dooab, subject chiefly to the Emperor Shah Aulum, and a few other Mahomedan chiefs. Scindia was the Mahratta prince, who, from the vicinity of his territories, and from his power, was best situated for availing himself of the offered advantage; and he did not allow the opportunity to escape. Another Mahratta chieftain, indeed, found means to get a partial possession of Bundelcund, while Scindia was engrossed with the business of other acquisitions; but all the rest of that extensive country was wholly appropriated by the latter chieftain.1

Scindia had already made great progress in subduing this region, when, with Ismael Beg, he approached Delhi in 1788. Gholam Khadur, a son of Zabita Khan; who, having from some cause of displeasure been banished from the presence of his father, had received an asylum from Shah Aulum, and growing into his favour, had been created by him Ameer ul Omrah; enjoyed at that time the principal power at Delhi. The Emperor appears to have been desirous of emancipating himself from the dominion of Gholam Khadur, a man of a haughty, and ferocious character; and informed him that, having no money to carry on the contest, he regarded resistance as vain. Gholam Khadur himself undertook for resources; only insisting, that, as "the presence of the monarch was half the battle," the Emperor should head the army in the field; and to this the Emperor assenting commissioned Gholam Khadur to make the requisite preparations for war. Next day, it is said, a letter from the Emperor to Scindia was intercepted, in which the Emperor exhorted Scindia to use the greatest possible dispatch, for the purpose of destroying Gholam Khadur; "for Gholam Khadur," said he, "desires me to act contrary to my wishes, and oppose you." Upon this discovery Gholam Khadur, burning for revenge, ordered an attack upon the fort, in which Shah Aulum resided; carried it in a few days; flew to the apartment of the monarch, whom he treated with every species of indignity; and then put out his eyes. After plundering the Emperor and his family, and sparing no expedient, however degrading, to strip the females of all their valuable ornaments, he fled upon the approach of Scindia; who thus became master of the legitimate sovereign of India, and of all the territories which yet owned his sway.[1]



Though the Emperor was allowed by Scindia to remain in the fort of Delhi, with the nominal authority over the city, and a small district around, he was held in a state of poverty, in which not only the decencies, but almost the necessaries of life were denied to him and his family. A Kelledar or Governor was placed in the fort, by whom he was guarded as a prisoner. And Scindia at times had made him set forth his claim, not only to the tribute which the English had covenanted to pay to him for Bengal, which they had so early found a pretext for not paying, and which now with its interest amounted to a great sum; but to the wide extended sovereignty which had ceased to be his, only by successful usurpation and rebellion.



As there is no reason to believe that Perron behaved not to Shah Aulum with all the humanity and delicacy, practicable in the circumstances of Perron; so there is reason to believe that the condition of the unhappy monarch was ameliorated after he became subject to that European officer M. Perron is represented, by all those from whom we receive any accounts of him, except the English rulers, as not only a man of talents, but a man of humanity and moderation.[1]



By the distance at which Scindia, while engaged in establishing his authority in the south, was kept from his dominions in the north, the administration of the government of his new acquisitions, in the region of the Jumna, fell almost entirely into the hands of Perron, who was present with an army, and had a large portion of it in assignment for the maintenance of his troops. We have the testimony of a most unexceptionable witness,

Colonel Collins, both that he made a wise and excellent use of his power; and that the success of his administration had created incurable jealousy and hatred in the breast both of Scindia's nobles, and of Scindia himself. “I have it,” says that resident, in his letter dated 30th of March, 1802, “from good authority, that the Sirdars of this court have frequently remonstrated with the Maharaja, on the subject of the extensive authority vested in General Perron; and I have also been told in confidence, that, whenever the disturbances in this quarter are composed, so far as to admit of Scindia's repairing to Agra, it is the intention of the Maharaja to deprive the General of the command of those fortresses which he now possesses in Hindustan. Nor do I doubt the truth of this information; when I reflect on the general disposition of the Mahrattas; they being, as your Lordship well knows, at all times inclined to suspicion and jealousy; of which I saw strong symptoms, at my audience with the Maharaja on the 27th ultimo. The ministers, who were present at this interview, having put various questions to me respecting the state of Scindia's possessions in the Dooab, I purposely spoke of them, as being in the most flourishing condition, ascribing the same to the able management of General Perron, to whom, as your Lordship recollects, they are assigned in *jeydad.* I also noticed the unwearied attention of the General, to improve and strengthen the works of the different fortresses garrisoned by his troops; and mentioned likewise the high estimation in which he was held by all the Rajpoot and Seik Sirdars, who were chiefly guided by his councils and directions.”[1] Though we may easily enough suppose in this language a degree of exaggeration, to which the occasion may be supposed to have presented temptation, yet we cannot suppose a gentleman, of an English education, and of a high character, to have made a deliberate statement for which he knew there was no foundation in fact. In his next letter Colonel Collins says, “Such Mahratta Sirdars, as are envious or jealous of the power of M. Perron, do not scruple to affirm, that he by no means wishes the total ruin of Holkar; since, in this event, the Maharaja would be enabled to repair to Hindostan, and to take upon himself the chief direction of affairs in that quarter. Whether or not Scindia has been influenced by these suggestions, I shall not presume to determine; but I believe it to be an undoubted fact, that General Perron has been given to understand he must relinquish the collections of all the districts which he now possesses in Hindostan, excepting those appertaining to his jeydad, the annual revenues of which are estimated at forty lacs of rupees; at present the General collects nearly eighty lacs.”[1] From Futty Ghur, to which, for the purpose for avoiding the unhealthy season, he had returned from Scindia's camp, having by the way paid a visit to Perron at his head quarters at Cowle, Colonel Collins, on the 24th of June, 1802, wrote again, as follows: “General Perron has been peremptorily directed by Scindia to give up all the Mehals in his possession, not appertaining to his own jeydad. And I understand, from good authority, that the General is highly displeased with the conduct of Scindia's ministers on this occasion; insomuch that he entertains serious intentions of relinquishing his present command in the service of the Maharaja. Indeed, when I was at Cowle, he assured me, that ere long I might probably see him at Futty Ghur.”[2]



BOOK VI. Chap. 12. 1803.

The first object to which General Lake was commanded to direct the operations of the war, was the destruction of the force of General Perron. This force the Governor-

General, though he very seriously, not to say violently, dreaded it, yet at the same time with a very possible inconsistence, so much despised, that he confidently expected the complete annihilation of it, before the end of the rains. “I desire,” says he, “that your Excellency will compose the main army, and regulate the strength and operations of the
several detachments, in the manner which shall appear to your judgment to afford the most absolute security for the complete destruction of M. Perron's force previously to the conclusion of the rains.”[1]



Not arms alone; other expedients were to be employed. “It would be highly desirable,” says the Governor-General, “to detach M. Perron from Scindia's service, by pacific negotiation. M. Perron's inclination certainly, is, to dispose of his power to a French purchaser; I should not be surprised if he were to be found ready to enter into terms with your Excellency; provided he could obtain sufficient security for his personal interests.—I empower your Excellency to conclude any agreement for the security of M. Perron's personal interests and property, accompanied by any reasonable renumeration from the British government, which shall induce him to deliver up the whole of his military resources and power, together with his territorial possession, and the person of the Mogul, and of the heir apparent, into your Excellency's hands. The same principle applies generally to M. Perron's European officers. And the proclamations, with which I have furnished your Excellency, will enable you to avail yourself of the first opportunity of offering propositions to those officers, or to the several corps under M. Perron's command.”[2]

On the 7th of August, the General marched from Cawnpore. On the 28th he reached the frontier: and early on the morning of the 29th moved into the Mahratta territories, with a view of attacking a part of M. Perron's army assembled near the fortress of Allighur. The British army reached the enemy's camp about seven o'clock in the morning; and found the whole of his cavalry drawn up on the plain, close to the fort of Allighur. Appearing to be strongly posted, with their right extending to the fort of Allighur, and their front protected by a deep morass, the General resolved to make his attack on their left flank, which had no protection except from two detached villages. The British cavalry were formed into two lines, supported by the line of infantry and guns; but the enemy retired as they advanced, and quitted the field without an engagement. They were estimated at 15,000 strong. As if to show the extreme want of all cohesion, and hence of stability, in the materials of Perron's power, the Commander-in-Chief informs the Governor-General, and the Governor-General with exultation informs his employers; that upon so very trifling an occasion as this, “many of the confederates of M. Perron left him;” and “I learn,” says the General, “from all quarters, that most of the enemy's cavalry who opposed us yesterday, have returned to their homes, declaring their inability to oppose the English.”[1]



The town of Coel immediately surrendered to the English; but the garrison of Allighur resisted all the motives with which Lake endeavoured to persuade them. After consideration, he deemed it practicable to carry the fort by assault; and this he preferred to the slow operations of a siege. The place was strong, with a broad and

deep ditch, a fine glacis, the country levelled for a mile round, and exposed in every direction to the fire of the fort. Lieutenant-Colonel Monson was chosen to lead the attack: and the preparations were completed before the 4th of September. At three o'clock, on the morning of that day, the troops moved down to a distance of 600 yards from the sortie. After waiting till half after four, the hour of assault, the storming party advanced, under cover of a heavy fire from the British batteries erected for the purpose, and arrived within 100 yards of the fort before they were perceived. There was only one passage across the ditch into the fort, by a narrow causeway, where the enemy, having commenced a mine, but omitted a draw-bridge, the British troops were enabled to pass, and assault the body of the place. As soon as Colonel Monson perceived that the garrison had received the alarm, he pushed on with two flank companies of Europeans, hoping to enter the gate along with the external guard. The gate was found shut; and the ladders were applied. Major Macleod of the 76th regiment, and two grenadiers, began to mount; but so formidable an array of pikemen appeared to receive them, that it would have been vain and foolish to persist. A gun was now required to blow open the gate. Being situated near the angle of a bastion, it was difficult to place a gun in a situation to act upon it. Four or five rounds were fired, before it was blown open; the troops were stopped about twenty minutes; during which they were raked by a destructive fire of grape, wall-pieces, and matchlocks; Colonel Monson was wounded; six officers were killed; and the principal loss in the assault was sustained. A narrow and intricate passage of considerable length, all the way exposed to a heavy cross fire in every direction, led from the first gate to that which openned immediately into the body of the place. To this it was a work of great difficulty to bring up the gun; and when it was brought up, the gate was found too strong to be forced. In this extremity Major Macleod pushed through the wicket with the grenadiers, and ascended the ramparts. After this but little opposition was made. The garrison endeavoured to escape in every direction. Many jumped into the ditch, of whom some were drowned. About 2,000 perished. Some surrendered, and were permitted to quit the fort, by the Commander-in-Chief, who was close to the scene of action, to witness an attack which nothing but the persevering bravery of the men permitted to succeed. The English loss was fifty-nine killed, including six; and 212 wounded, including eleven European officers.[1]



BOOK VI. Chap. 12. 1803.

This fort was esteemed an acquisition of great importance; as being the ordinary residence of M. Perron, and the principal place of deposit for his military stores; of which the quantity, found by the English, probably because it was inconsiderable, is not specified, in any of the printed documents in which the value of the acquisition is presented to view.

The same day on which Allighur was taken, the Commander found it necessary to send a considerable detachment, to join the officer left at Futty Ghur, charged with a convoy for the army. Five companies of sepoys, with one gun, under the command of Lieutenant-Colonel Coningham, left at Shekoabad, had been attacked on the 2d of September, by a body of cavalry, commanded by a Frenchman of the name of Fleury. Though much superior in force, the assailants were repulsed, but returned to the attack

on the 4th, when the English capitulated, their ammunition being nearly spent. Before the reinforcements sent by the General arrived, the enemy crossed the Jumna, and disappeared.

On the 5th of September, M. Perron addressed a letter to General Lake, which was received on the
7th. In that letter Perron informed the British Commander, that he had resigned the service of Dowlut Rao Scindia, and requested permission to pass with his family, his effects, and the officers of his suite, through the Company's dominions to Lucknow. The instructions of the Governor-General, to purchase, if possible, the surrender of the military resources of Perron, have already been mentioned. We are informed by the Governor-General, that "on the 20th of August the Commander-in-Chief received a letter from General Perron, indicating a desire, on the part of that officer, to effect an arrangement, which might preclude the necessity of an actual contest between the British forces, and those under the command of General Perron." We learn, on the same occasion, from the same high authority, that some time previously Perron had applied for leave to pass through the Company's territories, as being about to resign the service of Scindia; and had, at the request of the Commander-in-Chief, sent to the English camp a confidential agent, with whom a discussion took place on the 29th of August. All that we further know is, that the agent departed, without effecting any arrangement. The Governor-General tells us, that "he evaded the propositions of the Commander-in-Chief, for the surrender of M. Perron."[1] Perron might have received a large sum of money, had he bargained for his own retirement, and transferred to the English any considerable portion of the military resources with which he was entrusted. Perron retired, without bargaining at all: and, although he had the greatest cause of resentment against his employer, without transferring to his enemies the smallest portion of the resources with which he was entrusted.



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The Governor-General informs us, that M. Perron stated two facts, which remarkably confirm what I have already suggested, with regard to the miserable foundation and feeble texture, of all such power as his. "M. Perron stated, that his reason for retiring proceeded from his having received intelligence, that his successor had been appointed; and was actually on his way to take possession of his new charge. M. Perron also observed, that the treachery and ingratitude of his European officers convinced him that further resistance to the British arms was useless."[1]

General Lake, who estimated, and knew that the Governor-General estimated, high the value of removing M. Perron, granted him, in a prompt and handsome manner, the indulgences which he requested; and that General proceeded in consequence to Lucknow.

On the same day on which General Lake received the letter of Perron, measures being completed for the possession of Allighur, he began his march for Delhi. On the 9th of September, he reached Secundra; and during the next two days advanced about eighteen miles beyond Soorajepoor, when intelligence was received, that the army which had belonged to Perron, now commanded by another Frenchman, of the name

of Louis Berquien, had crossed the Jumna from Delhi during the night, with a view to meet and repel the British army.

The troops, fatigued with eighteen miles of march, and the heat of the day, reached their ground of encampment (six miles from Delhi) about eleven o'clock, and had scarcely pitched their tents, when the outposts were attacked. The General, having reconnoitred, and found the enemy drawn up in order of battle, immediately ordered out the whole line. The position of the enemy was on a rising ground, with swamps on either flank; their front, where alone they could be attacked, was defended by a numerous artillery and a line of entrenchments. The number of the British troops amounted to about four thousand five hundred men. That of the enemy is stated at nineteen thousand. The British infantry were ordered to advance from the right of battalions in open columns of companies; and during this operation, the cavalry were commanded to precede. Advancing two miles in front, they were exposed for one hour to a severe cannonade, before they were joined by the infantry; the Commander-in-Chief had his horse shot under him; and a considerable loss was sustained. As the infantry approached, the General ordered the cavalry to fall back, with a view both to cover the advance of the infantry, and if possible to draw the enemy forward from their entrenchments upon the plain. The enemy fell into the snare, believed the movement a retreat, and advanced, shouting, with the whole of their guns. The British cavalry retired, with the utmost steadiness and order, till joined by the infantry, when they opened from the centre, and allowed the infantry to pass to the front. The whole were instantly formed, the infantry in one line, the cavalry in a second, about forty yards in the rear of the right wing. The enemy had halted, on perceiving the British infantry, and began a tremendous fire of round, grape, and chain shot. The General having placed himself on the right of the line, the men advanced with steadiness, and without taking their muskets from their shoulders, till within a hundred paces of the enemy, who began to pour upon them a shower of grape from the whole of their guns. Orders were given to charge with bayonets. The line fired a volley, and rushed on with their gallant commander at their head, when the enemy gave way, and fled in every direction. As soon as the troops halted after the charge, the General ordered the line to break into columns of companies, which permitted the cavalry to pass through the intervals with their galloper guns, and complete the victory. The enemy were pursued with slaughter to the banks of the Jumna. This battle, though small in scale, and not very trying from the resistance of the enemy, affords a high specimen both of the talents of the General, and the discipline and bravery of the men.



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The enemy left the whole of their artillery, sixty-eight pieces of ordnance, with a great quantity of ammunition, and two tumbrils containing treasure, on the field. In men, their loss was estimated at three thousand: that of the English, in killed, wounded, and missing, was four hundred and eighty-five. After being seventeen hours under arms, the British army took up fresh ground towards the river, and next morning encamped, opposite to the city of Delhi. As the enemy had evacuated both the city and fort, Shah Aulum sent a message to express his desire of placing himself under the protection of the victors. An intrigue had been opened with him before, and means had been found to convey to him a letter from the Governor-General, promising to him, in case he

should find the means, during the present crisis, “of placing himself under the protection of the British government, that every demonstration of respect and attention would be paid towards his Majesty on the part of that government, and that an adequate provision would be made for the support of his Majesty, and of his family and household.”



To this secret communication a secret answer was received by the Commander-in-Chief on the 29th of August, “expressing,” says the Governor-General, “the anxious wish of his Majesty to avail himself of the protection of the British government.”1 On the 14th, the British army began to cross the river. And on the same day, the General Bourquien, who commanded in the late action, and four other French officers, surrendered themselves prisoners to General Lake. On the 16th, he paid his visit to Shah Aulum. The language of the Governor-General, on this occasion, is something more than pompous. “His Excellency, the Commander-in-Chief, had the honour to pay his first visit to his Majesty Shah Aulum on the 16th of September; and to congratulate his Majesty on his emancipation from the control of a French faction who had so long oppressed and degraded him. His Majesty was graciously pleased to direct his eldest son, and heir apparent, the Prince Mirza Akbar Shah, to conduct the Commander-in-Chief to his royal presence. The Prince was to have arrived at the Commander-in-Chief's tent at twelve o'clock: but did not reach the British camp until half past three o'clock, p. m. By the time his Royal Highness had been received; remounted on his elephant; and the whole cavalcade formed, it was half past four o'clock. The distance being five miles, the Commander-in-Chief did not reach the palace at Delhi until sunset. The crowd in the city was extraordinary; and it

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was with some difficulty that the cavalcade could make its way to the palace. The courts of the palace were full of people; anxious to witness the deliverance of their sovereign from a state of degradation and bondage. At length the Commander-in-Chief was ushered into the royal presence: and found the unfortunate and venerable Emperor; oppressed by the accumulated calamities of old age, degraded authority, extreme poverty, and loss of sight; seated under a small tattered canopy, the remnant of his royal state, with every external appearance of the misery of his condition.”1

In another passage the Governor-General speaks of this event, as “delivering the unfortunate and aged Emperor Shah Aulum, and the royal house of Timour, from misery, degradation, and bondage; and rescuing his Imperial Majesty, the Mogul, from the hands of a desperate band of French adventurers.”2

With regard to the French officers, this is a language in the highest degree illiberal, if not unjust, and moreover, indecent. It was not they who degraded, if that was a crime, the house of Timour; it is in evidence that they improved the condition of its surviving members; it is not in evidence that they did not improve it as far as that improvement depended upon them. It is manifest, that certain forms of respect, and a less penurious supply of money, was all that could depend upon them. Of these there is no indication that the first were withheld. Of the second, the French had little to bestow. The revenues of Perron's government must with great difficulty have met its charges, and he departed at last with no more than the fortune of a private individual. Whatever he afforded to Shah Aulum beyond the allowance prescribed by Scindia, he must

have paid out of his own fortune. And had Shah Aulum been supported out of the pocket of any English gentleman, of the Governor-General himself, though doubtless he would have dealt by him kindly, and even generously; yet I may venture to affirm, that his "royal state" would not have exhibited great magnificence.

Besides, who would not imagine, upon hearing this language of the English ruler, that he was about to restore his "Imperial Majesty, Shah Aulum, (whom his subjects were so anxious to see delivered from a state of degradation and bondage,") to his lost authority? to those territories, from which he had been extruded, only by successful usurpation and rebellion, territories of which the provinces held by the Company formed a material part? or, if he was not to give him any of the usurped territories which had fallen to the lot of the English, not even that tribute which they had stipulated to pay him, and which they had long withheld; that at any rate he was to bestow upon him those territories, of which Scindia had deprived him, and which the English had just retaken, or were about to retake? Not an atom of this. The English were to restore no territory. Even that which they were now taking from Scindia, and of which by Scindia the Emperor had but lately been robbed, the English were to keep to themselves. The English, therefore, were to hold his "Imperial Majesty" still degraded from all sovereign power; still in bondage; as much as ever. The very words of the Governor-General are, that only so much "regard should be paid to the comfort and convenience of his Majesty and the royal family as was consistent with the due security of their persons," in other words, their imprisonment. Wherein then consisted the difference of his treatment? In this alone, that he would enjoy more of the comforts which in a state of imprisonment money can bestow, and was secure from personal violence.

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The lofty description afforded us by the British ruler goes on in the following words; "It is impossible to describe the impression which General Lake's conduct on this interesting occasion has made on the minds on the inhabitants of Delhi, and of all the Mussulmans who have had an opportunity of being made acquainted with the occurrences of the 16th of September, 1803. In the metaphorical language of Asia, the native news writers who describe this extraordinary scene, have declared that his Majesty Shah Aulum recovered his sight from excess of joy.[1] In addition to many other marks of royal favour and condescension, the Emperor was graciously pleased to confer on General Lake the second title in the Empire, *Sumsam u dowlah ashgar ul mulk, Khan dowran Khan, General Gerard Lake bahadur, futteh jung:* The sword of the state, the hero of the land, the lord of the age, and the victorious in war."[2]

Though mention is made of the surrender of no more than one other French officer, named Doderneque; the letter to the Secret Committee, dated the 31st of October says, "The Governor-General in Council has the satisfaction to inform your Honourable Committee, that no French officers of any consideration now remain in the service of the confederated Mahratta chieftains."[1] This, then, was a danger, of which, whatever else may justly be said of it, there was little difficulty in getting rid.

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Appointing Lieutenant-Colonel Ochterlony to hold the chief command at Delhi, and leaving a garrison of one battalion and four companies of native infantry, with a corps of Mewatties, newly raised under the command of Englishmen who had quitted the service of Scindia at the beginning of the war, the Commander-in-Chief began his march to Agra on the 24th of September, and arrived at Muttra on the 2d of October, where he was joined by the troops from Futtygur. On the 4th he arrived at Agra; and immediately summoned the garrison, but no answer was returned. He received information, that considerable confusion prevailed within the fort, where all the European officers were placed under confinement.

Finding that approaches could not be made, unless seven battalions were dislodged of the enemy's regular infantry, who, with several guns, were encamped without the fort, and occupied the town of Agra, together with the principal mosque, and some adjacent ravines, General Lake gave directions for attacking the town and the ravines on the 10th, both at the same time, the one with a brigade, the other with three battalions of sepoys. The attack succeeded in both places, though not without a severe conflict; and the troops engaged in the ravines, being carried by their ardour to quit them, and gain the glacis, for the purpose of seizing the enemy's guns, were exposed to a heavy fire of grape and matchlocks from the fort, and suffered proportionally both in officers and men. Another occurrence was, that the defeated battalions agreed afterwards to transfer their services to the British commander, and marched into his camp, to the number of 2,500 men, on the 13th of October.



On that day the garrison desired a parley; but while a British officer, sent into the fort, was endeavouring to remove their objections to the terms of capitulation, they recommenced firing, and would admit of no further intercourse. The breaching batteries, however, having opened on the morning of the 17th, and threatening a speedy catastrophe, they capitulated in the evening, on terms of safety to their persons and private property.[1]

A force, composed of fifteen regular battalions, sent north by Scindia at the commencement of the campaign, and of two battalions which had joined them from Delhi, after the battle of the 11th of September, still remained. They had occupied a position about thirty miles in the rear of the British army, during the siege of Agra, but without attempting interruption. And they were understood to have in view a march upon Delhi, with the hope of recovering that important post. In quest of this enemy, the British army moved from Agra on the 27th of October. Retarded by the heaviness of the rain, they left the heavy guns and baggage at Futtypore, and on the 30th and 31st, marching twenty miles each day, they encamped on the 31st, a short distance from the ground which the enemy had quitted in the morning. The General conceived the design of overtaking them with the cavalry, and giving them, by a slight engagement, interruption till the arrival of the infantry. Marching from 12 o'clock on the night of the 31st, till seven the next morning, a distance of twenty-five miles, he came up with the enemy, retreating, as he imagined, and in confusion. Eager not to permit their retreat to the hills, and to secure their guns, he resolved, as he himself expresses it, “to try the effect of an attack upon them with the cavalry alone.”

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The advance of the cavalry was slow, the road having been rendered difficult by the water of a reservoir, the embankment of which the enemy had cut. The British General, having commanded the advanced guard and first brigade, led by Colonel Vandeleur, to march upon the point, where the enemy, who had for some time been covered by the clouds of dust, had last been observed in motion, directed the remainder of the cavalry to attack in succession as soon as they could form and come up. When they advanced sufficiently near to perceive the enemy, they found them occupying an advantageous position, with their right upon a rivulet which the British had immediately passed, their left on the village of Laswaree, and their whole front amply provided with artillery. The point, to which the advanced guard and first brigade were directed, was found to be the left of the enemy's new position, which without hesitation they attacked. They forced the line, and penetrated into the village, Colonel Vandeleur having fallen in the charge; but they were exposed to so galling a fire of cannon and musquetry, that it was impossible to form the squadrons for a second attack, and the General was obliged to draw them off. They left, for want of draught cattle, the guns of the enemy which had fallen into their hands; and the other brigades retired from the fire to which they found themselves exposed, without being able to discover the enemy, though they fell in with and carried away a few of their guns. The British infantry, which had left their former ground at three in the morning, arrived on the banks of the rivulet



about eleven. After so long a march, some time for refreshment was indispensably required. During this interval a proposal was received from the enemy, offering on certain conditions to surrender their guns. The General, eager to stop the effusion of blood, offered immediately to comply with their terms, and allowed them an hour to come to a final determination. In the mean time, the disposition was made for battle. The whole of the infantry was formed on the left, with a view to attack the right flank of the enemy, which since the morning had been thrown back to some distance, leaving an interval to the rivulet. The British infantry was formed in two columns, the first destined to turn the right flank of the enemy, and assault the village of Mohaulpoor, the second, to support the first. The cavalry was formed into three brigades, of which one was to support the infantry in the attack of the enemy's right, another was detached to the right of the British army, to watch the enemy's left, avail itself of any confusion, and attack them in their retreat; the third composed the reserve, and was formed in the space between the preceding two. The enemy were drawn up in two lines, which had the village of Mohaulpoor between them on the left, and extended beyond it on the right.

The time for parley being expired, the British infantry moved along the bank of the rivulet, through high grass and broken ground, which afforded cover. The enemy, as soon as the movements of the British columns to turn their flank became visible, threw back their right, forming an acute angle in front with their former position, and rendering it impossible to turn their flanks. As soon as the British columns became exposed to the enemy's cannon, the field pieces which they had been able to bring up, and the galloper guns attached to the cavalry, formed into four batteries, began also to fire. The cannonade on

both sides was very spirited and severe. The King's 76th regiment, which headed the attack, and had often signalized its discipline and courage in India, had arrived, together with a battalion and five companies of native troops, within one hundred paces of the enemy, while the remainder of the column, impeded in its advance, was still at some distance behind. This advanced party were exposed to the enemy's fire; and the men were falling very fast. Thus situated, the General thought it better to advance with them to the attack, than wait till the remainder of the column should be able to form. As soon as they arrived within reach of the enemy's cannister shot, a tremendous fire was opened upon them; and their loss was exceedingly severe. The regularity of their advance being disturbed by the severity of the cannonade, the enemy's cavalry were encouraged to charge. The steadiness, however, of “this handful of heroes,” as they are justly denominated by their grateful commander, enabled them to repulse the assailants with their fire. They rallied, however, at a little distance, and resumed a menacing posture; when the General ordered an attack by the British cavalry. It was performed, with great gallantry and success, by the 29th regiment of dragoons, whose commander, Major Griffiths, was killed by a cannon shot immediately before the charge. The infantry, at the same time, advanced upon the enemy's line, which they broke and routed. The remainder of the first column of British infantry arrived just in time to join in the attack of the enemy's second line, of which the right had been thrown back in the same proportion as that of the first. Major General Ware, who commanded the right wing of the British army, fell about the same time by a cannon shot. After a good resistance, and losing all their guns, the enemy were driven back towards a small mosque in the rear of the village, when the three brigades of British cavalry, advancing upon them from their different positions, charged them with great execution. A column of the enemy on the left attempted to go off in good order with a part of the baggage: but were turned by the brigade of horse which had been detached to the right of the British army, and shared the same fate with the rest of their companions. About two thousand of the enemy seeing it impossible to escape, threw down their arms, and surrendered themselves prisoners, with the baggage and every thing belonging to their camp.

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This battle appears to have been gained principally by the admirable discipline and bravery of the 76th regiment. Of the Commander, the gallantry was probably more remarkable than the generalship. He was frustrated in two of his plans; in his attack with the cavalry in the morning, and in turning the flank of the enemy in the afternoon; and the victory was gained at last by mere dint of hard fighting, to which the general himself set a conspicuous example. He led the charge of the cavalry in the morning; and at the head of the 76th regiment (which he allowed to come up too soon) conducted in person every operation of the day. Two horses were shot under him; and his son, acting as his aid-de-camp, was wounded by his side, in circumstances resembling those of poetic distress. The son had but just persuaded the father to mount his horse, after one of his own had fallen under him, pierced by several shot, when he himself was struck with a ball; and at that instant the father was obliged to lead on the troops, leaving his wounded son upon the field.

With seventeen battalions of infantry, the enemy

are supposed to have brought into the action more than four thousand horse. Their guns, in number seventy-two, being all taken, were more precisely known. The English loss amounted to 172 men killed, 652 wounded. Three months only had elapsed since General Lake crossed the Mahratta frontier; and not only the whole of that army which the Governor-General had treated as an object of so much apprehension was destroyed, but the whole of that extensive territory in the region of the Jumna, which the predecessor of Dowlut Rao had so laboriously added to his dominions, was placed in the hands of the English.1

During the time of these exploits, the great division of the English army in the south had been employed in the following manner. The strong fortress of Ahmednuggur, held by Scindia, with its adjoining territory, was the object of the first operations of General Wellesley. He moved from his camp at Walkee on the 8th of August, and, arriving at Ahmednuggur, took the pettah by escalade, on the same day. The English had thirty-three men killed, and eleven wounded. They opened a battery against the fort on the 10th; and on the 11th the Kelledar or Governor offered to negotiate; and on the 12th evacuated the fort, on condition of safety to the persons and private property of the garrison. This acquisition was of some importance; one of the strongest fortresses in India, in good repair, on the frontier of the Nizam, covering Poona, and a point of support to the future operations in advance.2

In taking possession of the districts, of 6,34,000 rupees estimated revenue, dependant on Ahmednuggur,
and making arrangements for the security of the fort, the General was occupied for several days, and crossed the Godavery only on the 24th. On the same day Scindia, and the Rajah of Berar,
having ascended the Adjuntee Ghaut, entered the territory of the Nizam with a large body of horse. On the 29th General Wellesley arrived at Aurungabad, between which place, and the corps under Colonel Stephenson, who had moved to the eastward toward the Badowly Ghaut, the enemy had passed, and had reached Julnapoor, about forty miles east from Aurungabad. The enemy continued their march in a south-east direction, with a view, as was reported, to cross the Godavery, and march upon Hyderabad. To intercept them in this intention, General Wellesley regained the river, and moved eastward along its northern bank. The enemy, however, soon altered their course, and proceeded to the north of Julnapoor. Colonel Stephenson returned from the eastward on the 1st of September, and on the 2d attacked and carried the fort of Julnapoor. After this, he made several attempts to bring the enemy to action, and actually surprised their camp on the night of the 9th of September. They continued their northern movement toward the Adjuntee pass, near which they were joined by a detachment, it is said, of sixteen battalions of Scindia's regular infantry, commanded by two Frenchmen. On the 21st the divisions of the British army were so near, that the two commanders had a conference, and concerted a plan for attacking the enemy jointly on the morning of the 24th. Colonel Stephenson marched by a western route, General Wellesley by the eastern, round the hills between Budnapore and Jalna. On the 23d General Wellesley received intelligence that Scindia and the Rajah had moved off with their cavalry in the morning; but that the infantry, about to follow, were still

in camp at the distance of about six miles.



This intelligence, from which the General inferred the intention of the enemy to escape, made him resolve to attack them, without waiting till the following morning for Colonel Stephenson. He found the whole combined army near the village of Assye, encamped on the bank of the Kaitna river. His road brought him first in front of their right; but as it was composed almost entirely of cavalry, and the defeat of the infantry was most likely to be effectual, he resolved to attack the left. Marching round, he crossed the river Kaitna, at a ford beyond the enemy's left flank; and formed the infantry in two lines, and the British cavalry as a reserve in a third; leaving the Mahratta and Mysore cavalry on the other side of the Kaitna, to hold in check a large body of the enemy's cavalry, which had followed the British army from the right of their own position. As soon as the enemy perceived the intention of the British general to attack their left, they changed the position of their infantry and guns. Another stream, called the Juah, of nearly the same size with the Kaitna, flowed in a parallel direction: at a small distance beyond it, the enemy formed a line, having its right on the Kaitna, and its left on the Juah. This line and that of the British army faced one another; but the enemy formed a second line on the left of their position, nearly at right angles to their first, extending to the rear along the banks of the Juah. The fire of the enemy's guns performed dreadful execution, as the British army advanced. The British artillery had opened upon the enemy at the distance of 400 yards; but the number of men and bullocks that were disabled soon rendered it impossible to bring on the guns; and as they were found to produce little effect, the General resolved to advance without them. The right of the British line was so thinned by the cannon of the enemy's left, that a body of their cavalry was encouraged to charge it. A body of the British cavalry, however, were prepared to intercept them, and they were repelled with slaughter. The steady advance of the British troops at last overawed the enemy, and they gave way in every direction. The cavalry then broke in, and charged them with the greatest effect. The enemy fled, but the force of the English was too small to render the victory decisive. Some of the enemy's corps went off in good order; and Lieutenant-Colonel Maxwell was killed, in charging with the British cavalry a body of infantry, who had again formed, but soon resumed their retreat. Many also of the enemy's guns, which had been left in the rear by the British line as they advanced, were, by a practice common in the native armies of India, turned upon the British by individuals who had thrown themselves as dead upon the ground. The General thought it necessary to take a regiment of European infantry, and one of native cavalry, and proceed in person to stop this fire, which for some time was very severe. His horse in this operation was shot under him. The enemy's cavalry, which had been hovering about during the action, continued for some time near the British line. But at last, the whole of the enemy went off, leaving ninety-eight pieces of cannon, and seven standards, in the hands of the English, with 1,200 men, it is said, dead on the field.

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It required no ordinary exertion of discipline and courage in the men to advance with so much steadiness under the carnage of such a fire. The personal courage, too, was abundantly displayed, of the General who led them on And unless in as far as the wisdom may be questioned, first of sacrificing so

great a number of men for the only object which could be attained by it; next, of not waiting for the arrival of Stephenson, when the victory would have been attended with much greater, perhaps with decisive effects, the conduct of the action, it is probable, possessed all the merit of which the nature of the case allowed. Of the British army, 428 were killed, 1138 were wounded. As the whole are said to have consisted of only 4,500 men, between one third and one half of the whole army were either killed or wounded. This was paying very dear for so indecisive an affair.[1]

Colonel Stephenson, though his march had been retarded by some unexpected impediment, arrived on the 24th; and was immediately sent after the enemy, whom the state of the troops under General Wellesley rendered him unable to pursue. The enemy had been so little broken or dispersed by their defeat, that they had little to dread, from the pursuit of Colonel Stephenson; and proceeded westward, along the bank of the Taptee, as if they meditated a descent upon Poorna by a march to the southward through the Caserbary Ghaut. General Wellesley imagined that this was a demonstration to prevent a northern movement of the British troops against the city of Boorhanpore, the fortress of Asseerghur, and the rest of Scindia's places in Candesh. But that General deemed himself sufficiently strong, both to proceed against the places in question, and to watch the movements of the enemy towards the south. Remaining with his own army to the southward, he sent his commands to Stephenson, who had descended the Adjuntee Ghaut, in pursuit of the enemy, to continue his march to the northward, and attack Boorhanpore and Asseerghur. As soon as the plan of the British General came to the knowledge of the enemy, the Rajah of Berar and Scindia separated their armies, the former marching towards Chandore, the latter making a movement to the northward, for the purpose of yielding protection to his threatened possessions. General Wellesley followed to the north, and descended the Adjuntee Ghaut on the 19th of October; Scindia, upon this, instead of continuing his movement to the north, gave it an easterly direction through the valley formed by the Taptee and Poona rivers; while the Rajah of Berar passed through the hills which formed the boundary of Candesh, and moved towards the Godavery. This seemed to require again the presence of General Wellesley in the south, who accordingly ascended the Adjuntee Ghaut on the 25th of October, and, continuing his march to the southward, passed Aurungabad on the 29th.

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In the mean time Colonel Stephenson had easily accomplished the service upon which he had been detached. The city of Boorhanpore was evacuated on his approach; and was entered by the British troops on the 15th of October. On the 17th he marched upon Asseerghur, the importance of which, in the estimation of the people of India, may be conjectured from a name by which it was distinguished, the Key of Deccan. On the 18th Colonel Stephenson attacked the pettah, and of course with success. On the 20th the batteries were opened against the fort, and within an hour the garrison offered to accept the conditions which the British commander had proposed on summoning the place. In this manner the fortress was placed in the hands of the English on the 21st, and with it the whole of Scindia's dominions in Deccan. The operations of

the army were now turned against Berar. Colonel Stephenson began an easterly movement towards Scindia; and received the commands of the General to prosecute his march as far as Gawilghur, and lay siege to that, the principal fortress belonging to the Rajah of Berar.[1]

In the first week of November, Jeswunt Rao Gorparah, and another person of inferior rank, arrived in the British camp, commissioned, they said, by Scindia, to treat with General Wellesley, on the subject of peace. As soon after the battle of Assye as the 8th of October, the British General had received a letter from one of Scindia's ministers, requesting that he would send to the enemy's camp, one of the British, and one of the Nizam's, officers, to settle the terms of a peace. With this request the General deemed it, on two accounts, inexpedient to comply; first, because the letter bore no stamp of the authority of Scindia, who might afterwards disavow it; next, because a British officer in the camp of the enemy, and the appearance, on the part of the British of being petitioners for peace, would reanimate the dejected minds of the enemy's troops. But he expressed his readiness honourably to receive any person whom the confederate chiefs might for that purpose depute to the British camp. Several subsequent proposals had been transmitted to him, but all, through channels, which the principal might have disavowed. Even Gorparah, and his companion, when requested, at their first conference with General Wellesley, to exhibit their credentials, had none to produce. Though liable to be dismissed with disgrace, they were told by the British General, that they might remain in the camp, till they had time to receive from their master those powers which were necessary to enable them to treat, and those documents to substantiate their powers without which they ought not to have been sent. In the mean time a letter arrived from Scindia, declaring his intention to send another commissioner, and disavowing Gorparah and his companion. General Wellesley, who believed, in this case, that the master was the impostor, not the servants, sent for the unhappy men, and made them acquainted with the dangerous situation in which they were placed. They convinced him that on their part there was no fiction, and gratefully received his assurance that he would not render them the victims of the duplicity of their master. In the mean time, Gorparah's application for powers, and his account of his reception by the British General, had been received by Scindia, and determined that unsteady chief to send him the requisite powers. They arrived in the British camp a few hours after the conference on the disavowal had taken place, but were still defective in one essential point; for amendment in respect to which, the General advised Gorparah and his colleague again to apply. In the mean time, he solicited an armistice, and that for both confederates. This, as no ambassador, or expression of a desire for peace, had yet arrived from the Rajah of Berar, and as it was impolitic to allow the hostile Princes to negotiate in common, Wellesley positively refused, in regard to the other chieftain; but granted to Scindia for the troops in the Deccan. It was dated on the 23d of November; requiring, that Scindia should take up a position agreed upon, and not approach the British camp nearer than a distance of twenty coss. Calculating upon the division of the confederates; finding that

the Rajah of Berar was proceeding towards his own territories, that the number of troops he had with him was small, and diminishing every day; ceasing, in consequence, to have any apprehension for the territories of the Nizam, Wellesley descended the Ghaut by Rajoora, with a view to support, and cover the operations of Stephenson against the fort of Gawilghur. The principal part of the army of the Rajah of Berar was encamped under the command of his brother, Munno Bappoo, not far from Elichpoor. And the cavalry of Scindia, who had not yet ratified the armistice, was encamped at about four miles distance. Colonel Stephenson had advanced as far as Hattee Anderah, on the 28th of November; when, being apprised of the situation of the enemy, and the approach of General Wellesley, he prudently halted to enable both armies to co-operate in the attack. They joined, on the 29th, at a place within sight of the enemy's camp. Upon the approach of the British, the enemy retired; and as the troops had performed a very long march on a very hot day, the General had no intention of pursuit. Bodies of horse were in a little time observed in front. And on pushing forward the picquets for taking up the ground of encampment, the enemy were distinctly perceived, drawn up regularly on the plains of Argaum. Late as was the period of the day, the General resolved to attack. The distance was about six miles. The British army advanced in a direction nearly parallel to that of the enemy's line, in one column, led by the British cavalry, and covered on the left and rear by the cavalry of Hyderabad and Mysore. The enemy's line extended above five miles. Scindia's part of the force, consisting of one very heavy body of cavalry, was on the right, having some Pindarees and other

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light troops, on their outward flank. The village of Argaum, with its extensive enclosures and gardens, was in the rear of the enemy's line; in its front was a plain, cut by a number of water courses. The British army was formed in two lines; the infantry in the first; the cavalry in the second, the British, to support the right, the Mogul and Mysore, the left. The British line was not formed exactly parallel to that of the enemy, but with the right a little advanced to press upon the enemy's left. Some time was spent in forming the order of battle, because part of the infantry which led the column got into some confusion. As soon as the line was formed, the whole advanced in the greatest order. Two regiments on the right were attacked by a large body of Persians, as was supposed, whom they destroyed; a battalion also on the left received and repulsed a charge of Scindia's cavalry. As the British line advanced, the enemy retired in disorder, leaving thirty-eight pieces of cannon, with their ammunition, in the hands of the assailants. The cavalry continued their pursuit by moonlight; but night rendered it impossible to derive many advantages from the victory. The British loss, in this battle, if battle it may be called, was trifling; total in killed, wounded, and missing, 346.[1]

After the battle of Argaum, the General resolved to lose no time in commencing the siege of Gawilghur. He arrived at Elichpoor on the 5th of December, where he endeavoured to collect information for the attack. Gawilghur stands upon a lofty point of a ridge of mountains between the sources of the rivers Poona and Taptee. It consisted of two forts; the inner, fronting to the south where the rock is most precipitous; and the outer, covering the former,

toward the north-west and north. Upon deliberation it appeared adviseable to make the principal attack upon the northern side. To this service the corps of Colonel Stephenson was destined, having been equipped for that purpose at Asseerghur. On the 7th, both divisions of the army marched from Elichpoor; that under Colonel Stephenson, by a road of about thirty miles in length, through the mountains, the road which led most directly to the point of attack; that under General Wellesley, with all the cavalry, in a different direction, with a view to cover, and if possible assist them, by other attacks on the south and the west. The march of Colonel Stephenson, through the mountains, was attended with almost insuperable difficulties. The heavy ordnance, and stores, were dragged by hand, over mountains, and through ravines, for nearly the whole distance, by roads which it had been previously necessary for the troops to make. On the 12th, Colonel Stephenson reached his ground, and at night erected two batteries in front of the north face of the fort. On the same night the troops of General Wellesley constructed a battery on the mountain under the southern gate; but as it was impossible to get up the heavy guns, it proved of little advantage. On the evening of the 14th, the breaches in the walls of the outer fort were practicable. Preparations were made during the day; and the assault was to be given on the following morning. Beside the party destined for the storm, two detachments were led, one toward the southern, another toward the north-west gate, for the purpose merely of drawing the attention of the enemy, as neither of them could get into the fort till the storming party should open the gates. The troops advanced about ten o'clock; and the outer fort was soon in possession of the assailants. The wall of the inner fort was then to be carried. It had not been breached, and attempts were made in vain upon the gate. A place, however, was found, at which the wall might be escaladed, when Captain Campbell mounted with the light infantry of the 94th regiment, and opened the gate. After this the garrison made no resistance. “Vast numbers of them,” says the General, “were killed, particularly at different gates.”

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While the two great divisions of the British army were thus engaged, the minor objects of the war had been no less successfully pursued.

The detachment of British troops which had been assembled at Allahabad, under the command of Lieutenant-Colonel Powell, for the occupation of Bundelcund, crossed the Jumna, and entered that province, on the 6th of September. The situation of the province at that period was briefly as follows.

Chuttersaul, having succeeded a long line of Hindu ancestors, in the Rajahship of Bundelcund, of whom a considerable number had existed in the state of vassals to the Mogul throne, availed himself of the decline of that monarchy, not only to re-establish his independence, but enlarge his dominions. Alarmed, however, at the prospect of what was likely to follow from the power and disposition of his Mahratta neighbours, he sought for protection to his house, by securing the favour of the most powerful of the Mahratta leaders. For this purpose, though the father of a numerous offspring, he adopted Bajee Rao, the first Peshwa, as his son; and left him a third part of his dominions. The rest he divided equally between two of his sons. Further subdivisions took place in succeeding generations. Jealousies arose among the different branches

of the family; and wars ensued. The country, as was the habitual state of Hindu countries, was perpetually ravaged by hostile contentions;
and at last so much enfeebled, that it offered an easy prey to any invader.



When Scindia made his conclusive attempt, in 1786, upon the expiring sovereignty of Delhi, the Peshwa joined in the expedition, with a view of joining also in the plunder. His object was to obtain the Dooab, or district between the Jumna and Ganges; and he placed Ali Bahaudur, the grandson, by an illegitimate father, of Bajee Rao, the first Peshwa, whom he destined to govern it in his name, at the head of the troops whom he sent to join in the expedition. In the course of the enterprise, a breach ensued between Scindia and Ali Bahaudur, who was joined by another chief, named Rajah Himmut Bahaudur. Frustrated in their views upon the Dooab, which Scindia destined, probably from the beginning, for himself, these two chieftains directed their arms against Bundelcund. From the distracted state of the country, it was speedily over-run, and apparently subdued; but in a mountainous region, where every village was a fortress, the authority of the Mahratta government was not easily, indeed never completely, established. Ali Bahaudur agreed to yield obedience and tribute to the Peshwa, the latter of which was never in his power. He died in 1802, having spent fourteen years without completing the reduction of Bundelcund, one of the fortresses of which, the celebrated Callinger, he was fruitlessly besieging at the time of his death. His son, Shumshere Bahaudur, eighteen years of age, was then resident at Poona; and the Rajah Himmut Bahaudur, who had always retained a great share of power, and who now found the government at his disposal, appointed a distant relation of the family, regent, during the absence of the prince. In this situation were the affairs of
Bundelcund, when the Peshwa was driven from Poona, and the war broke out between the British government and the Mahratta chiefs.



In the month of August, 1803, certain alterations were agreed upon between the British government and the Peshwa, in the terms of the treaty of Bassein. Of these the principal were, that the English, in lieu of some of the ceded districts, and as a compensation for an additional number of subsidized troops, should accept of territory in Bundelcund, which it remained for them to subdue, yielding, by estimate, a revenue of 36,16,000 rupees.1 As Himmut Bahaudur, in the probable success of the English, anticipated the loss of his own power, he ingeniously resolved to assist them in their project, on condition of obtaining an advantageous indemnity to himself. He was accordingly ready, with a force of about 13,000, or 14,000 men, as soon as the detachment of the British army entered the territory of Bundelcund. He joined the detachment on the 15th of September; on the 23d they arrived, in conjunction, on the bank of the river Cane; and found the troops of Shumshere Bahaudur, a considerable force, encamped on the opposite side. After reducing several forts, and establishing the British authority in the adjacent district, they crossed the Cane on the 10th of October; and on the 12th gave battle to Shumshere Bahaudur; who retreated with loss, and shortly after, despairing of his ability to maintain the contest, crossed the river Betwah, and retired from the province.

For seizing the province of Cuttack, a part of the northern division of the Madras army, doing duty in the northern Circars, was destined to march from Ganjam, and to be reinforced by a detachment of 6,216 men from Bengal. Of this detachment, a body of 854 were collected at Jallasore, to be ready to penetrate into Cuttack, as soon as the movements of the principal force should render it necessary; 521 were to take possession of Ballasore; and 1,300 were to occupy a post at Midnapore, with a view to support the detachments at Jallasore and Ballasore, and afford protection to the Company's frontier against any sudden incursion of the Rajah's horse. Lieutenant-Colonel Campbell, the officer chosen to conduct this expedition, having been seized with an illness, which threatened his life, Lieutenant-Colonel Harcourt was appointed to act in his stead.



The troops marched from Ganjam on the 8th of September, and on the 14th took possession of Manickpatam, whence the Mahrattas fled upon their approach. Application was made to the Brahmens of Juggernaut to place the Pagoda under British protection: and with this they complied. The next object was Cuttack; but the inundations produced by the rains allowed not the march to begin before the 24th of September, and even then rendered it so laborious and slow, being also, in some degree, harassed by parties of the enemy's horse, that it was not completed before the 10th of October. The town yielded without resistance, and operations were begun for the reduction of the fort. Of the other detachments, that appointed to take possession of Ballasore had there landed on the 21st of September, and soon overcame all the resistance by which it was opposed. The detachment formed at Jallasore left that place on the 23d of September, and on the 4th of October arrived without opposition at Ballasore. On the 10th of that month, a force of 816 men marched from Ballasore, by order of the Governor-General, to aid Lieutenant-Colonel Harcourt in the reduction of Cuttack.



Barabutty, the fort of Cuttack, was a place of considerable strength, and had only one entrance, by a bridge, over a wet ditch of enormous dimensions. A battery, which opened on the morning of the 14th, in a few hours took off nearly all the defences, and silenced the guns on one side, when it was resolved immediately to try the assault. In passing the bridge, the storming party, headed by Lieutenant-Colonel Clayton, were exposed to a heavy, but ill-directed fire of musquetry from the fort; and forty minutes elapsed before they succeeded in blowing open the wicket, at which the men entered singly. Two other gates were forced after some resistance; when the enemy hastened to abandon the fort. The fall of this place delivered the whole of the province of Cuttack into the hands of the English.[1]

The conquest of Scindia's territories in Guzerat was made by a force from Bombay, consisting of one European regiment, with a proportion of artillery and sepoys, commanded by Lieutenant-Colonel Woodington. They marched from Baroda on the 21st of August, and encamped within two miles of Baroach on the 23d. Though the next day, when the English advanced upon the place, the enemy were seen posted, as for resistance, in front of the pettah, they were soon compelled to retreat within the fort. Next morning Colonel Woodington took possession of the pettah; and on the 29th the breach in the fort was reported practicable. The storming party were led by

Captain Richardson, and displayed the virtues seldom wanting in British troops on such an occasion. The enemy resisted with considerable spirit, for a little time; but then fled, with slight loss to the assailants. After the capture of Baroach, and its dependencies, yielding a revenue of eleven lacs of rupees, Colonel Woodington proceeded against Champaneer, the only district which Scindia now possessed in the province of Guzerat. It was defended by a fort, on Powanghur, one of the detached hills, which form so many places of great natural strength in India. Champaneer, the pettah, was carried by assault with inconsiderable loss. At first the Kelledar of the fort refused to surrender; but, on the 17th of September, when preparations were made for the assault, he capitulated, and the fort was occupied by the British troops.[1]



The Mahratta chieftains were now eager to escape by negotiation the ruin which their arms were unable to avert. On the evening of the 30th of November, the day after the battle of Argaum, a vakeel arrived, bearing a letter from the Rajah of Berar, and requesting a conference with the British General. First, a discussion arose about the origin of the war; the vakeel maintaining, that the British government; General Wellesley maintaining, that the Rajah was the aggressor. The vakeel alleged, that the war commenced, because the Rajah did not obey the orders of Colonel Collins, in withdrawing with his troops: Wellesley affirmed that the war commenced, because the Rajah, along with Scindia, had assumed a position which threatened the British allies. The vakeel contended, that the troops of the Rajah were on his own territory; that his presence there was necessary, both because the contest between Scindia and Holkar was destructive to Hindustan, and because the peshwa had made a treaty with the English, contrary to the custom of the Mahratta states: Wellesley replied, that for mediation between Scindia and Holkar, the position taken by the Rajah was unnecessary, and that with the treaty of the Peshwa the English would give him no leave to interfere. The vakeel, as the representative of the weakest party, at last declared, that, however the war began, his master was very desirous of bringing it to an end. He was then questioned about his powers, but said he had only a commission to learn the wishes of the British General, and to express the desire of the Rajah to comply. Compensation, for the injuries of aggression, and for the expenses of the war, was declared to be the only basis on which the English would treat. The vakeel applied for a suspension of arms, which was absolutely rejected; and leave to remain in camp, till he should receive powers sufficient to treat, which was also refused; and he was advised to take up his intermediate residence in some of the neighbouring towns.

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A second conference took place on the 9th of November, when the vakeel produced letters from the Rajah, expressing assent to the conditions which the British General had presented for the basis of negotiation. The cessions, demanded by the English to effect the stipulated compensation, were then described: For the Company the whole of the province of Cuttack, including the port of Ballasore: For their ally the Nizam, the country lying between his own frontier and the river Wurda to the eastward, and between his own frontier and the hills in which are situated the forts of Gawilghur and Nernulla, to the northward; together with renunciation of all the claims which the Rajah might have ever advanced on any part of his dominions: And for their other

allies, any of the Zemindars and Rajahs, the tributaries or subjects of the Rajah, with whom the English had formed connections during the war, the confirmation of all their engagements. The vakeel exclaimed against the exorbitance of these demands, which were
sufficient, he said, not only to reduce, but entirely to destroy the state of his master.



"Major General Wellesley replied, that the Rajah was a great politician; and ought to have calculated rather better his chances of success, before he commenced the war; but that having commenced it, it was proper that he should suffer, before he should get out of the scrape."[1]

After several discussions, in which General Wellesley relaxed only so far as to reserve to the Rajah the forts of Gawilghur and Nernulla, with contiguous districts yielding four lacs of annual revenue, the terms of the treaty were arranged on the 16th, and signed by the British General and the Mahratta vakeel, on the 17th of December, 1803. The forts were left to the Rajah, as not being calculated to be of much advantage to the Nizam, while they were necessary to the Rajah, for coercing the predatory people on the hills; and the contiguous districts were granted, in order to leave him an interest in restraining the depredators, to whose incursions these districts, together with the rest of the adjoining country, were continually exposed. Of the country, to which the Rajah was thus obliged to resign his pretensions, he had possessed but a sort of divided sovereignty, in conjunction with the Nizam. It was originally a part of the Subah of Deccan; but the Mahrattas had established over it a claim, at first to one-fifth, afterwards by degrees to one half, at last to four-fifths, and in some parts to the whole, of the revenues. Though an extensive and fertile country, it was not, however, computed that the Rajah had annually realized from it more than thirty lacs of rupees.

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To some other articles; as, the exclusion from his service of Europeans and Americans, the mutual appointment of resident ambassadors, and the renunciation of the confederacy; scarcely any objection was experienced on the part of the Rajah.[1]

If he had not prevented further hostilities by compliance, the British General was prepared to pursue him to Nagpoor, the capital of his dominions, while the troops in Sumbulpore and Cuttack were ready to co-operate, and General Lake, having subdued all opposition in Hindustan, was at liberty to detach a force into Berar.[2]

At the very time of negotiation, the Governor-General prepared a copious delineation of his views respecting the objects to be obtained by concluding treaties of peace with the belligerent chiefs, and sent it, bearing date the 11th of December, under the title of Instructions, to General Wellesley. Even now the formation of what is called a defensive alliance with Scindia, that is, the substitution in the service of Scindia of the Company's troops to Scindia's own troops, was an object of solicitude with the British ruler: And he prepared two plans of concession; one on the supposition of his accepting; another on the supposition of his rejecting, the proposition of a subsidiary force. The singular part of the offer was; to maintain the subsidiary force, if equal to that which was placed at Hyderabad, without any expense to Scindia, and wholly at

the Company's expense; for it was distinctly proposed, that for the expense of that force, no assignment of territory beyond that of which the cession would at all events be exacted of him, nor any other funds whatsoever, should be required.[1]



By the ratification of the treaty with the Rajah of Berar, the whole of the forces under General Wellesley were free to act against Scindia: The troops which had been employed in reducing the possessions of that chief in Guzerat, having accomplished that service, were now ready to penetrate into Malwa to his capital, Ougein, for which purpose they had actually marched to the frontier of Guzerat: And the detachment which had been prepared by General Lake to co-operate in the subjugation of Berar, might now commence operations on the unsubdued dominions of Scindia.[2]

It was not till the 8th of December that the various artifices of that chieftain, to procrastinate, and to evade the proposition of admitting compensation as the basis of negotiation, were terminated. His vakeels insisted that, as his losses were still greater than those of the English, if compensation were the question, it was to him that the greater compensation would be due. It was answered, that he was the aggressor. But this was the point in debate; this was what Scindia denied. He was given, however, to understand, that he was the unsuccessful party, and of this he had a bitter and certain experience. A long discussion ensued on the cessions to which, under the title of compensation, the English laid claim. A further conference took place on the 11th. Other conferences followed, on the 24th, the 26th, and the 28th; when compliance was expressed with the terms, from which it was found that the English would not recede. On the following day, the treaty was signed. The Maharajah ceded all his rights of sovereignty, in the country between the Jumna and the Ganges, and to the northward of the territories belonging to the Rajahs of Jeypoor, Jodepoor, and Gohud; he ceded the fort and territory of Baroach; the fort and territory of Ahmednugger; all the possessions which he had held on the south side of the Adjuntee hills to the Godavery river; all claims upon his Majesty Shah Aulum, or to interfere in his affairs; and all claims of every description upon the British government, or any of its allies, the Subahdar of the Deccan, the Peshwa, and Anund Rao Guyckwar. Provision was made for the independence of all those minor states, in the region of the Jumna, which had formerly borne the yoke of Scindia, but had made engagements with the English during the recent war. The fort of Asseerghur, the city of Boorhanpore, the forts of Powanghur, and Gohud, with the territories depending upon them, were restored. Scindia was also allowed to retain certain lands in the vicinity of Ahmednugger; and within the cessions which he had made in the north, his claims were allowed to certain lands which he represented as the private estates of his family, and to the possession of which none of the rights of sovereignty were to be annexed. Certain jaghires and pensions, which Scindia or his predecessor had granted to individuals, either of their family, or among their principal servants, in the ceded countries, or upon their revenues, were confirmed, to the amount of seventeen lacs of rupees per annum. Scindia most readily engaged not to receive into his service any Frenchman, or the subject of any European or American power, that might be at war with the British government. Lastly, an article was inserted, leaving the way open to form afterwards

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an additional treaty for a subsidiary alliance; which, in this case, was not to be subsidiary;
for the English government stipulated to afford the troops their pay and subsistence, without compensation either in money or land.



Of these cessions it was agreed, between the British government and its allies, that the territory, situated to the westward of the river Wurdah and the southward of the hills on which were the forts of Gawilghur and Nernulla, together with the territory between the Adjuntee hills and the river Godavery, should belong to the Nizam; that Ahmednuggur and its territory should belong to the Peshwa, to whose capital it so nearly approached; and that all the rest should belong to the English. The minor princes, in the region of the Jumna, who formerly bore the yoke of Scindia, and whom it was the policy of the Governor-General now to render dependent upon the British government, and to form of them a sort of barrier on the British frontier against any aggression of the Mahratta powers, were the Rajahs of Bhurtpore, Jodepore, Jyepoor, Macherry, and Boondee, the Ranah of Gohud, and Ambagee Rao Englah.

With the first five of these minor princes, who were already in possession of acknowledged sovereignties, treaties of alliance were formed, on condition that the English should take no tribute from them, nor interfere in the affairs of their government; that, in case of the invasion of the Company's territory, they should assist in repelling the enemy; and that the Company should guarantee their dominions against all aggression, they defraying the expense of the aid which they might receive. The case of the remaining two chieftains required some further arrangements. The Ranah of Gohud had been dispossessed of his territories by Scindia; and all of them, together with the neighbouring districts, had been consigned to Ambajee, one of Scindia's leading commanders, as renter. Ambajee had deserted Scindia during the war; and it was now determined to make a partition, in sovereignty, of the territories which he rented, between him and the Ranah of Gohud, reserving the fort and city of Gualior to the Company. The same condition was contracted, as in the case of the other three princes, respecting mutual defence; but it was appointed that three battalions of the Company's sepoys should be stationed with the Ranah, and paid for by him, at the rate of 75,000 rupees a month.[1]



The condition to which Scindia was reduced, by the war, and by the sacrifices which he had made for the attainment of peace, excited in his breast the liveliest apprehensions with regard to the power and designs of Holkar; and he now applied himself in earnest to interpose, if possible, the shield of the Company between himself and this formidable antagonist. By one expedient alone, was he permitted to hope, that this important object could be attained; by entering into the system of general alliance, and subsidiary defence. It was agreed, accordingly, that Major Malcolm should repair to the camp of Scindia, to settle the terms of a treaty of this description. The business was accomplished, and the treaty signed at Boorhampore on the 27th of February, 1804. There were two remarkable circumstances. One was, the price which the Governor-General consented to pay

for the supposed advantage of placing a body of British troops at the disposal of Scindia, and pledging the English government for his defence. The amount of the force defined by the treaty was 6000 infantry, and the usual proportion of artillery. These troops were to be maintained entirely at the expense of the English government, with the proceeds of the newly-acquired dominions; and that they might not establish an influence in Scindia's government, they were not even to be stationed within his territory, but at some convenient place near his frontier within the Company's dominions. The other remarkable circumstance was, not the condition by which the English government made itself responsible for the defence of the dominions of Scindia, but that, by which it engaged to make itself the instrument of his despotism; to become the executioner of every possible atrocity towards his own subjects, of which he might think proper to be guilty. It bound itself, by an express stipulation, not to interfere between him and his subjects, how dreadful soever his conduct in regard to his subjects might be. But the moment his subjects should take measures to resist him, whatsoever the enormities against which they might seek protection, the English government engaged, without scruple, and without condition, to act immediately for their *suppression and chastisement.* Where was now the doctrine of the Governor-General for the deposition of princes whose government was bad? Where was the regard to that disgrace which, as he told the princes whom he deposed, redounded to the British name, whenever they supported a government that was bad?

In forming his connexions with other states, either for war or peace, the Maharajah bound himself to



the slight condition of only consulting with the Company's government, but by no means of being governed by its decisions; and in any war to be carried on by their mutual exertions it was agreed, without any mention made of the proportion of troops, that in the partition of conquests the shares should be equal. The stipulation with regard to Frenchmen and other Europeans, or Americans, was made still more agreeable to the taste of the times; for it was promised by Scindia that he would allow no such person to remain in his dominions without the consent of the Company's government.[1]

The Governor-General seemed now to have accomplished the whole of his objects; and lofty was the conception which he formed of the benefits attained. The famous official document, which has been already quoted, “Notes, relative to the peace concluded between the British government and the confederate Mahratta chieftains,” concludes with “a general recapitulation of the benefits which the British government in India has derived from the success of the war, and from the combined arrangements of the pacification, including the treaties of peace, of partition, and of defensive alliance and subsidy.” It exhibits them under no less than *nineteen* several heads: 1. The reduction of the power and resources of Scindia and the Rajah of Berar; 2. The destruction of the French power; 3. The security against its revival; 4. The annexation to the British dominions of the territory occupied by Perron; 5. The annexation of other territories in the Dooab, and the command of the Jumna; 6. The deliverance of the Emperor Shah Aulum from the control of the French; 7. The security and influence derived from the system of alliance with the petty states along the Jumna

against the Mahrattas; 8. The security and influence derived from the possession of Gualior, and the subsidiary force established in Gohud; 9. The means of defence derived from these same fountains against any other enemy on the north-western frontier; 10. The advantages both in security and wealth derived from Cuttack; 11. The advantages derived from the possession of Baroach, which left Scindia no direct communication with the sea, or with the transmarine enemies of the British government; 12. The security derived from Baroach against the intrigues of the French with any native state; 13. The additional security bestowed upon the British interests in Guzerat, by the possession of Baroach, and the abolition of Scindia's claims on the Guyckwar; 14. The revenue and commerce derived from Baroach: 15. The benefits bestowed upon the Peshwa and Nizam; 16. The increased renown of the British nation, both for power and virtue; 17. The "defensive and *subsidiary*[1] alliance" with Dowlut Rao Scindia; 18. The power of controlling the causes of dissension and contest among the Mahratta states; the power of keeping them weak; the power of preventing their combination with one another, or with the enemies of the British state; 19. The security afforded to the Company and its allies from the turbulence of the Mahratta character and state.[2]

This is exhibited as an instructive specimen of a good mode of making up an account.

After this enumeration, the document breaks out into the following triumphant declaration: "The general arrangements of the pacification; combined with the treaties of partition, with the defensive and subsidiary alliance now concluded with Dowlut Rao Scindia, with the condition of our external relations and with the internal prosperity of the British empire: have finally placed the British power in India, in that commanding position with regard to other states, which affords *the only possible security for the permanent tranquillity and prosperity of these valuable and important possessions."*

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It is material here to mark, what is thus solemnly declared, by one of the most eminent of all our Indian rulers; that without that artificial system, which he created, of subsidiary troops, and dependance, under the name of alliance, there is no such thing as security for "the British empire in the East."[1]

The document goes on to boast, that the troops, thus bestowed upon the Peshwa, the Nizam, Scindia, the Guyckwar, and Ranah of Gohud, would exceed 24,000 men; that all these would be maintained at the expense of those allies, which was incorrect, as Scindia paid nothing for the 6000 alloted to him; that this amount of troops would always be maintained in a state of perfect equipment, and might be directed against any of the principal states of India, without affecting the tranquillity of the Company's possessions, or adding materially to its expenses.

It then declares: "The position, extent, and equipment of this military force, combined with the privilege which the British government possesses of arbitrating differences and dissensions between the several states with which it is connected by the obligations of alliance, enable the British power to control the causes of that internal war which, during so long a term of years, has desolated many of the most fertile

provinces of India; has occasioned a constant and hazardous fluctuation of power among the native
states; has encouraged a predatory spirit among the inhabitants; and formed an inexhaustible source for the supply of military adventurers, prepared to join the standard of any turbulent chieftain for the purpose of ambition, plunder, or rebellion. No danger can result from the operation of our defensive alliances, of involving the British government in war; excepting in cases of manifest justice, and irresistible necessity. The power of arbitration, reserved in all cases by the British government, not only secures the Company from the contingency of war, in the prosecution of the unjust views of any of our allies, but affords a considerable advantage in authorizing and empowering the British government to check, by amicable negotiation, the primary and remote sources of hostilities in every part of India."[1]



When extracted from these sounding words, the meaning is, that the British government in India had obtained two advantages; 1. an enlargement of revenue; 2. increased security against the recurrence of war, or the evils of an unsuccessful one.

> 1. Additional revenue is only useful, when it is not balanced by an equal increase of expense. The Governor-General talks loudly of the additional revenue; but not a word of the additional expense. If we had no more evidence but this, it would be a legitimate inference, that the expense was omitted because it would not have been favourable to his argument to speak of it. We have abundant general evidence that the expense of governing enlarged territory, in almost all places, though more especially in India, equals, or more frequently surpasses, all the revenue which it is possible to draw from it. We
> shall presently see in what degree the facts of the present case conform to the general rule. If it turns out that the expense of governing the new territory is equal to its revenue, it follows that the enormous expense of the war, generated by the treaty of Bassein, and by the passion of the Governor-General for subsidiary alliances, remained altogether without compensation on the score of money. 2. Let us inquire, if there is more solidity in the alleged advantage, in which, single and solitary, the whole compensation for the war remains to be sought, viz. security against the evils of war.

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Now at first view it would appear that an obligation to defend a great number of Indian states, an obligation of taking part in all their miserable and never-ending quarrels, was of all receipts the most effectual, for being involved almost incessantly in the evils of war.

This increased exposure to the evils of war was far outweighed, according to the Governor-General, by the power of preventing war through the influence of the subsidiary troops.

Unfortunately the question which hence arises admits not of that degree of limitation and precision which enables it to receive a conclusive answer. The probabilities,

though sufficiently great, must be weighed, and without any fixed and definite standard.

One thing, in the mean time, is abundantly certain, that if the East India company was able to keep any Indian state from going to war, this must have been, because it was the master of that state, because that state was dependant upon the East India Company, and bound in all its concerns to obey the Company's will. But if this were the case, and if the native governments were thus deprived of all independent power, infinitely better would it have been, to have removed them entirely. Two prodigious advantages would thus have been gained; the great expense of keeping them would have been saved; and the people in the countries under them would have been delivered from the unspeakable miseries of their administration; miseries always increased to excess by the union of a native, with the British, government. But, to place this question on the broadest basis: The policy of taking the whole of the Mahratta country immediately under the British government would either have been good, or it would have been bad. If it would have been good, why was it not followed; when the power was not wanting, and when the right of conquest would have applied with just as much propriety to the part that was not done, as the part that was? If it would not have been good policy to take the whole of the Mahratta country under the British government; in other words, to have had the responsibility of defending it with the whole of its resources; it was surely much worse policy to take the responsibility of defending it, with only a part of those resources.



Another question, however, may be, not whether something better than the defensive alliances might not have been done, but whether something might not have been done that was worse; whether, if the government of the Mahratta princes was not entirely dissolved, it was not better to bind them by defensive alliances, than to leave them unbound; whether, according to the Governor-General, the British state was not more exempt from the danger of war, with the alliances, than without them.

To answer this question, it must be maturely considered, under what danger of war the British government would have been placed, without the alliances. It is not the way to arrive at a just conclusion,
to set out with allowing that this danger was just any thing which any body pleases. It may be pretty confidently affirmed, that with good government within their own territories, under the known greatness of their power, the English were almost wholly exempt from the danger of war; because, in this case, war could reach them through but one medium, that of invasion; and from invasion, surely, they had little to dread.



Allowing then, that the subsidiary alliances were a scheme calculated to prevent the danger of war; as far as regards the British government, there was little or nothing of that sort to prevent; the subsidiary alliances were a great and complicated apparatus, for which, when got up, there was nothing to do; a huge cause prepared when there was no effect to be produced.[1]

This is decisive in regard to the practical question. In speculation, another question may still be raised; namely, whether, if the British state had been exposed to the danger of wars, the scheme of the subsidiary alliances was a good instrument for preventing them. In India, as in all countries in corresponding circumstances, one thing saves from aggression, and one thing alone, namely, power; the prospect which the aggressor has before him, of suffering by his aggression, rather than of gaining by it. The question, then, is shortly this; did the subsidiary alliances make the English stronger, in relation to the princes of India, than they would have been without those alliances?



The subsidiary alliances yielded two things: they yielded a portion of territory: and they yielded a certain position of a certain portion of British troops. In regard to the territory, it may, at any rate, be assumed, as doubtful, whether, in the circumstances of the British state, at the time of the treaty of Bassein, it could be rendered intrinsically stronger by any accession of territory; since, by act of parliament, the question stands decided the opposite way: much more, then, is it doubtful, whether it could be rendered stronger by an accession of territory, which imported the obligation and expense not merely of defending itself, but of defending the whole kingdom to which it was annexed. It will not, then, be assumed, that the mere territory gotten by the English was the circumstance looked to for preventing the evils of war. If it was that, the territory might have been taken without the alliances.

The only remaining circumstance is, the position of the troops. For as to the other conditions, about not holding intercourse with other states, except in conjunction with the English, these were merely verbal; and would be regarded by the Indian governments, just as long, as they would have been regarded without the alliance; namely, as long as the English could punish them, whenever they should do what the English would dislike.

Now, surely, it is not a proposition which it will be easy to maintain, that a country is stronger with regard to its neighbours, if it has its army dispersed in several countries; a considerable body of it in one country, and a considerable body in another, than if it has the whole concentrated within itself; and skilfully placed in the situation best calculated to overawe any neighbour from whom danger may be apprehended. There are many combinations of circumstances in which this would be a source of weakness, much more than of strength.

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If it is said, that the position of the English subsidiary troops, with a native prince, imported the annihilation, or a great reduction, of his own force; this, in the circumstances of India, cannot be regarded as a matter of almost any importance. In a country swarming with military adventurers, and which fights with undisciplined troops, an army can always be got together with great rapidity, as soon as a leader can hold out a reasonable prospect that something will be gained by joining his standards. The whole history of India is a proof, that a man who is without an army to-day, may, if he has the due advantages, tomorrow (if we may use an eastern hyperbole) be surrounded by a great one. Of this we have had a great and very recent example, in

the army with which Holkar, a mere adventurer, was enabled to meet, and to conquer Scindia, the most powerful native prince in India.

It was, in a short time, as we shall see, found by the British government itself, that it could regard the presence of subsidiary troops as a very weak bridle in the mouth of a native prince, when he began to forget his own weakness. The weakness, in fact, was the bridle. If he remained weak, that was enough, without the subsidiary troops. If he grew strong, the subsidiary troops, it was seen, would not long restrain him.

I cannot aim at the production of all those circumstances, on both sides of this question, which would be necessary to be produced, and to be weighed, to demonstrate accurately the probabilities of good or of evil, attached to such a scheme of policy, as that of
the subsidiary alliances of Governor-General Wellesley. I have endeavoured to conduct the reader into the paths of inquiry; and leave the question undecided.



In summing up the account of the treaty of Bassein, we can only, therefore, approach to a determinate conclusion. On the one side, there is the certain and the enormous evil, of the expenditure of the Mahratta war. Whether the subsidiary alliances, which were looked to for compensation, were calculated to yield any compensation, and did not rather add to the evils, is seen to be at the least exceedingly doubtful. The policy of the treaty of Bassein cannot, therefore, be misunderstood.

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# CHAP. XIII.

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BOOK VI. Chap. 13. 1805.

When the English were freed from the burthen and the dangers of the war with Scindia and the Rajah of Berar, they began to think of placing a curb on the power of Jeswunt Rao Holkar. Though Holkar had engaged, and upon very advantageous terms, to join with the other chieftains, he had abstained from co-operation in the war against the English; and though he had committed some ravages on a part of the Nizam's territory, toward the beginning of the war; the Governor-General had not held it expedient to treat this offence as a reason for hostilities: Holkar, on the other hand, had been uniformly assured that the English were desirous of preserving with him the relations of peace.

In the month of December, 1803, Holkar, having marched towards the territory of the Rajah of Jyenagur, took up a position which threatened the security of this ally of the British state. At the same time, he addressed letters to the British Commander-in-Chief, containing assurances of his disposition to cultivate the friendship of the British government. But a letter of his to the Rajah of Macherry, suggesting to him inducements to withdraw from the British alliance, was communicated by that Rajah to the Commander-in-Chief; further correspondence of a hostile

nature was discovered; and intelligence was received of his having murdered three British subjects in his service, on a false charge that one of them had corresponded with the Commander-in-Chief. It appeared imprudent to remove the army of the Commander-in-Chief from the field, till security was obtained against the projects of Holkar.

The determination which hitherto had guided the conduct of the Governor-General, that he would abstain from the dispute in the Holkar family respecting the successor of Tuckojee, still operated in his mind. And he authorized the Commander-in-Chief to conclude an arrangement with Jeswunt Rao, engaging, on the part of the British government, to leave him in the unmolested exercise of his authority, provided he would engage to abstain from all aggression upon the British or their allies.

The Commander-in-Chief addressed a letter to Holkar, dated the 29th of January, 1804, in conformity with the instructions which he had received; inviting him to send vakeels to the British camp for the purpose of effecting the amicable agreement which both parties professed to have in view; but requiring him, as a proof of his friendly intentions, to withdraw his army from its menacing position, and abstain from exactions upon the British allies. At the same time the British army advanced to Hindown, a position which at once commanded the principal roads into the Company's territory, and afforded an easy movement in any direction which the forces of Holkar might be found to pursue. On the 27th of February an answer from that chieftain arrived. It repeated the assurance of his desire to cultivate the friendship of the British government, and expressed his intention to withdraw from his present position, and send a vakeel to the British camp. In the mean time, however, letters were intercepted, addressed by Holkar to

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subjects and allies of the British government, exciting them to revolt, and stating his design of sending troops to ravage the British territories. The Commander-in-Chief made an amicable reply to his letter; but warned him, at the same time, against the practices in which he had begun to indulge. And on the 16th of March two vakeels from Holkar arrived in the British camp.

They were commissioned to demand; 1. leave to collect the choute according to the custom of his ancestors; 2. certain possessions formerly enjoyed by his family, namely, Etawah, twelve pergunnahs in the Doab, one in Bundelcund, and the country of Hurriana; 3. the guarantee of the country which he there possessed; 4. a treaty similar in terms to that which had been concluded with Scindia. These demands were treated as altogether extravagant; and the vakeels, after receiving a remonstrance on the continuance of their master in his present threatening position, departed from the camp, bearing to him another letter from the Commander-in-Chief. In this, Holkar was invited to send again a confidential agent, with powers to conclude an arrangement on terms in which the British government would be able to concur. In the mean time, he had addressed a letter to General Wellesley; containing a demand of certain territories, which he said belonged to his family in Deccan; and intimating that, notwithstanding the greatness of the British power, a war with him would not be without its evils; for “although unable to oppose their artillery in the field, countries of many coss should be over-run, and plundered, and burnt; that they should not have

leisure to breathe for a moment, and that calamities would fall on lacs of human beings in continued war by the attacks of his army, which overwhelms like the waves of the sea." An answer, however, to the letter of the Commander-in-Chief was received in the British camp on the 4th of April; still evading either acceptance or rejection of the simple proposition of the British Commander, and urging his pretensions to something like the terms he himself had proposed. That letter drew another from the Commander-in-Chief, applauding the forbearance of the British government, and assuring Holkar that he would best consult his own interest by complying with its demands.[1]



Holkar, though fully aware of the hatred towards him in the bosom of Scindia, was not deterred from the endeavour of opening a negotiation, or at any rate of giving himself the benefit of an apparent intrigue, with that chieftain. A vakeel of his arrived in the camp of Scindia, on the 5th of February, 1804. The account, which Scindia and his ministers thought proper to render of this event to the British resident in his camp, was liable to suspicion, on the one hand from the extreme duplicity of Mahratta councils, on the other from the extraordinary desire which appeared on the part of Scindia to produce a war between that rival and the British government. They said, that the vakeel had endeavoured to prevail upon Scindia to accommodate his dispute with Holkar, and form a union for the reduction of the British power, the continual augmentation of which could be attended with nothing less than the final destruction of the Mahratta state; but that the answer of Scindia was a positive refusal, on the professed grounds, of the treachery with which Holkar had violated his pledge to the late confederacy, the impossibility of confiding in any engagement into which he might enter, and the resolution of Scindia to adhere to his connexion with the British state. Notwithstanding this supposed reply, a vakeel from Scindia proceeded to the camp of Holkar, on the alleged motive that, unable as he was to resist the arms of that chieftain, it was desirable both to effect an accommodation with him, and to sound his inclinations. According to the representation made to the British resident, the vakeel was authorized to propose a continuance of the relations of amity and peace, but to threaten hostilities if depredations were committed on any part of the territory either of Scindia or his dependants.[1]

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Scindia's vakeel arrived in Holkar's camp on the 3d of March. Previous to this time, Holkar had moved, with the main body of his troops, into Ajmere, a country belonging to Scindia. His pretence was devotion; but he levied contributions on the people, and made an attempt, though unsuccessful, to obtain possession of the fort. Notwithstanding a declaration to the British Commander-in-Chief, that he intended to proceed homewards from Ajmere, a portion of his army still remained on the frontier of the Rajah of Jyenagur, and no longer abstained from depredations on his country. The ministers of Scindia made report to the British resident, respecting the vakeel who had been sent to the camp of Holkar, that he had been received with distinguished ceremony and respect; that he was invited to a private conference; that Holkar, on this occasion, openly professed his design of making a predatory war upon the British possessions; that, when the vakeel expostulated

with him on his proceedings in Ajmere, he apologized, by stating his intention to leave his family with the Rajah of Jodepore when he commenced his operations against the English; the refusal of that Rajah to join with him, till he put him in possession of the province and fort of Ajmere; and thence his hope, that Scindia would excuse an irregularity, which not inclination, but necessity, in the prosecution of a war involving the independence of them both, had induced him to commit. Of this report, so much alone was fit for belief, as had confirmation from other sources of evidence.

The only matters of fact, which seem to have been distinctly ascertained, were, first, certain trifling depredations at Jyenagur, less material than those at Aurungabad which had been formerly excused, on the score of a necessity created by troops whom he was unable to maintain; secondly, a disposition to haggle for better terms, in forming a treaty, than the British government were willing to grant; and thirdly, the existence and character of him and his army, to whom predatory warfare was a matter, it was supposed, both of choice and necessity, as the plunder of the Company's territory was the only source of subsistence. On these facts and suppositions, with a strong disposition to believe reports, and to magnify grounds of suspicion, the Governor-General, on the 16th of April, issued orders to the Commander-in-Chief, and Major-General Wellesley, to commence hostile operations against Holkar, both in the north and in the south.1



In his despatch to the Secret Committee of the Court of Directors, dated 15th of June, 1804, the Governor-General says: “Jeswunt Rao Holkar being justly considered as an adventurer, and as the *usurper* of the *rights* of his brother Cashee Rao Holkar—consistently with the principles of justice no arrangement could be proposed between the British government and Jeswunt Rao Holkar, involving the formal sanction of the British government to that chieftain's *usurpation,* and to the exclusion of Cashee Rao Holkar from *his hereditary dominions.*”1 Yet these very dominions, thus declared to belong to Cashee Rao, the Governor-General had already resolved, without a shadow of complaint against Cashee Rao, to take, and give away to other persons. In his instructions to the British resident in the camp of Scindia, dated the 16th of April, 1804, he says; “His Excellency thinks it may be useful to you to be apprized, that it is not his intention, in the event of the reduction of Holkar's power, to take any share of the possessions of the Holkar family for the Company. Chandore, and its dependencies and vicinity, will probably be given to the Peshwa; and the other possessions of Holkar, situated to the southward of the Godavery, to the Subhadar of the Deccan: all the remainder of the possessions of Holkar will accrue to Scindia, provided he shall exert himself in the reduction of Jeswunt Rao Holkar.” In lieu of “his hereditary dominions,” which it was not pretended that he had done any thing to forfeit to the British government, “it will be necessary,” says the Governor-General in a subsequent paragraph, “to make *some* provision for Cashee Rao, and for such of the legitimate branches of the family as may not be concerned in the violation of the public peace, or in the crimes of Jeswunt Rao Holkar.”2

The motive which led the Governor-General to

decline a portion of the territory of Holkar for the Company, immediately after having taken for it so great a portion from Scindia; and to add so largely to the dominions of Scindia, immediately after having so greatly reduced them, is somewhat mysterious, if viewed through the single medium of national good; but is sufficiently intelligible, if we either suppose, that he already condemned the policy of his former measures, and thought an opposite conduct very likely to pass without observation; or, that, still approving the former policy, he yet regarded escape from the imputation of making war from the love of conquest, as a greater good, in the present instance, than the territory declined.

Scindia, we are told, was highly delighted, as well he might be, with the announcement of the intention of the Governor-General, both to commence hostilities upon Holkar, and to make such a division of the territory of the family. He promised to promote the war with his utmost exertions.

When Major-General Wellesley received instructions to begin hostilities, the Deccan was labouring under a scarcity approaching to famine. The principal possessions held for the benefit of Holkar in that quarter of India were; the fort and territory of Chandore, about 130 miles north of Poona; the fort and territory of Dhoorb, about twenty miles west by north from Chandore, on the same range of hills; Galna, a hill fort thirty-five miles north-north east of Chandore, and eighty-five miles from Aurungabad; some territory in Candeish; and a few districts intermixed with those of the Nizam. With the capture of the fortresses of Chandore and Galna, these territories would be wholly subdued. But to conduct the operations of an army, in a country totally destitute of forage and provisions, appeared to General Wellesley so hazardous, that he represented it as almost impossible for him to advance against Chandore till the commencement of the rains. In the mean time, he augmented the force in Guzerat by three battalions of native infantry, and instructed Colonel Murray, the commanding officer, to march towards the territories of Holkar in Malwa, and, either by meeting and engaging his army, or acting against his country, to accelerate, as much as possible, his destruction.[1]

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During the negotiation with Holkar, the Commander-in-Chief had advanced slowly toward the territory of the Rajah of Jyenagur. A detachment of considerable strength, under the command of Lieutenant-Colonel Ball, had occupied a position near Canore, about ninety miles south-west of Delhi, to guard in that direction the Company's frontier. To protect and encourage the Rajah of Jyenagur, whose territory Holkar, now returned from Ajmere, began to ravage, occupying a position which even threatened his capital, General Lake sent forward a detachment of three battalions of native infantry, under the command of the Honourable Lieutenant-Colonel Monson, on the 18th of April. This detachment arrived in the vicinity of Jyenagur on the 21st. On the morning of the 23d, Holkar decamped from his position, and began his march to the southward with great precipitation. Some parties of Hindustanee horse, under European officers, which the General had detached for the purpose of observing the motions of Holkar, and harassing his march, followed him in his retreat. A halt of two

days, on the part of Holkar, induced the British commander, suspecting a feint, to advance with the army; while Monson, with his detachment, was directed to precede the main body, as rapidly as possible. On the approach of the British forces, Holkar resumed his retreat, which he continued with great precipitation, till he arrived in the vicinity of Kolah. Here he had so far preceded the British troops, that he could halt without fear of an immediate attack. The Hindustanee horse, who had hung upon his rear, described his army as being in the greatest distress, the country remaining nearly desolate from its former ravages. A letter without date was received by the Commander-in-Chief, from Holkar, on the 8th of May, offering to send, according to his desire, a person duly authorized "to settle every thing amicably." The Commander-in-Chief replied, "When I wrote you, formerly, that vakeels might be sent to confirm a friendship, conditions were specified, which you have not any way fulfilled; but have acted directly contrary to them. This had forced the British government to concert, with its allies, the necessary measures for subverting a power, equally inimical to all. This has been resolved upon. You will perceive that I cannot now enter into any bonds of amity with you, without consulting the allies of the British government." The fort of Rampoora, which the British army were now approaching, was the grand protection of the northern possessions of Holkar. For the attack of this place, a detachment was formed, under the command of Lieutenant-Colonel Don. Having encamped before the place, this officer adopted the plan of entering the fort by blowing open the gates. He advanced to the assault, a little before day-break, on the morning of the 16th of May; and as a well-concerted plan was well executed, all resistance was speedily overcome, and the place was taken with inconsiderable loss.



The distance which Holkar had gained by his rapid flight, the improbability of forcing him to action, or of his returning to the upper provinces, presented to the mind of the Commander-in-Chief the inexpediency of retaining the advanced position, which he now occupied, with the main body of his army. Only the British troops in Guzerat, in concert with those of Scindia, appeared capable, during the present season, of acting with advantage upon the territories of Holkar. He accordingly withdrew the army into cantonments within the British dominions, leaving Colonel Monson with injunctions to make such a disposition of his force as would preclude, in that direction, any sort of danger from Holkar's return.[1]

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On the 21st of May, a body of predatory horse, estimated at five thousand, made an incursion into the province of Bundelcund, where seven companies of sepoys, a troop of native cavalry, and the park of artillery, detached, under the command of Captain Smith, from the main body of the troops in that province, were employed in the reduction of a fort, about five miles distant from Kooch. On the morning of the 22d this body of horse succeeded in cutting off a part of the British detachment which was posted in the pettah of the fort, and compelled the whole to retreat, with the loss of two howitzers, two twelve-pounders, one six-pounder, and all the tumbrils belonging to the park. The same party made an attempt afterwards upon the town of Calpee, and aimed at crossing the Jumna, but were repulsed with loss; and having afterwards

sustained a defeat near Kooch, evacuated the province. The refractory Bundela chiefs still afforded considerable employment to the British army.2

On the 7th of July, Monson received intelligence, that Holkar, who, since his retreat before the Commander-in-Chief, had occupied a position in Malwa, having the Chumbul river between himself and the British detachment, had crossed that river with the whole of his army and guns. The force under Monson consisted of five battalions of sepoys, with artillery in proportion; and two bodies of irregular horse, about three thousand strong, the one British, under Lieutenant Lucan, the other a detachment sent by Scindia, commanded by a leader named Bappoojee Scindia. Monson was now advanced about fifty miles beyond the Mokundra pass, where he had expected to procure supplies, and to communicate with Colonel Murray, who was advancing from Guzerat towards Ougein. He made his first movement toward the spot where Holkar crossed the river, in the hope of being able to attack him, with advantage, before his troops recovered from the confusion which the passage of the river would be sure to produce. Afterwards, however, reflecting, that he had only two days grain in his camp, that part of his corps was detached to bring up grain, that one battalion of it was on the march to join him from Hinglais-Ghur, and that the enemy's cavalry was very numerous; expecting, also, to be joined by an escort, with treasure, for the use of his detachment; and having received accounts from Colonel Murray of his intention to fall back on the Myhie river, he determined to retire to the Mokundra pass. The whole of the baggage and stores was sent off to Soonarah, at four in the morning of the 8th. Monson remained on the ground of encampment till half-past nine, with his detachment formed in order of battle. No enemy having appeared, he now commenced his march; leaving the irregular cavalry, with orders to follow in half an hour, and afford the earliest information of the enemy's motions. The detachment had marched about six coss, when intelligence was received that the irregular cavalry, thus remaining behind, had been attacked and defeated by Holkar's horse; and that Lieutenant Lucan, and several other officers, were prisoners. The detachment continued its march, and, next day about noon, reached, unmolested, the Mokundra pass. On the morning of the 10th, a large body of the enemy's cavalry appeared, and continually increased in numbers till noon the following day; when Holkar summoned the detachment to surrender their arms. A refusal being returned, he divided his force into three bodies, and made a vigorons attack on the front and flanks of the British corps. The position and steadiness of the troops enabled them to sustain reiterated onsets, persevered in till night, when Holkar drew off to a distance of two coss; and being joined by his infantry and guns, was expected to renew his attacks on the following morning. Monson, not regarding his position as tenable, and fearing lest the enemy should get in his rear, adopted the resolution of retiring to Kotah. Arrived at this place, on the morning of the 12th, after two marches, rendered excessively harassing by the rain, which fell in torrents, and the enemy who pursued them; the Rajah refused to admit them, and professed his inability to furnish any supplies. As the troops were suffering by want of provisions, the decision of Monson was, to advance to the ghaut or ford, of the Gaumus Nudde, only seven miles off. But the rain had fallen with great violence, since the 10th, and the soil was soft. The troops were unable, therefore, to reach the rivulet till the



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morning of the 13th, when it was found impassable. They halted on the 14th, to procure a supply of grain from a neighbouring village; and attempted, on the 15th, to continue the march; but it was found impossible to proceed with the guns. In hopes of an abatement of the rain, they made another halt. It rained during the whole of the night of the 15th; and, next morning, the guns had sunk so deep in the mud, as not to be extricable. The camp was without provisions; and all the neighbouring villages were exhausted. The detachment was under an absolute necessity to proceed Monson was therefore obliged to spike and leave the guns, sending injunctions to the Rajah of Boondee to extricate, and remove them to a place of security. The country was so completely overflowed, that the troops could hardly march. The Chumbulee rivulet, which they reached on the 17th, was not fordable; on the 18th, the European artillerymen were crossed over on elephants, and sent on to Rampoora; on the 19th, the rivulet continued to swell; corn, with great difficulty, and some danger, was procured for two days; on the evening of the 21st, the camp of a body of the enemy's horse was successfully beaten up; on the 23d and 24th, a few rafts having been procured, three battalions of the detachment were moved across; the remainder, about seven hundred men, were attacked by a party of the enemy's horse, but able to repel them. On the morning of the 25th, after the whole of the detachment had been got over, not without loss, they moved in different corps, assailed as they passed, by the hill people and banditti, towards Rampoora, at which some of them arrived on the 27th, others not till the 29th.



At Rampoora, Monson was joined by two battalions of sepoys, a body of irregular horse, four six pounders, two howitzers, and a supply of grain, sent to his relief from Agra, by the Commander-in-Chief, as soon as he received intelligence of the disasters of the detachment. As the country, however, was destitute of provisions, as Holkar was advancing in considerable force, as Monson expected to be joined at Khoosul-Ghur by six battalions and twenty-one guns, under Sudasheo Bhow Bukshee, in the service of Scindia, and then to obtain provisions which would enable him to keep the field, he resolved to continue his march to that place, leaving a sufficient garrison for the protection of Rampoora.

During the retreat of this detachment, Colonel Murray, with the division of the British army from Guzerat, advanced into the heart of the Holkar dominions; and on the 24th of August took possession of the capital, Indore. The commander of the troops which had been left for its protection retired without opposition.[1]



Upon the escape of Monson to Agra, Holkar advanced with the whole of his army to Muttra, situated on the right bank of the Jumna, about thirty miles from Agra; and took possession of the place. The Commander-in-Chief marched from Cawnpore on the 3d, arrived at Agra on the 22d of September, and proceeded immediately to Secundra, where he assembled the whole of the army under his personal command. On the 1st of October, he marched towards Muttra, from which as he advanced, Holkar retired, and planned an important stratagem. Leaving his cavalry to engage the attention of the British Commander, which they effectually did, he secretly dispatched his infantry and guns, for the execution of his destined exploit. On the night of the

6th, he encamped with his cavalry about four miles in front of the British position. Before daylight next morning General Lake moved out to surprise him. The General formed his army into three divisions; leaving the park, and an adequate force, for the protection of the camp; but Holkar was apprized of his approach, and retired too promptly to permit an attack. Early on the morning of the 8th, the infantry of that chieftain appeared before Delhi, and immediately opened a heavy cannonade. The garrison was small, consisting entirely of sepoys, and a small corps of irregular infantry; the place was extremely extensive; and the fortifications were in a ruinous state. Every thing promised a successful enterprise.

From the first notice of the enemy's approach, in that direction, the most judicious precautions had been taken, under the direction of Lieutenant-Colonels Ochterlony and Burn, the first acting as resident in the city, the second commandant of the troops, to place the city in the best state of defence, which circumstances would permit. During the 8th, the distance from which the enemy fired prevented much execution. On the 9th, however, having erected a battery, within breaching distance, they demolished a part of the wall, and would have quickly effected a breach; when a sally was planned to check their progress. Two hundred sepoys, and 150 of the irregular corps, under the command of Lieutenant Rose, performed the exploit with great gallantry; took possession of the enemy's battery; spiked their guns; and threw them into so much confusion, that they fired upon their own people, who, flying from the assailing party, were mistaken for British troops. The principal operations from this time were carried on under cover of extensive gardens and adjoining ruins on the southern face of the fort; and they soon made a breach in the curtain between two of the gates. Measures, which were completed by the evening of the 12th, to preclude communication between the breach and the town, prevented their profiting by that advantage. But, on the 13th, appearances indicated the intention of a very serious attack. At daybreak on the 14th, the guns of the enemy opened in every direction. A large body of infantry advanced under cover of this cannonade, preceded by ladders, to the Lahore gate. They were received, however, with so much steadiness and gallantry, that they were driven back, leaving their ladders, with considerable confusion, and considerable loss. Inactive to a great degree, during the rest of the day, they made a show towards evening of drawing some guns to another of the gates; but took advantage of the night; and in the morning their rear guard of cavalry at a distance was all that could be seen. As the number of the men, by whom Delhi was defended, was too small to admit of re-regular reliefs, or to make it safe for them to undress; provisions and sweetmeats were served out to them daily at the expense of government, “which,” according to the information of Colonel Ochterlony, “had the best effect upon their spirits.” That officer concludes his report with the following merited eulogium: “The fatigue suffered by both officers and men could be exceeded by nothing but the cheerfulness and patience with which it was endured; and it cannot but reflect the greatest honour on the discipline, courage, and fortitude of British troops, in the eyes of all Hindustan, to observe, that, with a small force, they sustained a siege of nine days, repelled an assault, and defended a city, ten miles in circumference, and which had ever, heretofore, been given up at the first appearance of an enemy at its gates.”[1]



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About this period it was, that the Governor-General made his final arrangement respecting the maintenance and condition of Shah Aulum and his family. Over the city of Delhi, and a small portion of surrounding territory, a sort of nominal sovereignty was reserved to the Emperor. The whole was, indeed, to remain under the charge of the British resident; but the revenues would be collected, and justice administered, in the name of the Mogul. Beside the produce of this territory, of which the Emperor would appoint a duan, and other officers, to inspect the collection and ensure the application to his use, a sum of 90,000 rupees would be issued from the treasury of the resident at Delhi, for the expenses of himself and his family. But "in extending," says
the Governor-General, "to the royal family the benefits of the British protection, no obligation was imposed upon us, to consider the rights and claims of his Majesty Shah Aulum as Emperor of Hindustan; and the Governor-General has deemed it equally unnecessary and inexpedient, to combine with the intended provision for his Majesty and his household, the consideration of any question connected with the future exercise of the Imperial prerogative and authority."[1]



Towards the end of June, the state of the country at that time rendering military operations impracticable in Deccan, Major-General Wellesley was called to Calcutta, to assist in the deliberation on certain military and economical plans; and surrendered the general powers, military and civil, with which he was invested. Before his departure, a portion of the troops in the field were made to return to Fort St. George and Bombay; leaving disposeable, in Deccan, two regiments of European infantry, four regiments of native cavalry, and thirteen battalions of sepoys. The principal part of this force, four regiments of native cavalry, two regiments of European infantry, six battalions of sepoys, with a battering train, and the common proportion of artillery and pioneers, were directed to assemble for active operations at Aurungabad, under the general command of Lieutenant-Colonel Wallace. Of the remaining seven battalions of sepoys, six were ordered to remain as a reserve; four at Poona and two at Hyderabad; and one was required as a garrison at Ahmednugger.[2]

Having completed his arrangements for action, Colonel Wallace marched from Foorkabad on the
29th of September; and reached Chandore on the 8th of October. On the same day he detached a battalion with two 12 pounders, against a small fort, called Laussoolgaum, garrisoned by Holkar, and distant about tzwelve miles. The battalion met with a desperate resistance and lost its commander. A reinforcement was sent during the night, and the place was stormed the following morning. Wallace took possession, without resistance, of the pettah of Chandore on the evening of the 8th; on the 10th he had carried his approaches within three or four hundred yards of the gate of the fort, when the Kelledar, or governor, sent overtures of capitulation. The terms, permitting the garrison to depart with their private effects, were agreed upon, on the night of the 11th, and at ten on the morning of the 12th, the British troops were placed in possession of the fort. It was a place of great strength, being quite inaccessible at every part but the gate-way; and of considerable importance, as commanding one of the best passes in the range of hills where it stands. The fort of Dhoorb surrendered to a detachment on the 14th; the forts

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of Anchella, Jeewunta, and some minor posts, on the same range of hills, were evacuated; and Colonel Wallace, leaving a garrison in Chandore, began his march to Galna on the 17th. He arrived on the 21st; took possession of the pettah on the following morning; on the 25th two practicable breaches were made in the walls; and the storming parties were on the point of advancing, when the garrison offered to surrender. The reduction of Galna yielded possession of all the territories of Holkar in Deccan. Of those in Malwa the conquest was already completed, by Colonel Murray's detachment.[1]

On the 31st of October, that General, taking the reserve, his three regiments of dragoons, three regiments of native cavalry, and the mounted artillery, crossed the Jumna to pursue the cavalry of Holkar. At the same time Major-General Frazer, with the main body of the infantry, two regiments of native cavalry, and the park of artillery, was directed to move upon the infantry and artillery of Holkar, which had reached
the neighbourhood of Deeg, on the right bank of the Jumna. The object of this double movement was, to force both the cavalry and the infantry of Holkar to risk an action with the British troops, or to make him fly from Hindustan, under circumstances of so much ignominy and distress, as would have a disastrous effect upon the reputation of his cause.



General Lake arrived at Bhaugput on the 1st of November. On the second he performed a march of more than twenty-eight miles, and reached Kondellah. On the 3d he arrived at Saumlee, from which the enemy had decamped early in the morning.

Major-General Frazer marched from Delhi on the 5th of November, and arrived at Goburdun on the 12th, a place within three coss of the fort of Deeg. His force consisted of two regiments of native cavalry, his Majesty's 76th regiment, the Company's European regiments, six battalions of sepoys, and the park of artillery, in all about six thousand men. The force of the enemy was understood to amount to twenty-four battalions of infantry, a large body of horse, and 160 pieces of ordnance; strongly encamped, with their left upon Deeg, and a large jeel of water covering the whole of their front.

As the hour was late, and the General had little information of the enemy's position, he delayed the attack till morning. Having made his arrangements for the security of the camp, he marched with the army in two brigades at three o'clock in the morning; making a circuit round the water to the left, to enable him to come upon the right flank of the enemy. A little after day-break, the army was formed, in two lines; and attacked, and carried a large village on the enemy's flank. It then descended the hill, and charged the enemy's advanced party, under a heavy discharge of round, grape, and chain from their guns,
which they abandoned as the British army came up. General Frazer, whose gallantry animated every man in the field, was wounded, and obliged to be carried from the battle, when the command devolved upon General Monson. The enemy retired to fresh batteries as the British advanced. The whole of the batteries were carried for upwards of two miles, till the enemy were driven close to the walls of the fort. One body of them, drawn up

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to the eastward of the lower end of the lake, still retained a position, whence they had annoyed the British with a very destructive fire. Seeing the British troops, under cover of a fire from several pieces of cannon, moving round to their left, they made a precipitate retreat into the lake, where many of them were lost.

The British took eighty-seven pieces of ordnance in this battle, and lost in killed and wounded about 350 men. The enemy's loss, which was great, could only be conjectured. The remains of the army took shelter in the fortress of Deeg.

After the flight of Holkar with his cavalry from Saumlee, on the morning of the 3d, the Commander-in-Chief went after him with such expedition, as might allow him no time to ravage the country without risking an engagement with the British cavalry. On the 9th of November, that General arrived at Happer, which the enemy had left the preceding night, moving in the direction of Coorjah, with design, as was supposed, to re-cross the Jumna, in the neighbourhood of Muttra. General Lake arrived at Khass Gunge, on the 14th of November, when Holkar appeared to have taken the direct road to Futty Ghur. On the 16th, Lake arrived at Alygunge, distant about thirty-two miles from Futty Ghur. He halted only to refresh his men and horses, and, marching with the cavalry early in the night, came up with the enemy before day-break. They were encamped close under the walls of Furruckabad, and taken by surprise. The execution done upon them was therefore prodigious; and their resistance inconsiderable. Several discharges of grape being given to them from the horse artillery, the cavalry advanced, and put them to the sword. Many of the horses were still at their picquets, when the British cavalry penetrated into their camp. From the 31st of October, when they departed from Delhi, the British troops had daily marched a distance of twenty-three or twenty-four miles; during the day and night preceding the attack, they marched fifty-eight miles; and from the distance to which they pursued the enemy, must have passed over a space of more than seventy miles before they took up their ground.



After allowing the troops to halt for two days, the British General again marched in pursuit of Holkar, who fled to the Jumna in great distress, and re-crossed it near Mohabun on the 23d, hastening to join the remainder of his army at Deeg. The Commander-in-Chief arrived at Muttra on the 28th; and joined the army at Deeg on the 1st of December On his march he received the melancholy intelligence, that the wound of General Frazer had proved mortal. The loss of that officer was felt as a national, and almost an individual, calamity, by every Briton in India.

Of the enemy's force, a considerable portion having thrown themselves into the town and fort of Deeg, and the remainder occupying a position under its walls, arrangements were taken for the reduction of the place. The battering train and necessary stores arrived from Agra, on the 10th; and ground was broken on the 13th. The possession of an eminence which commanded the town, and in some degree the fortress itself, appeared of importance for the further operations of the siege. It was defended by a small fortification; the enemy had strongly entrenched themselves in its front; had erected batteries in the most commanding situations; and were favoured by the nature of the ground. The breach in the wall was practicable on the 23d; and arrangements were

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made to storm it, together with the entrenchments and batteries, during the night. The force destined for the attack was divided into three columns, and moved off in such a manner as to reach the different points of attack a little before twelve at night. The right column, under Captain Kelly, was ordered to force the enemy's batteries and trenches, on the high ground to the left of the town. The left column, under Major Radcliffe, was destined to carry the batteries and trenches on the enemy's right. The centre column formed the storming party, and was led by Lieutenant-Colonel Macrae. The whole service was performed with equal gallantry and success. “By means of the darkness of the night,” says the Commander-in-Chief, “the enemy was taken by surprise, and prevented from availing themselves of the advantages they possessed, or of making a very formidable resistance.” The loss of the British was not trifling, and that of the enemy very great. Overawed by this example of the audacity and success of the British troops, the enemy evacuated the town of Deeg on the following day; the fort, on the succeeding night; and fled in the direction of Bhurtpore, leaving nearly the whole of their cannon behind.[1]



The fort of Deeg belonged to Runjeet Sing, the Rajah of Bhurtpore. When the British, in the battle fought on the 13th, pursued the troops of Holkar under the walls of the fort, a destructive fire of cannon and musquetry was opened upon them by the garrison. The Rajah of Bhurtpore was one of the first of the chiefs in that part of India, who at the time when General Lake advanced against Scindia beyond the Jumna, made overtures for a combination with the British state. As he was one of the most considerable of the minor sovereigns in that part of India; and possessed great influence among the Rajahs of the Jaats; his accession to the British cause was treated as a fortunate event; and he was indulged with very advantageous terms. A treaty was concluded with him, by which the British government bound itself to protect his dominions; bound itself not to interfere in the smallest degree with the administration of his country; freed him entirely from the heavy tribute which he annually paid to the Mahratta powers; and of the surrounding districts, conquered from Scindia, annexed so much to the territories of the Rajah, as equalled in extent and value one third of his former dominions.

Notwithstanding these great advantages, and the Governor-General's system of defensive alliance, no sooner had Holkar assumed an attitude of defiance to the British Power, than Runjeet Sing manifested an inclination to join him. On the 1st of August, 1804, a secret agent of the Rajah, with letters to Holkar, was apprehended at Muttra, and discovery made of a treacherous correspondence. The Rajah, very soon after concluding his treaty with the British government, had exhorted Holkar to despise the British power, and offered to join him, on condition of receiving certain accessions of territory. During the same month in which this discovery was made, several complaints were addressed to him by the Commander-in-Chief, on account of the little assistance received from him in providing for the war. In the intercepted correspondence, offence appeared to have been taken, by the Rajah, at the violent manner, in which the British resident at Muttra had decided some disputes respecting the traffic in salt; and some alarm was conveyed to his mind by a report that the English government was to introduce the English courts of justice into his dominions.

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Upon reference of all these circumstances to the Governor-General, though he regarded them as ample proof of traitorous designs, he was yet disposed, on the present occasion, when his defensive system was upon its trial, to exercise an uncommon degree of lenity and forbearance. He imputed the offences of the Rajah and his son, to the corrupt intrigues of mischievous advisers; and said, that "the just principles of policy, as well as the characteristic lenity and mercy of the British government, required that a due indulgence should be manifested towards the imbecility, ignorance, and indolence of the native chiefs, who have been drawn into these acts of treachery and hostility, by the depravity and artifices of their servants and adherents."[1] And he instructed the Commander-in-Chief to warn the Rajah of his danger; to assure him that no design of interfering with his government was entertained by the British rulers; and to require him to break off immediately all communication with the enemies of the British state. Towards the end of October, the Commander-in-Chief complained to the Governor-General, that the Rajah had evaded his application for the troops, with which, according to the treaty, he was bound to assist the British government; while he had afforded to Holkar positive and material assistance. In reply, the Governor-General left the question of peace or war to be decided by the opinion of expediency which the Commander-in-Chief, with his more intimate knowledge of the circumstances, might be induced to form; still, however, remarking, that "if considerations of security should not require the punishment of Bhurtpore, those of policy suggested the expediency of forbearance, notwithstanding the provocation which would render such punishment an act of retributive justice." The behaviour however of the garrison of Deeg, at the time of the battle fought under its walls, produced orders from the seat of government for the entire reduction of the Rajah, and the annexation of all his forts and territories to the British dominions. As Bappoojee Scindia, the officer who at the beginning of the war with Holkar commanded that detachment from the army of Scindia which co-operated with General Monson at the commencement of his retreat, and was one of the chieftains included in the list of those who under the operation of the late treaty, were to receive jaghires and pensions from the British government, had afterwards openly joined Holkar with the troops under his command; and Suddasheo Bhow, another of Scindia's officers, who had been sent to co-operate with Monson, had also joined the enemy, the Governor-General at the same time directed the Commander-in-Chief to proceed against them as rebels; try them by a court martial; and carry the sentence into immediate execution.[1]



The loss of Deeg was a tremendous blow to Holkar and the Rajah. The surrounding country immediately submitted to the authority of the British government; and General Lake, having taken the requisite steps for securing the fort, and administering the country, moved from Deeg on the 29th of December. The army of Guzerat, under the command of Colonel Murray, had been ordered to advance from the southward, in the direction of Kotah, to intercept, if made by that route, the flight of Holkar into Malwa. This officer had reached the neighbourhood of Kotah by the end of December; and General Lake believed, if he could have made the Mahratta chieftain retreat in that direction, that he might have been effectually destroyed. But Holkar, though pursued from place to place, could not

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be driven from the Bhurtpore territories, so long as his infantry could find protection in the city of Bhurtpore, his cavalry, by its rapid movements, could elude all attacks, and supplies were derived from the resources of the Rajah. The reduction of Bhurtpore presented itself, therefore, to the Commander-in-Chief as, of necessity, the first of his future operations.

After being joined at Muttra by the King's 75th regiment, which he had summoned from Cawnpore, he arrived before the capital of the Rajah, on the 3d of January, 1805. The town of Bhurtpore, eight miles in extent, was every where surrounded by a mud wall of great thickness and height, and a very wide and deep ditch filled with water. The fort was situated at the eastern extremity of the town; and the walls were flanked with bastions, at short distances, mounted with a numerous artillery. The whole force of Runjeet Sing, and as many of the surrounding inhabitants as were deemed conducive to its defence, were thrown into the place; while the broken battalions of Holkar had entrenched themselves
under its walls. The British army, after driving the battalions from this position, with great slaughter, and the loss of all the artillery which they had been enabled to carry from Deeg, took up a position south-west of the town. The batteries were opened on the 7th of January. On the 9th a breach was reported practicable; and the General resolved to assault in the evening, as the enemy had hitherto stockaded at night the damage sustained by the wall in the course of the day. When the storming party arrived at the ditch, they found the water exceedingly deep. Over this difficulty they prevailed; and gained the foot of the breach. Here they made several gallant and persevering exertions; but all ineffectual: they were repulsed with a heavy loss, including Lieutenant-Colonel Maitland, the officer who bravely commanded in the assault.



The operations of the besiegers were immediately renewed, and a second breach was prepared on the 21st. It was deemed advisable to give the assault by day-light. The storming party moved out of the trenches, where they had been lodged for the purpose, a little before three o'clock in the afternoon. They were unable to pass the ditch; and, after being exposed for a considerable time to a fire which did great execution, were obliged to retire.

The want of military stores and provisions delayed the commencement of renewed operations, till the beginning of February, when the batteries were opened upon the wall, at some distance from the part which was formerly breached. On the 20th of the same month, the breach being as complete as it was supposed to be capable of being made, one column, composed of 200 Europeans, and a battalion of sepoys, was ordered to attack the enemy's trenches and guns outside the town: a second column, composed of 300 Europeans, and two battalions of sepoys, to attack
one of the gates; while a third, headed by Lieutenant-Colonel Don, and formed of the greatest part of the European force belonging to the Bengal army, and three battalions of sepoys, was to ascend the breach. The signal to be observed by the storming party was, the commencement of the attack by the first column on the enemy's trenches, a little before four o'clock in the afternoon. This column was successful, and got immediate possession of the enemy's guns. The second column was delayed by a party of the

enemy's horse; and was exposed, by a mistake, it is said, of their guide, to a destructive fire from the town, which destroyed their ladders, and rendered ineffectual the attempt on the gate. The storming party was also delayed, according to the statement of the Commander-in-Chief, by circumstances, which he does not mention; and found the ditch so deep, that it was impossible to arrive at the breach. The troops, having attempted to ascend by the bastion, were repulsed with great slaughter, though the colours of one of the native regiments were planted within a short distance of the top.

As the Commander-in-Chief ascribed the failure to accidental obstructions and delays; as the storming party had nearly gained the summit of the bastion; and as he was informed, he says, that a few hours more battering would make the ascent there perfectly easy, he determined to make another attempt on the following day. The whole European part of the Bengal army, and the greater part of two King's regiments, with upwards of four battalions of native infantry, moved on to the attack, under Brigadier-General Monson, about three o'clock in the afternoon. “Discharges of grape, logs of wood, and pots filled with combustible materials, immediately,” says the report of the Commander-in-Chief, “knocked down those who were ascending; and the whole party, after being engaged in an obstinate contest for two hours, and suffering very severe loss, were obliged to relinquish the attempt and retire to our trenches.” The steepness of the ascent, and the inability of the assailants to mount, except by small parties at a time, were, it was said, the enemy's advantages.[1]



The guns of the British army had, in consequence of incessant firing, become for the most part unserviceable; the whole of the artillery stores were expended; provisions were exhausted; and the sick and wounded were numerous. It was therefore necessary to intermit the siege of Bhurtpore. One of the most remarkable, perhaps, of all the events in the history of the British nation in India, is the difficulty, found by this victorious army, of subduing the capital of a petty Rajah of Hindustan. The circumstances have not been sufficiently disclosed; for, on the subject of these unsuccessful attacks, the reports of the Commander-in-Chief are laconic. As general causes, he chiefly alleges the extent of the place, the number of its defenders, the strength of its works, and lastly the incapacity of his engineers; as if a Commander-in-Chief were fit for his office, who is not himself an engineer.

The Bombay army, from Guzerat, which had been directed to move towards Kotah, was afterwards commanded to join the Commander-in-Chief at Bhurtpore; where it arrived, on the 12th of February, and under Major General Jones, who had succeeded Colonel Murray, bore a full share in the succeeding operations.

During the detention of the army before the capital of Runjeet Sing, the cavalry under General Smith had been employed in expelling Ameer Khan, an adventurer of Afghaun descent, who had found the means of collecting a predatory army, and made an incursion into the Company's territory. Before the preparations were completed for resuming the siege of Bhurtpore,

this force returned, and might, it appeared to the Commander-in-Chief, be now advantageously employed in dislodging Holkar from the neighbourhood of Bhurtpore; and, if possible, expelling him from that quarter of India. At two o'clock in the morning of the 29th of March, he left his camp, with the whole of the cavalry and the reserve, intending to surprise the enemy about day-break. Colonel Don, with the reserve, moved directly upon their left, while the General himself made a circuit to their right, in the line in which it was expected they would fly from the attack on their left. They were so much however upon their guard, as to be secured by a timely flight from any considerable injury. In two days, it was heard, that they were again encamped within twenty miles of Bhurtpore. On the 1st of April, the Commander-in-Chief proceeded with the same force at midnight, for another chance of reaching them before they could take to flight. Though now passing the night in so much vigilance that they kept their horses saddled, they had not begun to march before the British force were within two hundred yards from them, and, having horses superior both in speed and strength, were able to perform upon them considerable execution, before they had time to disperse. So little did the enemy think of defending themselves, that of the British, in either of those onsets, not a man was lost.

In addition to other causes, which tended to reduce the power of Holkar, the most respectable of the
chiefs who belonged to his army now came over with their followers to the English camp. The Rajah of Bhurtpore also, discovering the fallacy of the hopes which he had built upon Holkar, and dreading the effects of a renewed attack, began, soon after the suspension of operations, to testify his desire for reconciliation. Though an example to counteract the impressions made upon the minds of the people of Hindustan, by the successful resistance of the Rajah of Bhurtpore, might have appeared, at this time, exceedingly useful; yet some strong circumstances recommended a course rather of forbearance than of revenge. The season was very far advanced, and Bhurtpore might still make a tedious defence: The severity of the hot winds would destroy the health of the Europeans in the trenches, and affect even that of the natives: Great inconvenience was sustained from the continuance of Holkar in that quarter of India, from which it would be difficult to expel him, with Bhurtpore for a place of refuge and support: And, above all, it was necessary to have the army in a state of readiness to act against Scindia, who appeared on the point of renewing the war. The proposals of the Rajah, therefore, met the British rulers in a very complaint temper; and the terms of a new treaty were settled on the 10th of April, when the preparations for the renewal of the siege were completed, and the army had actually taken up its position at the place. As compensation for the expense which the Rajah, by his disobedience, had inflicted on the British government, he agreed to pay, by instalments, a sum of twenty lacs of Furruckabad rupees; and the additional territory, with which he had been aggrandized by the Company, was resumed. In other respects he was allowed to remain in the same situation in which he had been placed by the preceding treaty. The fort of Deeg was not indeed to be restored till
after experience, for some time had, of his fidelity and friendship; but if that were obtained, a part of the compensation money would not be required.[1]



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The conclusion of a treaty with Scindia, even his entering into the system of subsidiary defence, created no sense of tranquillity, no expectation of peace between him and the British government. Before the signature of the treaty of subsidiary alliance, a dispute had arisen about the fort of Gualior, and the territory of Gohud. The British government included these possessions in the construction of that article of the treaty which bound Scindia to all the engagements formed by the British government during the war, with any of the chiefs who had previously paid to him tribute or obedience. Scindia contended that they could not be included in that article by any just and reasonable construction; and also represented them as so important to himself that he could by no means retain his state and condition without them.

The behaviour of Ambajee Englah, or Ingliah, had produced even hostile operations, between the time of signing the treaty of peace, and signing the treaty of defensive alliance. After having separated his interests from those of Scindia, under whom he rented and governed the possessions in question, and after having formed engagements with the British government, on the terms which it held out, during the war, to every chief whom it found possessed of power; that versatile leader, as soon as he understood that peace was likely to be concluded with Scindia, renounced his engagements with the English, and endeavoured to prevent them from obtaining possession of the fort
and districts which he had agreed to give up. The Commander-in-Chief sent troops, and seized them.



The disputes on the subject of Gualior and Gohud began on the 17th of February, 1804; and were pressed, with infinite eagerness, by the ministers of Scindia. They did not prevent the signature of the defensive treaty, because the Mahratta ministers declared, that, how much soever convinced of his right, and how deeply soever his interests would be affected by the alienation of that right, their master would not allow it to disturb the relations of peace so happily established; but would throw himself on the honour and generosity of the British chiefs. They argued and contended, that the article of the treaty which bound him to the engagements, formed with his dependants and tributaries by the British government, could only refer to such chiefs as the Rajahs of Jodepoor and Jyepoor, or, at any rate, to Zemindars and Jaghiredars; that Gohud was the immediate property of the Maha Rajah; that it was absurd to talk of a Rana of Gohud; as no such person was known; as all the pretensions of that family were extinct, and the province had been in the immediate and absolute possession of Scindia and his predecessor for thirty years; that no right could be justly founded on the revival of an antiquated claim, in favour of some forgotten individual of an ancient family; and that it was not for the interest of the British government, any more than of Scindia, to call in question the foundations of actual possession, since a great part of all that belonged to both was held by neither a more ancient, nor a more valid title, than that which Scindia possessed to the territory of Gohud. As for the fort of Gualior, it was not so much, they affirmed, as a part of Gohud; it was a fortress of the Mogul, granted to Scindia, of which the Rana of Gohud, even when such a personage existed, could be regarded as no more than the Governor, nominated by Scindia, and employed during his pleasure. The English affirmed, that as the operation of the treaty extended, by the very terms, to all the territories of Scindia,

excepting those “situated to the southward of the territories of the Rajahs of Jyepoor, Jodepoor, and the Rana of Gohud,” it was evident, that it was meant to apply to those of the Rana of Gohud; that if the possession in question had not passed to the English, by treaty with the parties to whom they were now consigned, they would have passed to them by conquest; as the army, after the battle of Lasswaree, was actually moving towards Gohud and Gualior, when Ambajee Ingliah, against whom the heir of the family of the Rana of Gohud had been acting, in aid of the British government, with a considerable body of troops, concluded a treaty, by which they were surrendered.

It would appear, that General Wellesley believed there was weight in the arguments of Scindia. In the answer which he returned to Major Malcolm, when that officer made communication to him of the conclusion of the treaty of defensive alliance, which he negotiated with Scindia: “It appears,” he remarked, “that Scindia's ministers have given that Prince reason to expect that he would retain Gualior; and, I think it possible, that, considering all the circumstances of the case, his Excellency the Governor-General may be induced to attend to Scindia's wishes upon this occasion. At all events, your dispatches contain fresh matter, upon which it would be desirable to receive his Excellency's orders, before you proceed to make any communication to Scindia's Durbar, on the subject of Gualior.”

The Governor-General continued steadfastly to consider the arrangement which he had made respecting
Gualior and Gohud, as necessary to complete his intended plan of defence, by a chain of allied princes and strong positions between the British and Mahratta frontiers. Scindia, after a fruitless contest, was obliged to submit; and on the 21st of May, 1804, he received in public Durbar, the list of treaties to which he was required to conform.



The apparent termination of this dispute by no means introduced the sentiments of friendship between the two governments. In a letter, dated the 18th of October, 1804, which was addressed, in the name of Scindia, to the Governor-General, various complaints were urged, “tending,” says the British ruler, “to implicate the justice and good faith of the British ruler, to implicate the justice and good faith of the British government, in its conduct towards that chieftain.”

First of all, the British government had used him ill in regard to money; for, whereas the losses to which he had recently been exposed had deprived him of the pecuniary means necessary to bring his forces into the field, the English had disregarded his earnest applications for the sums necessary to enable him to co-operate in the subjugation of Holkar; the consequence of which was, that when he sent two chiefs, Bappojee Scindia, and Suddasheo Bhow, to join the army under General Lake, as that General would afford them no money, they were soon obliged to separate from him, in order to find a subsistence, and even to effect a temporary and feigned conjunction with the enemy, to avoid destruction, either by his arms, or by the want of subsistence.

Secondly, the British government had used him ill, in respect to Gualior and Gohud; which had long formed part of his immediate dominions, and were not included in the

list, delivered to General Wellesley, of the places which he ceded by the treaty of peace.

Fourthly, the lands which were to be restored, as the private property of Scindia, had not yet been given up; and the pensions, and other sums, which were agreed for, had not been regularly paid.

Fifthly, the British government had not afforded to his dominions that protection which, by treaty, they owed; for even when Colonel Murray was at Oujein, Holkar had besieged the fort of Mundsoor, and laid waste the surrounding country; while Meer Khan, the Afghaun, who was a partisan of Holkar, had captured Bheloa, and plundered the adjoining districts.

At the time of the date of this letter, Scindia had moved from Boorhanpore, and reached the Nerbudda, which his army was already beginning to cross. In compliance with the urgent remonstrances of the British government, he professed the intention of repairing to the capital of his dominions, and undertaking the regulation of his affairs. In reality, he took the direction of Bhapaul: and, with or without his consent, two signal enormities took place. Some of his troops plundered Sangur, a city and district pertaining to the Peshwa; and a party of his irregular troops attacked and plundered the camp of the British resident. At the time when this outrage was committed, the British force in Bundelcund had been summoned, by the Commander-in-Chief, to reinforce the main army at Bhurtpore, which had suffered a material reduction in the late unsuccessful attempts.



The army from Bundelcund was on its march, and had arrived at Gualior, when, late in the evening, hircarrahs came in with intelligence of the violation of the British residency, in Scindia's camp. The greatest alarm was excited. The route through Bundelcund into Allahabad, from Allahabad to Benares, and from Benares to Calcutta, was denuded of all its troops; and there was nothing to oppose the progress of Scindia, through the heart of the British dominions, to Calcutta itself. It immediately suggested itself to the minds of the British officers, that Scindia had resolved to avail himself of the fortunate moment, when the British troops were all withdrawn to the disastrous siege of Bhurtpore, to perform this brilliant exploit; and that the violation of the residency was the first act of the war. Under this impression, it was resolved to march back the army of Bundelcund to Jansee, which lay on the road by which it was necessary for Scindia to pass. Scindia proceeded rather in a contrary direction, towards Narwa. The probability is, that Serjee Rao Gautka, his minister, and father-in-law, committed the outrage upon the British residency, in hopes to embroil him beyond remedy with the British government, and thus to ensure the war to which he found it so difficult to draw the feeble and irresolute mind of his Prince; while the promptitude with which the British force was again opposed to his march into the British dominions maintained, in his mind, the ascendancy of those fears which the minister found it so hard to subdue. A spirited prince might have made a very different use of his opportunity.

The letter which contained the complaints of Scindia was conveyed in so tedious a mode, that four months elapsed before it was delivered at Calcutta; nor was the

answer penned till the 14th of April, 1805. The Governor-General had satisfactory arguments
with which to repel the several allegations of Scindia; though he allowed that the Rajah of Jodepore had refused to abide by the stipulations contracted with the British government; which, therefore, would not interfere between him and Scindia. He then proceeded to give a list of offences, thirteen in number, with which Scindia was chargeable toward the British state.



First, after remaining at Boorhanpore, till towards the end of the year 1804, Scindia, instead of proceeding to his capital, in conformity with the pressing instances of the resident, and his own repeated promises, for the purpose of co-operating with the British government, directed his march toward the territory of Bhapaul, where he was not only remote from the scene of utility, but positively injurious, by alarming and robbing one of the British allies.

Secondly, notwithstanding the repeated remonstrances of the resident, a vakeel of Holkar was allowed to remain in Scindia's camp; and Scindia's minister maintained with him a constant clandestine intercourse.

Thirdly, Scindia's officers, at Oujein, instead of yielding any assistance to the operations of Colonel Murray, had obstructed them.

Fourthly, two of Scindia's commanders had deserted from the British army, and had served with the enemy during almost the whole of the war.

Fifthly, Scindia, notwithstanding his complaint of the want of resources, had augmented his army as the powers of the enemy declined, thereby exciting a suspicion of treacherous designs.

Sixthly, the heinous outrage had been committed of attacking and plundering the camp of the British resident, without the adoption of a single step towards compensation, or atonement, or even the discovery and punishment of the offenders.

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The remaining articles in the list were either of minor importance, or so nearly, in their import, coincident with some of the articles mentioned above, that it appears unnecessary to repeat them.

The Governor-General declared; “By all these acts, your Highness has manifestly violated, not only the obligations of the treaty of defensive alliance, but also of the treaty of peace.” According to this declaration, it was the forbearance alone of the British government, which prevented the immediate renewal of war.

The next step, which was taken by Scindia, produced expectation that hostilities were near. On the 22d of March, 1805, he announced, officially, to the British resident, his resolution of marching to Bhurtpore, with the intention of interposing his mediation, for the restoration of peace, between the British government and its enemies. “To proceed,” says the Governor-General, “at the head of an army to the seat of hostilities,

for the purpose of interposing his unsolicited mediation, was an act not only inconsistent with the nature of his engagements, but insulting to the honour, and highly dangerous to the interests, of the British government." In the instructions, however, which the Governor-General issued upon this emergency, he was extremely anxious to avoid the extremity of war, unless in the case of actual aggression. But he deemed it necessary, to make immediate arrangements for seizing the possessions of Scindia, if that chieftain should proceed to extremities. Colonel Close was vested with the same powers which had formerly been confided to General Wellesley; and orders were issued to the officers commanding the subsidiary force at Poona, and at Hyderabad, to occupy, with their troops, the positions most favourable for invading the southern dominions of Scindia. The force in Guzerat, which had been weakened by the detachment sent to co-operate in the war against Holkar, was reinforced, with a view as well to defence, as to seize whatever belonged to Scindia in Guzerat, and its vicinity. Upon some further disclosure of the hostile, or, at least, the unfriendly councils of Scindia, the Commander-in-Chief was instructed to oppose the march to Bhurtpore, as what, "under all the circumstances of the case, constituted not only a declaration of war, but a violent act of hostility."



The Governor-General, in the event of a war, now resolved to reduce the power of Scindia to what he calls "the lowest scale." He observes, that the principle of compensation, which had regulated the terms of the former treaty, "had proved inadequate to the purposes of British security, and that the restraints imposed by the provisions of the treaty of peace upon Dowlut Rao Scindia's means of mischief were insufficient—that another principle of pacification must therefore be assumed; that Scindia must not be permitted to retain the rights and privileges of an independent state; nor any privileges to an extent that might at a future time enable him to injure the British or their allies; and that the British government must secure the arrangement by establishing a direct control over the acts of his government—experience having sufficiently manifested, that it was in vain to place any reliance on the faith, justice, sincerity, gratitude, or honour of that chieftain"—he might have added, or any chieftain of his nation, or country.

No declaration can be more positive and strong of the total inefficacy of the system of defensive alliance.

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As there is here a declaration of what was *not* sufficient for British security, namely, the system of defensive alliance, so there is a declaration of what alone *is* sufficient, namely, the total prostration and absolute dependance of every surrounding power. This, however, we have more than once had occasion to observe, is conquest—conquest in one of the worst of its shapes: worst, both with respect to the people of India, as adding enormously to the villanies of their own species of government, instead of imparting to them the blessings of a better one; and the people of England, as loading them with all the cost of governing and defending the country, without giving them all the revenues.

Scindia continued his march to the northward, and on the 29th of March had advanced with all his cavalry and Pindarees to Subbulghur, on the river Chumbul, leaving his

battalions and guns in the rear. His force at this time was understood by the British government to consist of eight or nine thousand cavalry, 20,000 Pindarees, and nominally eighteen battalions of infantry with 140 guns, all in a very defective state of discipline and equipment. On the 31st of March he had advanced about eighteen miles in a north-easterly direction from Subbulghur. Here he was joined by Ambajee; and the British resident in his camp, understanding that it was his intention to cross the Chumbul with his cavalry and Pindarees, leaving the bazars and heavy baggage of the army under the protection of Ambajee, requested an audience. His object was to represent to Scindia the impropriety of crossing the Chumbul, and the propriety of waiting for Colonel Close, who was expected soon to arrive on an important mission from the capital of the Rajah of Berar. The propositions of the British agent were received with the most amicable professions on the part of Scindia and his ministers; who



represented, that the embarrassment of his finances was so great as to prevent him from returning to effect the settlement of his country; that his march towards Bhurtpore was intended solely to accelerate the arrival of peace; but that, if the British government would make any arrangement for the relief of his urgent necessities, he would regulate his proceedings agreeably to its desires. A copy of a letter to the Governor-General was also read, in which reparation was promised for the outrage on the resident's camp.

This conference, when reported to the Governor-General, appeared to him to indicate a more submissive turn in the councils of Scindia: the resident was accordingly instructed, to inform the chieftain, that the atonement offered for the outrage was accepted; that the distresses of his government would be relieved by pecuniary aid, if he would act in co-operation with the British government; and that he could do this, only by returning to the southward, and employing himself in the seizure of the remaining possessions of Holkar in Malwa.

On the 2d of April Scindia marched about eight miles in a retrograde direction towards Subbulghur; leaving the whole of his baggage and bazars under the charge of Ambajee. On the 3d, the resident was visited by Scindia's vakeel, whose commission was, to importune him on the subject of pecuniary relief. A discussion ensued on the two points, of receiving money, and deferring the declared intention of crossing the Chumbul and proceeding to Kerowly, till the arrival of Colonel Close. The result was, an agreement on the part of Scindia, to return and wait at Subbulghur, and on that of the British resident to afford a certain portion of pecuniary aid.

On the 11th, General Lake received a letter from the said minister, who had arrived at Weir, a town situated about fifteen miles S.W. of Bhurtpore, stating that, as the British resident in the camp of Scindia had expressed a desire for the mediation of his master, he had commanded him to proceed for that purpose to Bhurtpore. The British General replied, that, peace having been concluded with the Rajah of Bhurtpore, the advance of the minister of Scindia was unnecessary, and might subvert the relations of amity between the British government and his master, to whom it was highly expedient that he should return. Notwithstanding this, he advanced on the 12th, with a small party of horse, within a few miles of Bhurtpore, whence he transmitted a message to the Rajah, soliciting a personal conference, which the Rajah declined. The

minister then returned to Weir. Holkar, who had been obliged, on the submission of the Rajah, to leave Bhurtpore, joined him, at this place, with three or four thousand exhausted cavalry, nearly the whole of his remaining force; and both proceeded towards the camp of Scindia at Subbulghur.

The advance of the minister, immediately after the master had agreed to halt, the Governor-General regarded as an evasion and a fraud. The conduct of Scindia, and some intercepted letters, taken from an agent of Scindia dispatched to Holkar toward the close of the month of March, convinced the Governor-General of a coincidence in the views of these two chiefs. And, whether they united their forces for the sake of obtaining better terms of peace, or for the purpose of increasing their abilities for war; as it would be of great importance for them, in either case, to prevent an accommodation between the British government and Runjeet Sing, it was not doubted, that the design of Scindia to proceed to Bhurtpore had that prevention for its end. On the 11th, the 14th, and the 15th of April, Bappojee Scindia, Ameer Khan, and Holkar, respectively, joined the camp of Scindia, who offered to the British resident a frivolous pretext for affording a cordial reception to each. He affirmed that Holkar, who had determined, he said, to renew his invasion of the British territories, had, in compliance with his persuasions, abandoned that design, and consented to accept his mediation for the attainment of peace.



On the 21st of April, the Commander-in-Chief, with the whole of his army, moved from Bhurtpore, toward the position of the united chiefs; and signified his desire to the British resident, that he would take the earliest opportunity of quitting Scindia's camp. The necessity of this measure appeared to him the stronger from a recent event. Holkar had seized the person of Ambajee, for the purpose of extorting from him a sum of money; an audacity to which he would not have proceeded, in the very camp of Scindia, without the consent of that chieftain, and a perfect concurrence in their views.

On the 27th, in consequence of instructions from the Commander-in-Chief, the British resident solicited an interview with Scindia; and he thought proper to give notice that the object of it was, to require the return of Scindia from the position which he then occupied, and his separation from Holkar. The evening of the same day was appointed; but, when it arrived, the attendance of the resident was not demanded. All that day, and the succeeding night, great alarm and confusion prevailed in Scindia's camp; for it was reported that the British army was near. On the morning of the 28th, Scindia and Holkar, with their respective forces, began to retreat with great precipitation; and pursued a difficult march, for several days, during which heat and want of water destroyed a great number of men, to Sheopore, a town in the direct route to Kotah, and distant from that place about fifty miles.

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The resolution, which this retreat suggested to the Governor-General, was, “To adopt the necessary measures for cantoning the army at its several fixed stations. In his judgment,” he says, “this measure, properly arranged, might be expected to afford sufficient protection to the British possessions even in the event of war; and the best

security for the preservation of peace would be" (not the system of defensive alliance, but) "such a distribution of the British armies as should enable them to act against the enemy with vigour and celerity, if Scindia should commence hostilities, or Holkar again attempt to disturb the tranquillity of the British territories. At the same time this arrangement would afford the means of effecting a material reduction of the heavy charges incident to a state of war." Yet he had argued, in defence of the former war, that to keep the British army in a state of vigilance would be nearly as expensive as a state of war.

On the 10th of May, Scindia and Holkar re-commenced their retreat to Kotah; while the demand was still evaded of the English resident for leave to depart from Scindia's camp. The opinion, entertained by the Governor-General of the state of Scindia's councils, at the time when he arranged the cantonment of the British troops, is thus expressed, in his own words: "The weakness and the indolence of Scindia's personal character, combined with his habits of levity and debauchery, have gradually subjected him to the uncontrolled influence of his minister, Serjee Rao Ghautka, a person of the most profligate principles, and whose cruelty, violence, and abandoned conduct, have rendered him odious to whatever remains of respectable among the chiefs attached to Scindia. Ghautka's personal views, and irregular and disorderly disposition, are adverse to the establishment of Scindia's government upon any settled basis of peace and order. Ghautka is therefore an enemy to the treaty of alliance subsisting between Dowlut Rao Scindia and the Honourable Company. Under the guidance of such perverse councils the interests of Dowlut Rao Scindia have actually been sacrificed by Ghautka to those of Jeswunt Rao Holkar; and it appears by the report of the acting resident, contained in his despatch of the 9th of May, that in the absence of Serjee Rao Ghautka, the functions of the administration are actually discharged by Jeswunt Rao Holkar."



With respect to Holkar, the Governor-General was of opinion, that his turbulent disposition and predatory habits would never allow him to submit to restraint, "excepting only in the last extremity of ruined fortune:" And that, as no terms of accommodation, such as he would accept, could be offered to him, without the appearance of concession, no arrangement with him ought to be thought of, except on terms previously solicited by himself, and such as would deprive him of the means of disturbing the possessions of the British government and its allies.

About the beginning of June, the confederate chieftains proceeded in a westerly direction towards Ajmere. For the countenance or aid they had received, or might be expected to receive, in that quarter, from the petty princes who had entered into the Governor-General's system of alliance, that Governor provided the following legitimate apology. "The conduct of the petty chiefs of Hindostan, and of the Rajpoot states, must necessarily be regulated by the progress of events. None of those chiefs possesses singly the power of resisting the forces of the confederates, and any effectual combination among those chiefs is rendered impracticable by the nature of their tenures, by their respective views and prejudices, and by the insuperable operation of immemorial usages and customs. They are therefore compelled to submit to exactions enforced by the vicinity of a superior force, and their preservation and

their interests are concerned in supporting the cause of that power, which, engaged in a contest with another state, appears to be successful, and in abstaining from any opposition to either of the belligerent powers which possesses the means of punishing their resistance.2 In contracting alliances with the petty states of Hindostan the British government has never entertained



the vain expectation of deriving from them the benefits of an active opposition to the power of the Mahratta chieftains, or even of an absolute neutrality, excepting under circumstances which should enable us to protect them against the power of the enemy. At the same time the actual or expected superiority and success of the confederates can alone induce those states to unite their exertions with those of the enemy in active operations against the British power." It is not easy to see, what utility could exist in alliances, of which these were to be the only results.

In the early part of June, intelligence was transmitted to the Governor-General by the resident in Scindia's camp, whom Scindia, in spite of reiterated applications, had still detained, of the probability of an important change in the councils of that chieftain, by the dismission of Serjee Rao Ghautka, the minister, and the appointment of Ambajee in his stead. Though it appeared that the ascendancy of Holkar in the councils of Scindia was the cause of the expected change, the Governor-General was disposed to believe that it increased all the probabilities of a speedy dissolution of the confederacy; as Ambajee, it was likely, would favour the projects of Holkar no longer than necessity required.

On the 17th of June, the acting resident delivered to Scindia a letter from the Commander-in-Chief, declaring, that if he were not permitted to quit the camp in ten days, the relations subsisting between the two states would be regarded as no longer binding on the British government. In some supposed inconsistency in the letters of the Governor-General and the Commander-in-Chief Scindia found a pretext for delay, requiring time to apply for elucidation to the Commander-in-Chief.

On the 27th of June, the last of the days allowed to precede the departure of the resident agreeably to the demand of the Commander-in-Chief, he was visited by one of the principal servants of Scindia. The object of the conference was, to prevail upon the resident to wave his demand of dismission. On this occasion, the strongest professions of amicable intentions with respect to the British government were made on the part of Scindia; and his extreme reluctance to part with the resident was ascribed to the appearance which would thence arise of enmity between the states; while he would by no means allow, that detention could be considered as a sufficient motive for war.1

Thus stood the relations between the British state and the Mahratta chiefs, when the Marquis Cornwallis arrived in India. In the month of December, 1803, the Marquis Wellesley had notified to the Court of Directors his intention of resigning the government of India, and of returning to Europe, as soon as the negotiations with Dowlut Rao Scindia, and the Rajah of Berar, should be conducted to a conclusion. The hostilities, in which the Company became involved with Holkar, induced him to defer

the execution of his intentions; and, even in the month of March, 1805, though he expressed his increasing solicitude, in the declining state of his health, to be relieved from the cares and toils of government, and to return to a more genial climate, he declared his resolution not to abandon his post, till the tranquillity and order of the British empire in India should rest on a secure and permanent basis.[1] Before this time, however, measures had been contemplated in England for a change in the administration of India. The Directors, and the Ministry themselves, began to be alarmed at the accumulation of the Indian debt, and the pecuniary difficulties which pressed upon the Company. Lord Wellesley was regarded as a very expensive and ambitious ruler; the greater part of his administration had been a scene of war and conquest; war and conquest in India had been successfully held forth to the British nation, as at once hostile to the British interests, and cruel to the people of India; with a ruler, possessing the dispositions of Lord Wellesley, it was supposed, that the chances of war would always outnumber the chances for peace; the popular voice, which often governs the cabinets of princes, ascribed a character of moderation and sageness to the Marquis Cornwallis; and to those who longed for peace and an overflowing exchequer in India it appeared, that the return of this nobleman would afford a remedy for every disorder. Though bending under years and infirmities, his own judgment, and that of the parties on whom the choice depended, succeeded in sending him, in the prospect, to a probable, in the event, to an actual, grave.

The extent of the condemnation, thus speedily pronounced on the policy of his predecessor, was somewhat equivocal. The meaning might be, either that so much success had already been gained in the contest, that no *further* success would be of any advantage; or, that it was a contest, in which from the beginning "the most brilliant success could afford no solid benefit."

Lord Cornwallis lost no time in commencing his journey to the upper provinces. In a letter of his, dated on the river, August 9th, 1805, he informed the Court of Directors, that "one of the first objects to which his attention had been directed, was, an inquiry into the state of their finances. The result," he says, "of this inquiry affords the most discouraging prospects; and has convinced me, that unless some very speedy measures are taken to reduce our expenses, it will be impossible to meet with effect the contingency of a renewed war with Scindia and those powers who may be disposed to confederate with him." The only source of relief to which it appeared that he could have immediate recourse, was the reduction of as many as possible of the irregular troops.

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Among the measures of Lord Wellesley, already described, for reducing the power of the Mahratta princes at the commencement of the war, was that of encouraging, by offers of engagement in the British service, the officers employed by those princes, to desert with their troops. The number of those who came over to the British service became at last very considerable; and the expense exceedingly severe. Measures had been taken to lessen the burthen, before the close of the late administration; and the expense had been reduced from the sum of 5,83,669 rupees per month, to that of 3,90,455. The expense appeared, and with justice, in so very serious a light to Lord

Cornwallis, that the troops in question he declared, “would certainly be less formidable if opposed to the British government in the field, than while they remained so distressing a drain upon its resources.” A formidable impediment however opposed the dismission even of those to whom the faith of the government was in no degree pledged; because their pay was several months in arrear, as well as that of the rest of the army, and there was no money in the treasury for its discharge. In this exigency the Governor-General resolved to retain the treasure which the Directors had sent for China; and apprised them of this intention by his letter, dated on the 9th of August. In another letter, dated on the 28th of the same month, he says, “I have already represented to your Honourable Committee, the extreme pecuniary embarrassments in which I have found this government involved: every part of the army, and every branch of the public departments attacked to it, even in their present stationary positions are suffering severe distress from an accumulation of arrears; and if, unfortunately, it should become indispensably necessary to put the troops again in motion, I hardly know how the difficulties of providing funds for such an event are to be surmounted.”[1]



The next part of the late system of government, in which the Governor-General thought it necessary to interfere, was the scheme of alliances. On that subject his sentiments differed widely from those of the ruler who had gone before him.

In a letter dated the 20th of July, 1805, Colonel Close, resident at Poona, had stated to the Governor-General, that he had obtained an interview with one of the principal officers of the Peshwa's government, “with whom,” says he, “I conversed largely on the present distracted conduct of the Poona government; pointing out to him, that, owing to the want of capacity and good intention on the part of the Dewan, the Peshwa, instead of enjoying that case of mind and honourable comfort, which his alliance with the British government was calculated to bestow upon him, was kept in a constant state of anxiety, either by remonstrances necessarily made to his Dewan by the British resident, or by the disobedience and wicked conduct of the persons placed by the Dewan in the civil and military charge of his Highness's territories, which, instead of yielding a revenue for his Highness's treasury, went only to maintain a set of abandoned men, whose first object is obtaining authority to assemble hands of freebooters, and who then, acting for themselves, hold his Highness's government at defiance.”

The Governor-General alludes to certain circumstances: but the question is, whether these very circumstances are not the natural result of such an alliance, not with the Peshwa exclusively, but any one of the native states; and whether there is any rational medium between abstinence from all connexion with these states, and the avowed conquest of them; the complete substitution, at once, of the British government to their own wretched system of mis-rule.

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The Governor-General recurs to his former opinions respecting the impolicy of all connexion with the Mahratta states; opinions of which the reason was not confined to the Mahratta states; and he says, “It must be in your recollection, that, during Marquis

Cornwallis's former administration, his Lordship foreseeing the evils of mixing in the labyrinth of Mahratta politics, and Mahratta contentions, sedulously avoided that sort of connexion with the Peshwa's government, which was calculated to involve the Company in the difficulties and embarrassments of our actual situation. The evils, however, which his Lordship then anticipated from such an alliance, appear to his Lordship to have been exceeded by those which have actually occurred under the operation of the treaty of Bassein."

The views of Lord Cornwallis were less clear and decided with regard to the Nizam, although his observations, addressed to the resident at Hyderabad, under date the 21st of August, 1805, announced the existence of the same evils, resulting from the alliance with the Nizam, as resulted from that with the Peshwa; that is, a total dissolution of the energies of government, in the hands of the native prince, and the necessity, on the part of the British, of exercising all the functions of government under infinite disadvantages. "The Governor-General," says that address, "observes, with great regret, the degree of interference exercised by the British government, through the channels of its representative, in the internal administration of the government of Hyderabad. It appears to his Lordship to have entirely changed the nature of the relations originally established between the British government and the state of Hyderabad. His Lordship is aware, that this undesirable degree of interference and ascendency in the counsels of the state of Hyderabad, is to be ascribed to the gradual decay of the energies of government; to the defect of efficient instruments of authority; to the circumstances which attended the nomination of the present ministers; and to the personal character of his Highness Secunder Jah.—But the evils, which appear to his Lordship to be the necessary result of such a system of interference and paramount ascendency in the government of Hyderabad, greatly exceed those which the maintenance of that system is calculated to prevent.—The former are of a nature more extensive and more durable; and affect the general interests and character of the British government, throughout the whole peninsula of India. The evils of an opposite system are comparatively local and temporary; although rendered more dangerous at the present moment, by the probable effects of a belief which, however unjust, appears to be too generally entertained, of a systematic design on the part of the British government to establish its control and authority over every state in India.—It is the primary object of his Lordship's policy to remove this unfavourable and dangerous impression, by abstaining in the utmost degree practicable, consistently with the general security of the Company's dominions, from all interference in the internal concerns of other states. His Lordship considers even the preservation of our actual alliances to be an object of inferior importance to that of regaining the confidence, and removing the jealousies and suspicions of surrounding states."



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In terms exactly correspondent, the Governor-General wrote to the Secret Committee of the Court of Directors. In a letter enclosing the above despatches, dated on the river near Rage Mahl, on the 28th of August, he says; "One of the most important, and, in my opinion, not the least unfortunate consequences of the subsisting state of our alliances, has been the gradual, increasing ascendency of the British influence and

authority, exercised through the medium of our residents, at the courts of Poona and Hyderabad. The weak and wretched state of the Peshwa's internal government cannot be more forcibly described than in the enclosed despatch, recently received from Colonel Close. And I have reason to believe, that the authority of the Soubah of the Deccan over his dominions is approaching fast to the same state of inefficiency and weakness. The evils likely to ensue from the above statement are sufficiently obvious; but the remedy to be applied to them is unhappily not so apparent.—In the hope, that by degrees, we may be able to withdraw ourselves from the disgraceful participation in which we should be involved, by mixing ourselves in all the intrigues, oppression, and chicanery of the active management of distracted and dislocated provinces, I have ordered those letters to be addressed to the residents at the courts of Hyderabad and Poona, of which copies are herewith enclosed."[1]

The conduct which Lord Cornwallis determined to pursue in regard to the relations between the British state and the belligerent or contumacious chiefs, Holkar and Scindia, was lastly disclosed. His sentiments on that subject, were addressed in a despatch to General, then Lord Lake, on the 18th of September.



In this he declared that "the first, and most important object of his attention was, a satisfactory adjustment of all differences between the British government and Dowlut Row Scindia." To the accomplishment of this primary object of his desire he conceived that two things only operated in the character of material obstructions: the detention by Scindia of the British resident; and the retention, by the British government, of the fortress of Gualior, and the province of Gohud.

The British Governor had made up his mind with regard to both causes of dissension. With regard to the first, he says, "I deem it proper to apprize your Lordship, that as a mere point of honour, I am disposed to compromise, or even to abandon, the demand which has been so repeatedly, and so urgently made, for the release of the British residency, if it should ultimately prove to be the only obstacle to a satisfactory adjustment of affairs with Dowlut Row Scindia." With regard to the second, he says, "It is, in my decided opinion, desirable to abandon our possession of Gualior, and our connexion with Gohud, independently of any reference to a settlement of differences with Dowlut Row Scindia: I have, therefore, no hesitation in resolving to transfer to Dowlut Row Scindia the possession of that fortress and territory."

This accordingly formed the basis of the scheme of pacification planned by the Governor-General. On his part, Scindia was to be required to resign his claim to the jaghires and pensions, stipulation for which had been made in the preceding treaty; to make a provision for the Rana of Gohud to the extent of two and a half, or three lacs of rupees per annum; and to make compensation for the loss sustained by the plunder of the residency: On the other hand, the Jynegur tribute, amounting to the annual sum of three lacs of rupees, might be restored to Scindia; and leave might be given him, to station a force in Dholapoor, Baree, and Rajah Kerree, the districts reserved to him in the Dooab, as the private estates of his family.

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With regard to Jeswunt Row Holkar, Cornwallis declared it to be his intention to restore to that chieftain the whole of the territories and possessions which had been conquered from him by the British arms.

Two important subjects of regulation yet remained: those minor princes in the region of the Jumna, with whom the British government had formed connections: and the territory to the westward and southward of Delhi, of which that government had not yet disposed. The plan of the Governor-General was, to give up both. He purposed to divide the territory among the princes with whom the British government had formed connections; and to reconcile those princes to the renunciation of the engagements which the British government had contracted with them, by the allurement of the territory which they were about to receive. His plan was to assign jaghires, in proportion to their claims, to those of least consideration; and to divide the remainder between the Rajahs of Macherry and Bhurtpore. He meant that the British government should remain wholly exempt from any obligation to ensure or defend the possession of the territories which it thus conferred. He expressed a hope, that those princes, by means of a union among themselves, might, in the reduced condition of Scindia, have sufficient power for their own defence. “But even the probability,” he adds, “of Scindia's ultimate success would not, in my opinion, constitute a sufficient objection to the proposed arrangement; being satisfied of the expediency even of admitting into the territories in question the power of Dowlut Rao Scindia, rather than that we should preserve any control over, or connection with them.” Any attempt of Scindia, in any circumstances, against the British possessions in the Dooab, he pronounced to be altogether improbable. And “Scindia's endeavours,” he said, “to wrest their territories from the hands of the Rajahs of Macherry and Bhurtpore may be expected to lay the foundation of interminable contests, which will afford ample and permanent employment to Scindia.”



In the spirit of these instructions, a letter to Scindia had been penned on the preceding day; intended to inform him that, as soon as he should release the British residency, Lord Lake was authorized to open with him a negotiation, for the conclusion of an arrangement, by which Gualior and Gohud might revert to his dominion.[1]

Before these letters were received by the Commander-in-Chief, the dismission of Sirjee Row Gautka from the office of minister to Scindia, and the appointment of Ambajee, had for some time taken place. This event the British rulers ascribed to the disappointment of Scindia, in the hopes with which they supposed that Sirjee Row Gautka had nourished him, of finding in the union with Holkar a force with which the English might be opposed. Upon the dismission of Sirjee Row Gautka from the service of Scindia, he repaired to the camp of Holkar, which for some time had been separated from that of Scindia. It was the interest, however, of Holkar, to preserve a connection with Scindia, which the latter was now very desirous to dissolve. Holkar offered to give no asylum to the discarded minister, who in a short time left his camp, and repaired to Deccan. Scindia played the double part,

so agreeable to eastern politics; and temporized with Holkar till he felt assured of a favourable adjustment of the subjects of difference between him and the British state.

Moonshee Kavel Nyne was one of the confidential servants of Scindia, who had been opposed to Sirjee Row Gautka, and of course leaned to the British interests. During the ascendancy of Sirjee Row Gautka, Moonshee Kavel Nyne, from real or apprehended dread of violence, had fled from the dominions of Scindia; and had taken shelter under the British government at Delhi. Upon the first intimation, from the new Governor-General to the Commander-in-Chief, of the altered tone of politics which was about to be introduced, Moonshee Kavel Nyne was invited to the camp of the Commander-in-Chief; where it was concerted, that one of his relations should speak to Scindia, and explain to him the facility with which, through the medium of Moonshee Kavel Nyne, be might open a negotiation, calculated to save him from the dangers with which he was encompassed. Scindia was eager to embrace the expedient; and immediately sent proposals through the medium of Kavel Nyne. By this contrivance, the British commander stood upon the vantage ground; and stated, that he could attend to no proposition, while the British residency was detained. Upon this communication, the residency was dismissed; and was upon its march to the British territories, while the Commander-in-Chief had forwarded to Scindia a plan of settlement, fashioned a little according to the views of the Governor-General, before the Governor-General's instructions of
the 19th of September, and his letter to Scindia, arrived in the British camp.



Impressed by dread of the effects, which the manifestation of so eager a desire for peace, and the appearance of indecision in the British counsels, if, one proposal being sent, another should immediately follow, might produce upon Mahratta minds; while at the same time he was strongly persuaded of the impolicy of the measures which the Governor-General had enjoined; the Commander-in-Chief took upon himself to detain the letter addressed to Scindia, and to represent to the Governor-General the views which operated upon his mind.

Apologizing, for the interposition of any delay in carrying the commands of the Governor-General into effect, by the alternation which had taken place in the state of affairs; and announcing the actual transmission of a plan of settlement which it was probable that Scindia would accept, the Commander-in-Chief proceeded to represent; first, that it would be inconsistent with the interests of the British state to let the Mahrattas regain a footing in the upper provinces of India; secondly, that it would be inconsistent with the justice and honour of the British state to relinquish the engagements which it had formed with the minor princes on the Mahratta frontier.

> 1. If the Mahrattas were thrown back from the Company's frontier, to the distance originally planned, a strong barrier would be interposed against them in every direction. To the north-west, the countries of Hurrianah, Bicaneer, Jodepore, and the northern parts of Jeypore, and the Shekaotee, dry, sandy, mountainous, and inhabited by a warlike race, could not be crossed by a hostile army without the greatest difficulty and loss. The roads farther south, by Mewat

> or Bhurtpore, somewhat less impassable, but more than 150 miles in length to the Jumna, through a country with many difficult passes, strong towns, and a warlike and predatory population, would, under a union with the chiefs in that direction, and a well-established line of defence on the part of the British government, be impracticable to a Mahratta army. Though, from the southern part of the territories of Bhurtpore to the junction of the Chumbul with the Jumna, the approach from Malwa presented little difficulty, this line was short; the number of fords so far down the Jumna was much less than higher up; and a British corps, well posted, would afford, in this direction, all the security which could be desired.

If the princes in this region were for a while protected by the British government, they would recover from that state of disunion, poverty, and weakness, into which they had been thrown, partly by the policy, partly by the vices of the Mahratta governments. If abandoned to themselves, they would soon be all subdued, either by Scindia, or some other conquering hero; and a state of things would be introduced, in the highest degree unfavourable to the interests of the British government. “These petty states would first quarrel with each other; would then call in the different native powers in their vicinity, to their respective aid; and large armies of irregulars would be contending upon the frontier of our most fertile provinces; against whose eventual excesses there would be no well-grounded security but a military force in a state of constant preparation.” The military habits of the people would thus be nourished, instead of those habits of peaceful industry, which it was found by experience they were so ready to acquire. The Jumna, which it was the intention of the Governor-General to make the boundary of the British dominions, was not, as had been supposed, a barrier

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of any importance; as above its junction with the Chumbul, except during a few weeks in the year, it is fordable in a variety of places, and would afford little security from the incursions of a predatory army, to the provinces in the Dooab, to Rohilcund, or the countries of the Vizir.

> 2. The personages on the further side of the Jumna; Rajahs, Zemindars, Jaghiredars, and others; to whom the British faith had been formally pledged, were numerous. From that pledge the British faith could not be released, unless the opposite party either infringed the conditions of the engagement, or freely allowed it to be dissolved. “I am fully satisfied,” says the Commander-in-Chief, “that no inducement whatever would make the lesser Rajahs in this quarter renounce the benefit of the protection of the British government. Even such a proposition would excite in their minds the utmost alarm. They would, I fear, consider it as a prelude to their being sacrificed to the object of obtaining a peace with the Mahrattas.”

With regard to the Rana of Gohud, he expressed himself convinced of the utter incapacity of that feeble-minded person for the business of government; and, with respect to him, objected not to the arrangement which the Governor-General proposed.

Before the Governor-General received this remonstrance, he was incapable of discharging the functions of government. His health was impaired when he left England; and from the commencement of his journey from Calcutta had rapidly declined. On the 29th of September, he had become too ill to proceed, and was removed from his boats to a house in Gazeepore, a town in the district of Benares, at which he had arrived. Accounts were dispatched to the Presidency, with intelligence that he could not survive many days. The evil consequences, to which the state was exposed, by the absurdity of those, who, at an eventful period, sent a man to govern India, just stepping into the grave, without the smallest provision for an event so probable as his death, began now to be seen. Two members alone of the Supreme Council, Sir George Barlow and Mr. Udney, remained at Calcutta. "Under the embarrassing circumstances," says Sir George, "attendant on this heavy calamity, it has been judged to be for the good of the public service, that I should proceed immediately, by relays, to Benares, to join his Lordship, for the purpose of assisting in the conduct of the negotiations for peace commenced by his Lordship, if his indisposition should continue; or of prosecuting the negotiations to a conclusion, in the ever to be deplored event of his Lordship's death. The public service necessarily requires the presence of Lord Lake with the army in the field; and, as no provision has been made by the legislature for the very distressing and embarrassing situation in which we are unhappily placed by the indisposition of Lord Cornwallis, at a crisis when the public interests demand the presence of a competent authority near the scene of the depending negotiations, I have been compelled, by my sense of public duty, to leave the charge of that branch of the administration, which must be conducted at Fort William, in the hands of one member of the government. My justification for the adoption of this measure will, I trust, be found in the unprecedented nature of the case, and in the pressing exigency which calls me from the Presidency."



It so happened, that affairs at that time were easy to be arranged; and fell into hands of considerable skill. It was very possible, they might have been of difficult arrangement; and highly probable, when left to chance, that they would have fallen into hands incapable of the task. Of sending a dying man to govern India, without foreseeing the chance of his death, how many evils, in that case, might have been the direful consequence?[1]

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Lord Cornwallis lingered to the 5th of October, and then expired. During the last month he remained, for the greatest part of the morning, in a state of weakness approaching to insensibility. Till near the last, he revived a little towards the evening; was dressed, heard the dispatches, and gave instructions for the letters which were to be written. By the persons who attended him, it was stated, that even in this condition his mind displayed a considerable portion of its original force.[2] Without reminding ourselves of the partiality of these reporters, and going so far as to admit the possibility of the force which is spoken of, we cannot help seeing that it could exert itself on those subjects only with which the mind was already familiar. Where was the strength to perform the process of fresh inquiry; to collect, and to fix in the mind the knowledge necessary to lay the basis of action in a state of things to a great degree new?

The duties and rank of Supreme Ruler devolved, of course, on Sir George Barlow, a civil servant of the Company, who had ascended with reputation through the several gradations of office, to the dignity of senior member of the Supreme Council, when Lord Cornwallis expired. The new Governor-General lost no time in making reply to the representation which the Commander-in-Chief had addressed to Lord Cornwallis, immediately before his death. He stated his resolution to adhere to the plan of his predecessor, in "abandoning all connection with the petty states, and, generally, with the territories to the westward of the Jumna." "This resolution," he added, "is founded, not only upon my knowledge of the entire conformity of those general principles to the provisions of the legislature, and to the orders of the Hononurable the Court of Directors; but also upon my conviction of their expediency, with a view to the permanent establishment of the British interests in India."



1. With respect to the *security,* which, in the opinion of the Commander-in-Chief, would be sacrificed to this policy, Sir George observed, that it was the declared resolution even of Marquis Wellesley, "to render, generally, the Jumna the boundary of the British possessions north of Bundelcund, retaining such posts, and such an extent of country on the right bank of that river, as might appear to be necessary for the purposes of effectual defence." The security of the British empire, must, he said, be derived from one or other of two sources; either, first, from establishing a controlling power over all the states of India; or, secondly, from the contentions and wars, sure to prevail among those states, if left to themselves, combined with efficient measures of defence on the part of the British government itself. With regard to the first of these sources, "such a system of control," he observed, "must, in its nature, be progressive, and must ultimately tend to a system of universal dominion." After this important observation, bearing so directly on Lord Wellesley's favourite scheme of subsidiary alliance, he added, "It must be obvious to your Lordship, that the prosecution of this system is inconsistent, not only with the provisions of the legislature, but with the general principles of policy which this government has uniformly professed to maintain." The line of the Jumna, he thought, might be rendered an effectual barrier against predatory incursions, or serious attack, by forming a chain of military posts on the banks of that river, from Calpee to the northern extremity of the British frontier, and retaining, for that purpose, upon the right bank of the Jumna, through the whole of that extent, a track of land, not exceeding, generally, eight or ten miles in breadth, subject to the operation of the British laws.

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2. To show that the faith was not binding which the British had pledged for the protection of various chiefs, the Governor-General employed the following argument: That the British government was not bound to keep in its own possession the territory in which these chiefs were situated, or on which they were dependent: And if it surrendered the territory, it dissolved the engagement which it had formed to protect them. Those particular persons, to whom pecuniary or territorial assignments had been promised, might be provided for by jaghires, in the territory held on the right bank of the Jumna.[1]

Early in the month of September, Holkar, with the main body of his army, moved from Ajmere, in a north-westerly direction, toward the country of the Seiks. He entered the Shekaotee, with about twelve thousand horse, a small body of ill-equipped infantry, and about thirty guns, of various calibres, most of them unfit for service. Skirting the country of the Rajah of Macherry, and the province of Rewarree, he proceeded to Dadree; where he left his infantry, guns, and about a thousand horse, under one of his chiefs. This chief, in conjunction with the Rajah of Neemrana, one of the districts to the south-west of Delhi, ceded to the British government by the treaty of peace with Scindia, proceeded to ravage the British territories. Holkar himself, with the main body of his cavalry, proceeded towards Patila, giving out his expectation of being joined by the chiefs of the Seiks, and even by the King of Caubul. The Commander-in-Chief took measures, with his usual promptitude, for not only defeating the schemes of the enemy, but rendering the desperate enterprise in which he had now engaged, the means of his speedy destruction. A force, consisting of three battalions and eight companies of native infantry, eight six-pounders, and two corps, exceeding two thousand, of irregular horse, with four galloper guns, was appointed to take up a position at Nernoul. Another force, consisting of three battalions of regular, and three of irregular, native infantry, with two thousand of the best irregular horse, was sent to Rewarree, where, aided by the troops of the Rajah of Macherry, it would maintain tranquillity, cut off the communication of the enemy with Ajmere and Malwa, and prevent him from retreating in the route by which he advanced. Major-General Jones, with the army under his command, received orders to advance towards the Shekaotee, with a view to secure the defeat of the enemy's infantry, and the capture of his guns; a loss which would not only sink his reputation, but deprive him of the means of subsisting his cavalry during the period of the rains. And the Commander-in-Chief, with the cavalry of the army, and a small reserve of infantry, proceeded from Muttra, about the middle of October to give chase to Holkar himself, in whatever direction he might proceed.[1]



In the mean time, the negotiation between the British government and Scindia was conducted, under the auspices of Lord Lake, on the part of Scindia, by Moonshee Kavel Nyne, on the part of the British government, by Lieutenant-Colonel Malcolm, the political agent of the Governor-General in the British camp. On the 23d of November, the treaty was concluded and signed. Of defensive, or any other, alliance, the name was not introduced. Of the treaty of peace, concluded through General Wellesley at Surjee Anjengaum, every part was to remain in force, except so much as should be altered by the present agreement. Gualior, and the greatest part of Gohud, were ceded; not, however, as due by the preceding treaty, but from considerations of friendship. The river Chumbul, as affording a distinct line of demarcation, was declared to be the boundary between the two states. Scindia renounced the jaghires and pensions, as well as the districts held as private property, for which provision in his favour was made in the preceding treaty. The British government agreed to allow to himself, personally, an annual pension of four lacs of rupees; and to assign jaghires to his wife and daughter, the first of two lacs, the second of one lac of rupees, per annum, in the British territories in Hindostan. It also engaged to enter into no treaties with the Rajahs of Oudepore, Jodepore, Kotah, and

other chiefs, the tributaries of Scindia, in Malwa, Mewar or Merwar; and to interfere in no respect with the conquests made by Scindia from the Holkar family, between the rivers Taptee and Chumbul. The British government, high and mighty, held it fitting to insert an article in the treaty of peace, binding the Maharaja never to admit Sirjee Rao Gautka into his service or councils. "This article," says Colonel Malcolm, "was a complete vindication of our insulted honour." Truckling to the master, you struck a blow at the servant, who, in no possible shape, was responsible to you; and this you were pleased to consider as a vindication of honour!



As this treaty appeared to the Governor-General to impose upon the British government the obligation of protecting the states and chieftains, north of the Chumbul, from Kotah to the Jumna, he insisted that two declaratory articles should be annexed, by which that inconvenience might be wholly avoided.

During the negotiations, which preceded the signature of this treaty, Lord Lake was marching in pursuit of Holkar. That chieftain, from the day on which the British General took the field, continued merely to fly before him. Totally disappointed in his hopes of assistance from the Seik chiefs, and reduced at last to the extremity of distress, he sent agents, with an application for peace, to the British camp. As the British commander had instructions to grant terms far more favourable than the enemy had any reason to expect, the negotiation was speedily terminated; and on the 24th of December, 1805, a treaty was signed at Raipoor Ghaut, on the banks of the river Beah, the ancient Hyphasis, to which Holkar had carried his flight. By this treaty, Holkar renounced all his rights to every place on the northern side of the Chumbul; all his claims on Koonah and Bundelcund, and upon the British government, or its allies; and agreed not to entertain Europeans in his service, without the consent of the British government. On these conditions, he was allowed to return to his own dominions; but by a route prescribed, and without injuring the territory of the British government, or its allies. The British government, on the other hand, agreed, not to interfere with any of the possessions or dependancies of Holkar, south of the Chumbul; and to restore the forts and territories captured by the British forces on the southern side of the rivers Taptee and Godavery. An article was inserted, by which Holkar was bound never to admit Sirjee Rao Gautka into his council or service. This article, however, as well as the correspondent article in the treaty with Scindia, were, after a few months, annulled, in consequence of a report that Sirjee Rao Gautka was about to join Holkar. In such a case, those articles might have created an embarrassment; "which, agreeably," says Sir John Malcolm, "to the policy of that day, it was deemed prudent to avoid."



Sir George Barlow made an alteration in this treaty, as he did in that with Scindia, which was sent to him for confirmation. The territories of Holkar, north of the Chumbul, would involve the British government in expense and trouble, either to guarantee or to keep them: He, therefore, annexed a clause, for leaving them to Holkar.

Acting upon his determination to break loose from the engagements, formed with the minor states and chieftains, between the Mahratta frontier and the Dooab, the Governor-General disregarded the remonstrances which were made by the Commander-in-Chief, in favour, more especially, of the Rajah of Boondee, and the Rajah of Jyepore. Lord Lake represented, that the district of Boondee, though not material in point of extent, was highly important, as commanding a principal pass into the northern provinces of the British empire; that the Rajah, steady in his friendship, and eminent for his services to the British government, had excited the utmost rage of Holkar, to whom he was tributary, by the great aid which he had rendered to Colonel Monson, during
his retreat; and that neither justice, nor honour, allowed him to be delivered over to the vengeance of his barbarous foe. The resolution of the Governor-General remained unchangeable, and by the article which he annexed to the treaty with Holkar, that chief was set free to do what he would with the Rajah of Boondee.



The Rajah of Jyepore had entered into the system of defensive alliance with the British state, at an early period of the war with Scindia; but, for a time, showed himself little disposed to be of any advantage; and Cornwallis, by a letter to the Commander-in-Chief of the 3d of August, had directed the alliance to be treated as dissolved. At that time, however, the united armies of Scindia and Holkar were on the frontiers of Jyepore, and the Bombay army, which had marched to a place not far from the capital, was drawing most of its supplies from the territories of the Rajah. In these circumstances, Lord Lake, before the receipt of the letter of Lord Cornwallis, had encouraged the Rajah to found a claim for British protection on the services which it was now in his power to render. He had also prevailed upon Lord Cornwallis to suspend the dissolution of the alliance. When Holkar, during the month of October, passed to the north in the direction of Jyepore, Lord Lake had exhorted the Rajah to discharge the duties of a faithful-ally, under assurances of British protection; the Rajah, on his part, had joined the Bombay army under General Jones, and, by his aid, and the supplies derived from his country, had enabled that General to maintain a position of the greatest importance to the operations of the war; and if, according to expectation, Holkar had retreated in that direction, no doubt was entertained that effective assistance would have been received from the troops of the Rajah. In the opinion,
therefore, of the Commander-in-Chief, the Rajah of Jyepore, who was exposed to a speedy attack from both Scindia and Holkar, the moment that British protection was withdrawn, could not be left exposed to their rapacity and vengeance, without a stain upon the British name. These expostulations altered not the resolutions of Sir George Barlow, who considered the obligations of the British government as dissolved by the early appearances of disaffection on the part of the Rajah, and not restored by his subsequent deserts. He would not even listen to the Commander-in-Chief, requesting that he would defer the renunciation of the alliance till the time when Holkar, who was pledged by the treaty to return immediately to his dominions, should have passed the territories of the Rajah. On the contrary, he directed that the renunciation should be immediately declared, lest Holkar, in passing, should commit excesses, which, otherwise, it would be necessary for the British government to resent. Lord Lake was

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afterwards compelled to receive the bitter reproaches of the Rajah, through the mouth of one of his agents, at Delhi.

Regarding the treaties wich the Rajahs of Macherry and Bhurtpore, as still imposing obligations upon the British government, the Governor-General directed the Commander-in-Chief to enter into a negotiation with them; and to offer them considerable accessions of territory as a return for their consent to the dissolution of the alliance. But Lake, apprehending that even the rumour of any such intention on the part of the British government would again set loose the powers of uproar and destruction in that part of India, represented his apprehensions in such alarming colours, that Sir George, though he declared his resolution unchanged, disclaimed any desire for precipitation; and the Rajahs of Bhurtpore and Macherry, with the chiefs in their vicinity, were not at that time, deprived of the protection of the British power.[1]



It remains, that the finanical results of the operations of government from the close of the first administration of the Marquis Cornwallis, till the present remarkable era, should now be adduced. As regards the British nation, it is in these results that the good or evil of its operations in India is wholly to be found. If India affords a surplus revenue which can be sent to England, thus far is India is wholly to be found. If India affords a surplus revenue which can be sent to England, thus far is India beneficial to England. If the revenue of India is not equal to the expense of governing India, then is India a burthen and a drain to England. This is only an application of the principle, according to which the advantage or disadvantage of new territory, in general, is to be estimated. If the new territory increases the revenue more than the charges, it is advantageous; if it increases the charges in proportion to the revenue, it is hurtful. It is also to be observed, that the interest and redemption of the money expended in making the acquisition must be taken into the account. If it has been made by a war, for example; the whole expense of the war must be taken into the account. And the new territory must increase the revenue beyond the charges in a degree adequate to the interest and redemption of the whole sum expended in the war, otherwise the acquisition is a positive loss. If the surplus of the revenue were the same after the acquisition as before, the whole expense of the war would be lost; the nation would not be the richer for the acquisition, but the poorer; it would have been its wisdom to have abstained from the war, and to rest contented with the territory which it possessed. If the revenue, after the acquisition, is lessened in proportion to the charge; if the surplus of the revenue is diminished, or the deficit enlarged; in that case, the loss is not confined to that of the whole expense of the war; it is all that, and more; it is the expense of the war, added to the sum by which the balance of the annual receipt and expenditure is deteriorated.

BOOK VI. Chap. 13. 1805.

With this principle in view, the following statements will require but little explanation.

In the year 1793-4, the revenues in India amounted to 8,276,770*l.;* the whole of the charges, including supplies to the outlying settlements, and the interest of debts,

amounted to 6,633,951*l.* There was consequently a surplus of revenue to the amount of 1,642,819*l.*

But this favourable appearance was the result of merely temporary causes; for in the course of four years, though years of peace, and with an economical ruler, it gradually vanished; and in the year 1797-8, when the administration of Marquis Wellesley commenced, there was a deficit of revenue, or a surplus of charge. The revenues amounted to 8,059,880*l.;* the charges and interest to 8,178,626*l.;* surpassing the revenues by 118,746*l.*

The evil was prodigiously increased by the administration of Marquis Wellesley; after all the subsidies which he obtained, and all the territory which he added to the British dominions. In the year 1805-6, in which he closed his administration, the revenues amounted to 15,403,409*l.;* charges and interest to 17,672,017*l.;* leaving a surplus of charge equal to 2,268,608*l.*[1]



Such, at the three different periods under comparison, was the state of the government of India, in respect to income and expenditure. Let us consider what was the condition of the Company at the same three periods in respect to debts both at home and in India. In 1793, the debts, both at interest and floating, as they appear upon the face of the Company's accounts, were, in England, 7,991,078*l.;*[2] in India 7,971,665*l.;* total 15,962,743*l.* In 1797, the debts in England were 7,916,459*l.;* in India 9,142,733*l.;* total 17,059,192*l.* In 1805, they were 6,012,196*l.* in England, and 25,626,631*l.* in India, in all 31,638,827*l.*

In estimating the finanical condition of a great government, the annual receipt, as compared with the annual expenditure, and the debt, where debt is incurred, are the only circumstances, usually, which are taken into reckoning, and make up the account. The goods and effects in hand, which are necessary for the immediate movements of the machine, and in the course of immediate consumption, justly go for nothing; since if any part of them is taken away it must be immediately replaced, and cannot form a part of a fund available to any other purpose, without diminishing some other fund to an equal degree.

BOOK VI. Chap. 13. 1805.

Departing from this appropriate rule, the East India Company has availed itself of its mercantile capacity, to bring forward regularly a statement of assets, as a compensation for its debts. This, however, is objectionable, on a second account; because, according to the mode in which this statement is framed, it may exhibit at pleasure, either a great or a small amount. Some of the principal articles have hardly any marketable value; could produce little, if the Company were left to dispose of them to the best advantage; yet the rulers of the Company assign to them any value which seems best calculated to answer their designs. Houses, for example, warehouses, forts, and other buildings, with their furniture, constitute a large article; set down at several times the value probably at which they would sell. Debts due to the Company, and arrears of tribute, form another material ingredient; of which a great proportion is past recovery. A specimen of the made, in which the account of assets is made up, may be seen in the following fact: that 1,733,328*l.,* as due by the public for the expedition to Egypt, was continued in the Bengal accounts as an asset,

after the expense had been liquidated in England; and upwards of 2,000,000*l.* due to the Company by the Nabob of Arcot, and Rajah of Tanjore, is continued in the Madras accounts as an asset, though virtually remitted and extinguished upon assuming the territory of the Carnatic.[1]

The account of assets, therefore, exhibited by the East India Company, deserves very little regard, in forming an estimate of the financial situation of the government of India. Being, however, uniformly adduced, as an article of importance in the Company's accounts, its presence is thus rendered necessary here. As the Committee of the House of Commons, formed in 1810, instituted a comparison between the account of assets and debts, for the period of 1793, and the latest period to which their inquiries could extend, there will be an advantage in taking the same periods for the subject of that view of the assets which is here required. That Committee entered into a slight examination of the statement exhibited by the East India Company of assets in India, and by making certain large, though far from sufficient deductions, reduced the amount of it nearly one half. Unhappily they did not carry even the same degree of scrutiny into the statement of assets at home, and took it pretty nearly as made up by the Company. According to their adjustments the balance is exhibited thus:



| Debts, 1792-3. | | Assets, 1792-3. | |
|---|---|---|---|
| Home.... | £7,991,078[1] | Home.... | £9,740,832 |
| India.... | 7,992,548 | India.... | 3,800,838 |
| Total debts | 15,983,626 | Total assets | 13,541,670 |
| | 13,541,670 | | |
| | £2,441,956, | the amount by which at the first period the debts exceeded the supposed assets. | |

[1] The difference between this and the debt for that year, as stated in the accounts, arises from the sum of 2,992,440*l.* East India Annuities transferred to the Bank, excluded by the Committee from the Company's accounts.

| Debts, 1809-10. | | Assets, 1809-10. | |
|---|---|---|---|
| Home.... | 10,357,088 | Home.... | 14,504,944 |
| India.... | 28,897,742 | India.... | 12,222,010 |
| | 39,254,830 | | 26,726,954 |
| | 30,660,119 | Add sundries as per note[1] | 3,933,265 |
| | £8,594,711 | | |
| the amount by which at the second period the debts exceeded the supposed assets.[2] | | | £30,660,119 |

[1]

| | |
|---|---|
| Goods and Stores in India in 1810, bought in England, not included in the account of assets.... | £2,249,060 |
| Balance in favour of the Company at China, in 1810.... | 1,306,606 |
| Ditto at St. Helena.... | 147,628 |
| Ditto Prince of Wales Island.... | 215,786 |
| Ditto Cape of Good Hope.... | 14,085 |
| To be added to amount of assets | £3,933,165 |

[2] For the above statements, see Third Report, ut supra, p. 368; Fourth Report, ut supra, p. 450.

The whole of the moneys which have passed into the Company's treasury for capital stock, amounts to the sum of 7,780,000*l.* This remains to be added to the debtor side of its account. The total, then, of the sums on the debtor side of the account at the period in question, viz. the year 1809-10, was 47,034,830*l.,* surpassing the whole of its assets by the sum of 16,374,711*l.*



Upon the statements by which was exhibited the financial condition of the Company at the close of the administration of Marquis Wellesley, it may be justly remarked, that the expenditure at that time was an expenditure of war, and that the ratio between the ordinary revenues, and a war expenditure, affords not a just view of the financial effects which his administration produced.

Let us take the statements for 1808-9, the last of the years for which we have the aid of the Committee of 1810, in unravelling the confusion, and removing the obscurity, of the Company's accounts. The government of India had at this time enjoyed three years of uninterrupted peace; when the financial effects of the administration which closed in 1805 may be supposed to be sufficiently ascertained. In that year the revenues amounted to 15,525,055*l.;* the charges, including supplies to out lying settlements, and the interest of debts, amounted to 15,551,097*l.;* constituting a surplus of charge to the amount of 26,042*l.* This was a great reduction from 2,268,608*l.,* the excess of charge in 1805; it was even somewhat less than 118,746*l.,* the excess of charge in 1798; but far was this from being a state of receipt adequate to pay the interest and redeem the capital of that enormous sum expended by the wars to which

the administration of Marquis Wellesley had given birth. The debts, as they appear upon the face of the accounts were, in England 10,357,088*l.* in 1810; in India 30,876,788*l.* in 1809, which was the last year of which the Committee had received the accounts. The sum of debts was therefore 41,233,876*l.;* being an addition to the sum of the debts existing in 1805, of little less than 10,000,000*l.*[1]

On the 1st of March, 1793, the debts were less than the effects; in other words, there was a balance in favour of the concern, to the amount of 1,956,866*l.* On the 1st of March, 1810, the debts were greater than the effects; in other words, there was a balance against the concern, to the amount of 6,025,505*l.* This constitutes a deterioration during the intermediate period, amounting to 7,982,371*l.* To this the same Committee of 1810 add the money raised for capital stock in 1793 and 1794; and after some other adjustments exhibit the deterioration in those seventeen years at 11,062,591*l.*[1]

To the balance of 6,025,505*l.* against the Company in 1810 are to be added the sums received for capital stock, amounting as above to 7,780,000*l.;* exhibiting on the debit side of the Company's account, a balance of 13,805,505*l.;* in other words, an amount to that extent, of legitimate claims, which there is nothing whatsoever in the shape of property to meet.



As the operations of the Company are two-fold, those of government and those of commerce, it is a question whether the unfavourable result which appears on the comparison of the accounts of stock in the year 1793, and 1810, was produced by the government, or the commerce. This question the Committee in 1810 make an attempt to answer. Beside the charges which clearly belong to the government, and those which clearly belong to the commerce, there are some, of which it is doubtful whether they belong to the government or the commerce. The charges which the Committee represent as clearly belonging to the government exceed the receipts by 6,364,931*l.* Besides this amount there is a sum of 6,875,350*l.,* which they represent as doubtful, whether it belongs to the government or the commerce. This constitutes an unfavourable balance, to the amount of 13,240,281*l.* Exclusive of these doubtful charges, there is a profit upon the goods purchased and sold, or, the commercial transactions of the period, to the amount of 14,676,817*l.* Out of this was paid the dividends upon stock, and the interest upon debt in England, amounting to 12,515,284*l.;* after which remained a surplus, in aid of government, to the amount of 2,164,533*l.;* reducing the unfavourable balance of 13,240,281*l.* as above, to 110,758, the net deterioration of the period.[1]

The Committee exhibited an account which was intended to show how much England gained or lost by India (not including China), during the period of seventeen years from 1793 to 1810. During that period the value of property sent by England to India is stated at 43,808,341*l.;* the value received by England from India is stated at 42,178,640*l.* England therefore lost 1,629,701*l.*[2]

The peace which terminated the war with the Mahrattas, a few months after the period of Lord

Wellesley's administration, is the last great epoch, in the series of British transactions in India. With regard to subsequent events, the official papers, and other sources of information, are not sufficiently at command. Here, therefore, it is necessary that, for the present, this History should close.

THE END

[1]Report on the Negotiation between the Honourable East India Company and the Public, respecting the renewal of the Company's exclusive Privilege of Trade, for Twenty Years from March 1794. By John Bruce, Esq. M. P., F. R. S. Historiographer to the Honourable East India Company, p. 13.

[2]Parliamentary Debates, 24th May, 1798.

[3]Letter from Governor-General to the Resident at Poonah, dated 7th August, 1792. Colonel Wilks says, on this occasion, “The policy of his Mahratta allies was in direct and systematic opposition to every thing explicit and definite in its connexion with other powers.” In this way, it might be supposed, that this was a clause exactly to suit them.

[4]Sir John Malcolm thinks this good reasoning, p. 142.

[5]See his dispatch to the Governor-General, dated Hyderabad, 1st Jan. 1794. The words of Sir John Malcolm, reporting and applauding this advice, are worthy of insertion. “In this [the dispatch in question] the resident states his conviction, that the circumstances in which the court of Hyderabad was then placed, and the character of those by whom it was ruled, were such, as gave us an opportunity, which it was wise and politic to use, to establish an influence and power in its councils, which would enable us to command its future exertions, and benefit from its resources under any events that could occur.” Sketch, &c. p. 144. The opinion of two such distinguished functionaries of the Company, so thoroughly conversant in the politics of India, respecting the real import of those engagements, by which the native Princes accepted the Company's troops as the instrument of their defence, is more instructive as throwing light upon the hypocrisy of preceding, than the plain dealing of, subsequent, times.

[6]This opinion is given with confidence by Sir John Malcolm.

[7]Sketch, &c. p. 167.

[8]1*s.* 3*d.*

[9]In his Minute, 15th June, 1795.

[10]29th March, 1794.

[11]Letter from Lord Cornwallis, dated, “On the Ganges, 16th Nov. 1787;” Papers relating to India, printed by the House of Commons in 1806, No. 2. p. 4. In the same

letter his Lordship says, the Nabob, "urged, as apologies—that whilst he was not certain of the extent of our demands upon him, he had no real interest in being economical in his expenses; and that while we interfered in the internal management of his affairs, his own authority, and that of his ministers, were despised by his own subjects."

[12]Political Letter to Gov.-Gen. 8th April, 1789; printed papers, ut supra, p. 5.

[13]The mystery is explained in a subsequent page.

[14]Letter from Lord Cornwallis to the Vizir, dated 29th Jan. 1793; printed papers ut supra, p. 11–13.

[15]Printed papers, ut supra, p. 16, 17, 19.

[16]Printed papers, ut supra, p. 14.

[17]Sir John Malcolm, Sketch of the Political History of India, p. 195.

[18]Collection of Treaties and Engagements, with the Native Princes and States of Asia, &c. printed for the East India Company in 1812, p. 150–161.

[19]Printed Papers, ut supra, p. 28.

[20]Ibid.

[21]Minute of Sir John Shore, detailing the measures which led to the deposition of Vizir Ali, &c, printed papers, ut supra, No. 1. p. 1.

[22]The tale of Tehzeen, said the Governor-General, concorded with public opinion. But what knew the Governor-General about the public opinion of Oude, except what he was told? And what was he told except by a few individuals who surrounded him; and who concurred, for their own purposes, in wishing Vizir Ali to be deposed? The utmost that can be said for the tale of Tehzeen is, that it is not in itself incredible, or, perhaps improbable. But that was not the question. The only question was, whether there was or was not evidence to establish the allegations. Undoubtedly his private conversation with the Governor-General, aided by what a few individuals *told* the Governor-General about public opinion—was not evidence sufficient to vest allegations with the character of facts.

[23]Printed Papers, ut supra, p. 19–22.—Collection of Treaties, ut supra, p. 177.

[24]Printed Papers, ut supra, p. 31.

[25]Papers relating to the Affairs of the Carnatic, No. 2; printed by order of the House of Commons, in 1803.

[26]"I should hesitate," he says, "to advance if I was not supported by the authority of public record, that during a late scarcity of grain in the southern provinces, the

*Manager* had the hardiness to write a public complaint, to the Company's collector, against the Polygars, for selling grain to the inhabitants.—Nor was the evil removed, without the interposition of this government, who, by sending vessels loaded with grain, induced the monopolizers, from regard to their own interests, to restore their usual supplies to the market." He adds; "As the means of cultivation decrease, the price of grain is enhanced;—and it is a notorious, but inhuman maxim of eastern finances, *[Query, how much it differs from the principle of an English corn law]*—that a time of scarcity is more productive to the Sirkar than a time of plenty, owing to the price at which the diminished quantity is sold." Ibid.

[27]See the Minute of Lord Hobart, printed papers, ut supra, p. 99–104.

[28]President's Minute in Council, 24th November, 1795, printed papers, ut supra, p. 104. Lord Hobart felt what reformers are sure to experience, wherever the interests opposed to reform continue to exist: "I am aware," said he, "of the numerous enemies who will start up against me, for the part I have taken. But I have a shield in the consciousness of an honest execution of my duty, which blunts their arrows, and which will ultimately render all their efforts impotent and unavailable.—I have forborne to bring forward the names of individuals, not because I am not able to do so, but because the subject is above personal considerations.—Let those who have amassed wealth, by such means, enjoy it as well as they can. Let it be my pride to have paid this tribute to suffering humanity, by deterring others from the commission of similar enormities." Ibid. The enemies of reform in India, and the enemies of reform in England, are of one and the same *caste.*

[29]Letter from Lord Hobart to the Court of Directors; printed papers, ut supra, p. 87–93.

[1]Public Letter to Fort St. George, 18th Oct. 1797. Papers relating to the Affairs of the Carnatic, ordered by the House of Commons to be printed 10th August, 1803, i. 244.

[2]Speech of the Chairman in the General Court, 6th Feb. 1798. See the Report of the Debate, in the Asiatic Annual Register, vol. i.

[3]This is the account which is given in the Governor-General's Letter to the Court of Directors, dated 20th March, 1799. In his minute, in the secret department, 12th of August, 1798, the following is the account. "The ambassadors aided and assisted in the levy of 150 officers and privates, for the service of Tippoo, under the terms, and for the purposes, stated in the proclamation. Few of the officers are of any experience, and the privates are the refuse of the democratic rabble of the island. Some of them are volunteers; others were taken from the prisons, and compelled to embark. Several of them are Caffrees, and people of half cast. With such of these troops as were voluneers, the ambassadors entered into several stipulations and engagements, in the name of Tippoo." In Tippoo's own letter to the French Directory, under date the 30th of August, 1798, he says he received only sixty soldiers.

[4]Letter from Lord Mornington to the Court of Directors, dated 20th March, 1799. Papers presented to the House of Commons relating to the late War in the East Indies with Tippoo Sultaun; ordered to be printed 26th Sept. 1799. "The necessarily dispersed state of the troops," (says Col. Beatson, View of the Origin and Conduct of the War with Tippoo Sultaun, i. 15,) "would have been of less importance but for those radical defects, which have in a certain degree at all times existed. These *proceed from a system of economy,* which precludes the expense of establishing depots of grain in different parts of our possessions, and of maintaining a fixed establishment of draught and carriage cattle; without which no portion of the Madras army, however amply it might have been supplied with every other requisite for field operations, was in a condition to act with promptitude and effect."

[5]See a Report of the business of this meeting: Asiatic Annual Register, vol. i. Chronicle, p. 31.

[6]A Review of the late War in Mysore, in a Letter from an officer in India. Published by M. Wood, Esq. M. P. Colonel, and late Chief Engineer, Bengal, p. 10. The Governor-General's Letter, ut supra, parag. 38.

[7]Ibid. Colonel Beatson says (View of the Origin and Conduct of the War with Tippoo, i. 4), "The apprehensions entertained from the designs of Tippoo Sultan were certainly, at that period, considerably increased by the bold and decided measures of preparation and defence, which the Marquis Wellesley judged proper to adopt, a very few weeks after he had taken charge of the supreme government of India."

[8]Letter of the Governor-General to the Court of Directors, dated 21st Nov. 1798. Printed papers, ut supra, p. 6. Malcolm's Sketch, p. 236–244. Beatson tells us (i. 50) that the secret was well kept; that the cause of sending the detachment from Guntoor to Hyderabad was not made known to the government of Madras; and that the intelligence of the annihilation of the French corps came by surprise upon the English of Calcutta and Madras. He tells us also, that their minds were in such a state as to regard the transaction as a perfect master-piece of policy.

[9]Letter, ut supra, parag. 24.

[10]Malcolm's Sketch, p. 244.

[11]Hist. Sketches, iii. 361–366.

[12]Printed papers, ut supra, No. 1.

[13]"It was supposed" (says Colonel Beatson, p. 57) "that Tippoo Sultaun's army had suffered essentially, both in numbers and discipline, since the last war: his finances were in disorder: his councils were perplexed by discordant opinions; and his spirits dejected and broken by the disappointment of his hopes of French assistance; by the retreat of Zemaun Shah; by the failure of his intrigues at the courts of Poonah and Hyderabad; and by the unexampled vigor, alacrity, and extent of our military preparations." "Tippoo Sultaun's field army" (he says p. 204) "was estimated at 47,470 fighting men."

[14]Printed papers, ut supra, No. 8.

[15]Malcolm's Sketch, p. 254.

[16]Letter from Lord Mornington to Tippoo Sultan, printed papers, ut supra, p. 24.

[17]See the papers relating to East India Affairs, printed by order of the House of Commons in the year 1800.

[18]Printed papers, ut supra, No. 8, inclosure, No. 4.

[19]Ibid. No. 5.

[20]Letter from the Governor-General to the Court of Directors, dated 3d August, 1799, ut supra.

[21]Letter, 20th March, 1799, ut supra.

[22]Inclosures A. and B. of the Gov.-Gen.'s Letter to the Commander-in-Chief, dated 22d January, 1799.

[23]"The victories of the Marquis Cornwallis (says Col. Beatson, i. 47) had greatly facilitated any future plan of operation against the power of Tippoo Sultaun. By diminishing *his* resources, and increasing *our own,* they had produced a twofold effect. And the extension of our frontier, by the extension of the Barramaul and Salem districts, and a thorough knowledge of the defences of Seringapatam, and of the routes leading to that city, were considered at that moment as inestimable advantages."

[24]The Rajah accompanied General Stuart, and was present with him in the battle; which he described with vast admiration, in a letter to the Governor-General, quoted by Col. Wilks.

[25]These are the words of two distinguished officers of the same army; Beatson, p. 65, and Wilks, iii. 407.

[26]Wilks, iii. 414.

[27]Letter to Directors, 3d August, 1799, ut supra.

[28]Hist. Sketches, iii. 436, 437. For the interior history of the Mysoreans, at this time, Colonel Wilks, who afterwards governed the country, enjoyed singular advantages; and we may confide in his discrimination of the sources and qualities of his information.

[29]See Major Allan's own account of the scenes at the palace, and the gateway; annexed (Appendix 42) to Beatson's View of the War with Tippoo Sultaun.

[30]After the capture of Seringapatam, some native spies, employed by the English, asserted that the Sultan had ordered the death of thirteen English prisoners, taken during the siege: and a scrap of paper was found, said to be in his hand-writing, which bore the character of an order for the death of 100 Coorg prisoners.—All the evidence which accompanies these allegations would not be worthy of regard, but that the moral and intellectual state of the age and country of Tippoo renders such an act by no means improbable, under strong temptation, by any prince of the East. This, however, does not conclude Tippoo to be worse; it only supposes him not to be better than his neighbours.

[31]See the letter from Tippoo Sultaun to M. Du Buc, dated Seringapatam, 2d Jan. 1799; papers printed by order of the House of Commons in 1800.

[32]See the papers relating to the war with Tippoo, printed by order of the House of Commons, in 1800. In the report which the vakeels, upon their return made to the Sultan of their proceedings, they expressly state, that the Governor of the Isle of France waited upon them, and said, “that Ripaud had made an erroneous representation to your Highness, which occasioned us to be deputed.” And before their departure, they were informed by the Governor, that he would send with them a gentleman, (one of those by whom they were actually accompanied) “who should reside at the presence in quality of vakeel, that the other Frenchmen might not, by telling falsities, like Ripaud, deceive your Highness.”

[33]Beatson, i. 139.

[34]Col. Beatson says, (p. 254) that in 1788 be “ascertained the position and nature of not less than sixty passes through the mountains, several of which are practicable for armies, and two thirds, at least, of that number sufficiently open to the incursions of cavalry.”

[35]The Governor-General expressly declares, that beside the jealousy of the Mahrattas, the partition of Mysore between the English and the Nizam would have raised the power of that Prince to a dangerous height: and would have given him many strong fortresses which could not have been placed in his hands without imminent danger to the British frontier.

[36]See the papers relating to the war with Tippoo, printed by order of the House of Commons in 1800. See also the Treaty with the Nizam, and that with the Rajah of Mysore. For the whole of the concluding struggle with Tippoo, we have very complete information, not only in the official papers, which have been pretty fully given in print, but in the valuable works, so frequently quoted, of Beatson and Wilks. For the character of Tippoo, and some parts of his politics, hints are afforded by the volume of his letters, for which we are indebted to Col. Kirkpatrick.

[37]A Sketch of the Political History of India, from the Introduction of Mr. Pitt's Bill, A. D. 1784, to the present Date, by Sir John Malcolm, pp. 282–287. Collection of Treacies.

[1]Papers printed by order of the House of Commons in 1806, i. 30.

[2]Papers, ut supra, v. 3.

[3]Papers, ut supra, iii. 2, 3.

[4]Minute of the Governor-General, 4th of July 1797. See also Malcolm's Sketch, p. 210.

[5]Papers, ut supra, ii. 36.

[6]Papers ut supra, p. 36, 37.

[7]Papers, ut supra, ii. 37.

[8]Ibid. p. 38.

[9]Malcolm's Sketch, p. 317.

[10]See Collection of Treaties, &c. between the East India Company and the Asiatic Powers; also the Appendix to Malcolm's Sketch.

[11]Malcolm's Sketch, p. 318.

[12]Papers, ut supra, p. 22, 23.

[13]Papers, ut supra, iii. 146.

[14]Papers, ut supra, i. 3.

[15]See the Letter, with that to Sir A. Clarke, in papers, ut supra, iii. 4–6.

[16]Letter to the Governor-General, dated 7th September, 1799; papers ut supra, p. 10.

[17]Papers, ut supra, p. 14.

[18]Papers, ut supra, p. 15, 16.

[19]Papers, ut supra, p. 16, 17.

[20]Papers, ut supra, p. 24, 25.

[21]Papers, ut supra, p. 25.

[22]Papers, ut supra, p. 27–31.

[23]Papers, ut supra, p. 31, 32.

[24]Ibid. p. 40–48.

[25]Papers, ut supra, p. 53.

[26]Papers, ut supra, p. 62

[27]Papers, ut supra, p. 67

[28]Ibid. v. 4.

[29]Vide supra, p. 140, (viz, the case of Mysore.)

[30]Dated the 31st of August, 1800; papers, ut supra, v. 10.

[31]Papers, ut supra, iii. 73.

[32]Papers, ut supra, iii. 77, 78.

[33]Papers, ut supra, iii. 87, 88.

[34]Papers, ut supra, iii. 89.

[35]Ibid. iii. 89, 90.

[36]Papers, ut supra, iii. 91, 92.

[37]Papers, ut supra, iii. 96–101.

[38]Papers, ut supra, iii. 110–140, containing the correspondence on the disbanding of the troops.

[39]Papers, ut supra, iii. 141.

[40]Papers, ut supra, iii. 145–148.

[41]Ibid. p. 148–151.

[42]Papers, ut supra, iii. p. 161–208.

[43]Papers, ut supra, iii. 163, 164.

[44]Papers, ut supra, iii. 185–192.

[45]Papers, ut supra, iii. p. 198.

[46]Ibid, p. 213.

[47]Contrast the language, in the last quoted sentence, with the following passage of an address delivered to the Vizir in the name of the Governor-General, by his brother

Henry Wellesley, in September, 1801; where, after a description of the undisciplined and mutinous condition of the troops of the Vizir, and his own declared opinion of them, these, says the address, “were the primary causes which moved the Governor-General to consider the means of applying an effectual reform to the military establishment of Oude. The plan of this reform originated, not in the voluntary suggestion of his Lordship's mind, but in the alarming state of your Excellency's dominions and power, and in your own express desire.” Papers, ut supra, iv. 7.

[48]Papers ut supra, iv. 231.

[49]Papers, ut supra, iv. 1–15.

[50]Ibid. p. 17.

[51]Papers, ut supra, iv. 21–23.

[52]Papers, ut supra, iv. 39.

[53]Papers, ut supra, iv. p. 29 and 35.

[2]Ibid. p. 27.

[1]Papers, ut supra, v. 14, 15.

[1]This sentiment is expressed by Mr. Henry Wellesley, in his account of the progress of the negotiation; letter to the Governor-General, dated 7th January, 1802; papers, ut supra, iv. 35. It is several times expressed by Colonel Scott, especially in his conversations with the Vizir, during the course of the negotiation; see papers, vol. iii. passim.

[1]Papers, ut supra, v. 11–17.

[1]Papers, ut supra, v. 20–25.

[1]Papers, ut supra, v. 25, 26.

[1]See the Minutes of Evidence on the Oude Charge, p. 32, 35, 49, 53, 74.

[1]See ch. vi. passim.

[1]Papers, ut supra, v. 25, 26.

[1]Papers, ut supra, v. p. 26.

[2]It may be useful to some persons to see, what real good sense, without the aid of systematic inquiry, has taught on this subject in a remarkable age and country. Συνιετε καθ? ?ν τροπον, ω ανδρες Α?ηναιοι, ? Σολων τβς ψ?ς καλως κελευει τιθεναι; ..... ?ν? ?ις ν περι των οντων εκαςβ νομος, καιμη τβς ιδιωτας αυτο τβτο ταραττν, και ποιη των ?παντας ειδοτων τβς νομβς εχειν? αλλα πασιν ν ταυτα αναγνωναι, και

μα?ειν ?πλα και σαφη τα δικαια, και προ τβτων γε επεταξεν εκθειναι προσθεν των επωνυμων, και τψ γραμματει μαραδβναι? τβτονδ? εν ταις εκκλησιαις αναγινωσκειν, ?ν? ?καζος ?μων, ακβσας πολλακις, και κατα σχολην σκεψαμενος, ? αν ν και δικαια και συμφεροντα, ταυτα νομοθετν. Demosth, contra Leptinem: Reiske, i. 485. The circumstances here pointed out, on the authority of Solon, are, first, clearness, simplicity, and certainty in the laws; so great, that any private man may be as well acquainted with them, as little liable to sustain any evil by his ignorance of them, as the man who makes them the study of his life: Secondly, that the most effectual means should be taken to make every man fully acquainted with the laws, by exposing them, in terms, to public view, even before enactment, and making them be read by the public reader, in the congregations or assemblies.

. Artist. Rhetor. lib. i. cap. 1. The proposition here is, That a system of law, to be good, must define every thing, susceptible of definition, within the field of law; and leave as little as possible to the judges. Three reasons are annexed: First, that it is easier to find one or two men, provided with the wisdom, necessary for the making of laws, than to find a multitude: Secondly, that legislation is to be performed cautiously and deliberately; judication must be performed upon the spur of the occasion, and expeditiously, which takes from judges the power of tracing accurately the limits of utility and justice: Thirdly, the decision of the legislator, and that is the most important consideration of all, is not about *particulars,* and cases present to the senses; but about *genera,* and cases yet to come; whereas the decision of the judge is about particulars, and things present to the senses; things to which his passions are apt to be linked, and by which his interests are apt to be affected; in such a manner, that his discernment of right and wrong is obscured, by the intervention of what is agreeable or painful to himself.

[1]Vide supra.

[1]Instructions, under the signature of the Secretary of Government; sent to Mr. Wellesley and Colonel Scott, at Lucknow, under date Monghir, 21st September, 1801. Papers, ut supra, iv. 18, 19.

[1]See the Letter in which he announced the ratification of the treaty, dated, on the Ganges, 14th of November, 1801, papers, ut supra, v. 15.

[1]Papers, ut supra, ii. 42–44.

[1]Papers, ut supra, xii. 9. See also the article of charge against Marquis Wellesley, relating to Furruckabad. For the statistics of Furruckabad, see Rennel, and Hamilton's East India Gazetteer.

[1]Papers, ut supra, xii. 9–28.

[2]Ibid. i. 36.

[1]Papers, ut supra, i. 34–42.

[2]Ibid. p. 64.

[1]Papers, ut supra, Supplement, No. 2, to vol. iii.

[1]Papers, i. 58.

[1]Papers, ut supra, p. 46. “The satisfaction,” says the judicial letter from Bengal, in the department of ceded provinces, dated on the same 20th of October, “generally manifested by all descriptions of persons in the ceded provinces, at the transfer of these provinces to the authority of the British government, and the uninterrupted success which attended the measures adopted under the sanction of the Governor-General in Council, by the late Lieutenant-Governor, and the Board of Commissioners, for the complete establishment of the authority of the British government in these provinces, appeared to his Excellency in Council, to leave no room to doubt of the expediency of immediately introducing into the ceded provinces the system of internal government established in Bengal. It is with the highest degree of satisfaction, his Excellency in Council is enabled to add; that the tranquillity which has in general prevailed throughout the country, and the submission and obedience, manifested by all classes of people to the authority of the laws, afford abundant proof, both of the beneficial operation of the new form of government, and of the expediency of its introduction.” Supplement, ut supra, p. 301.

[1]Minutes of Evidence, p. 54–59.

[1]Papers, ut supra, Supplement, No. 2, to vol. iii.

[1]Minutes of Evidence, p. 55. “From the general spirit of revolt which the Zemindars of this country exhibited, on the small check which our troops received at Shekoabad, &c.” says a letter of Captain M. White, commanding at Etaawah, dated 12th September, 1803. Papers ut supra, Supplement, No. 2, to vol. iii.

[1]Minutes of Evidence, p. 55.

[1]See a folio volume of 535 pages, of papers relating to this transaction solely, printed by order of the House of Commons, dated 14th July, 1806, and furnished with a copious table of contents, by which every paper, to which the text bears reference, will be easily found.

[2]Vide, supra, p. 62.

[1]Papers relating to the affairs of the Carnatic, ordered by the House of Commons to be printed, in August, 1803, i. 243.

[1]Papers, ut supra, p. 204.

[1]Papers, ut supra, p. 213–216.

[1]Papers, ut supra, p. 216.

[2]Ibid p. 214.

[1]Papers, ut supra, p. 216.

[1]Papers, ut supra, p. 217.

[1]See certain documents in the Second Report of the Select Committee, 1810, p. 234–242.

[1]Papers, ut supra, p. 2.

[2]Ibid. p. 3.

[3]Ibid. p. 4.

[1]Papers, ut supra, p. 14.

[1]Papers, ut supra, p. 47.

[1]Papers, ut supra, p. 36.

[2]Ibid. p. 39. The papers from Seringapatam, and the examination of the witnesses, are in a collection of House of Commons "Papers concerning the late Nabob of the Carnatic, ordered to be printed 21st and 23d of June, 1802;" the rest of the documents are in the volume of papers quoted immediately above.

[1]For the above extracts, see Papers, vol, i. ut supra, p. 42–47.

[1]Such are the words of the Governor of Fort St. George, in a letter to Lord Wellesley, 7th of July, 1801; papers, ut supra, p. 65.

[1]The report from which the above particulars and quotations are taken, is in the volume of papers (p. 8–25), ordered by the House of Commons to be printed, 21st and 23d of June, 1801.

[1]See the Treaty and Papers, ut supra, i. 74.

[1]Letter from the Secret Committee of the Court of Directors, dated 29th of September, 1802, to the Governor in Council of Fort St. George; papers, ut supra, i. 153.

[1]Vide supra.

[2]Papers, ut supra, ordered to be printed 21st and 23d of June, 1802.

[1]Papers, ut supra, i. 95, 96, 145, 146.

[2]Papers, ordered to be printed in 1806, No. 25, p 192.

[1]Governor-General's Narrative of the late Transactions in the Mahratta empire: East India Papers, Mahratta War, 1803, ordered to be printed 5th and 22d of June, 1804, p. 304.

[2]Ibid.

[1]Governor-General's instructions to the resident at Poona, dated 23d of June, 1802, transmitted in Letter from the Governor-General to the Secret Committee, dated 24th of December, 1802, and received the 9th of May, 1803. Ibid. p. 34.

[2]Ibid.

[3]Ibid.

[1]Letters, ut supra, p. 34.

[2]Ibid.

[1]Letter, ut supra, Ibid. p. 34.

[1]Letter, ut supra, Ibid. p. 34.

[1]Letter, ut supra, Ibid. 35.

[2]Ibid.

[1]Letter, ut supra, Ibid. p. 35.

[2]Ibid.

[3]Ibid.

[1]Letter, ut supra, Ibid. p. 37.

[2]Governor-General's Narrative, Ibid. p. 305

[1]For these particulars, of the dispute between Scindia and Holkar, see the same volume of Parliamentary Papers, p. 258, 1, 5.

[1]Papers, ut supra, p. 7–9.

[1]On this subject he further says, in the same dispatch; “It must likewise be considered; that, however much it may be the interest of the Peshwa to engage in the defensive alliance, with a view to the restoration of the due exercise of his authority, as head of the Mahratta empire; yet that Scindia is by no means in a similar predicament. On the contrary, as the Maharaja (Scindia), by the real superiority of his power, is now enabled to intimidate Baajee Rao into concessions suitable to his purposes, he is apparently urged, by principles of self-interest, not only to decline becoming a party himself in the treaty, but more-over to exert his utmost influence, in

order to prevent the Peshwa from entering into engagements, which, if carried to the extent originally proposed, would completely render him alike independent of Scindia, and of every other chieftain of the Mahratta state."

[2]See the Dispatch of Colonel Collins, dated Ougein, 8th of March, 1802, Ibid. p. 13–15.

[1]Papers, ut supra, p. 258, 343.—On the 8th of March Colonel Collins, in the camp of Scindia, estimated the prospects of Holkar thus "Since the defeat of Jeswunt Rao at Indore, where he lost the whole of his artillery, this chief has merely been able to carry on a depredatory war; and as he possesses no other means of subsisting his troops, than by plundering, it is not unlikely that they may disperse during the rainy monsoon. Yet should he even find it practicable to retain them in his service, still they are not so formidable, either from discipline or numbers, as to create any serious grounds of alarm to this court." (Ibid. p. 14). The Governor-General, in his letter to the Secret Committee, 24th of December, 1802, speaking of the situation of the Peshwa, previous to the battle of the 24th of October, says, "The superiority of Jeswunt Rao Holkar's troops, in number and discipline, to those of the Peshwa and Dowlut Rao Scindia, rendered the issue of any contest nearly certain." Ibid. p. 29.

[1]Papers, ut supra, p. 39, 40.

[1]Papers, ut supra. p. 42, 46.

[1]See, for these facts and quotations, Gov.-Gen.'s Instructions to the resident at Poona, dated 3d of June, 1802; papers, ut supra, p. 33–39.

[1]Papers, ut supra, p. 63.

[2]Ibid. p. 30.

[3]Ibid. p. 30, 64.

[1]Papers, ut supra, iii. p. 32, 223.

[2]Ibid. p. 31, 22. "I considered," he further says, "that this measure would preclude all hazard of precipitating hostilities with Jeswunt Rao Holkar, by any advance of the British troops, for the protection of the Peshwa's person; and would enable the British government to open a negotiation with Jeswunt Rao Holkar for the restoration of the Peshwa on the musnud of Poona, under every circumstance of advantage. This event would also enable us to combine with our other measures, under great advantage, the proposed negotiation with Scindia, for the conclusion of defensive arrangements. It was obvious, also, that the Peshwa's arrival at Bombay would afford the most favourable opportunity for the adjustment of the terms of the defensive alliance with the Peshwa, on the basis of my original propositions, with the addition of such stipulations as might appear to be expedient, with reference to the actual crisis of affairs."

[1]Papers, ut supra, p. 64, 67.

[1]Papers, ut supra, p. 64, 65.

[2]Ibid. p. 67.

[3]Ibid. p. 33.

[1]Papers, ut supra, p. 76.

[1]Papers, ut supra, p. 68.

[2]Ibid.

[1]Papers ut supra, p 78.

[1]Papers, ut supra, p. 33.

[1]Papers, ut supra, p. 69.

[1]Papers, ut supra, p. 414, 415, 82, 83.

[2]Ibid. p. 86, 87.

[1]For the dispatch from which these quotations and facts are extracted, see papers ut supra, p. 85–91.

[1]Papers, ut supra, p. 98, 99.

[2]Governor-General's Narrative of the late transactions in the Mahratta empire. Ibid. p. 309.

[3]Narrative, ut supra. Ibid. p. 307.

[1]Governor-General's Narrative: Ibid. 307–311.

[2]Vide supra, p. 340.

[3]Narrative, ut supra, p. 317, 318.

[1]Narrative ut supra. Ibid p. 334.

[1]Colonel Collins's dispatch, dated, 29th May, 1803. Ibid, p. 153.

[1]Dispatch, ut supra. Ibid. p. 153, 154.

[1]Letter from Gov.-Gen. to home authorities, dated 1st August, 1803. Ibid. p. 148.

[1]Narrative, ut supra Ibid. p. 325, 326.

[1]Narrative, ut supra, p. 149, 162.

[1]Narrative, ut supra, p. 133–136.

[1]Narrative, ut supra, p. 166, 323.

[1]Narrative, ut supra, p. 324.

[1]Gov.-Gen.'s Narrative, Ibid. p. 327–331; Notes relative to the late transactions in the Mahratta empire, Ibid. p. 226–230; Letter from Gov. Gen. in Council to the home authorities, dated 25th of September, 1803, Ibid. p. 170–176.

[1]In his Narrative, ut supra, p. 331; Notes, ut supra, p. 230; Dispatch of the 25th of September, 1803, ut supra, p. 176.

[1]In transcribing these words I have left out three expressions, two of vague reprobation which the Governor-General bestows upon the actions of Scindia, and one of applause which he bestows upon his own, because they have only a tendency to substitute the opinion of the Governor-General upon these points, to the opinion which the pure facts may suggest; and I have so altered another of the expressions as to render it grammatical.

[1]See Gov.-Gen.'s Letter, ut supra, p. 179, 180; Narrative, ut supra, p. 331, 332.

[1]The following are some of the Governor-General's expressions: “If the negotiation shall prove successful, there is reason to expect that it will promote the complete accomplishment of the general system of defensive alliance, by inducing the other Mahratta powers to concur in the proposed arrangement—with a view to avoid the dependant and subordinate condition to which they must be reduced by their exclusion from an alliance, of which the operation, with respect to them, must be, to control all ambitious views and aggressive designs on their part, without affording to those powers the benefit of the general guarantee.” (Narrative, ut supra, p. 10.)—“The same conveyance will furnish you with a detail of the negotiations, conducted by the resident at Poona, under my authority, with the view to the accomplishment of the important object of comprehending the Mahratta states in the general system of defensive alliance with the Honourable Company and its allies, on the basis of the treaty concluded with his Highness the Nizam in the month of October, 1800.” (Ibid. 29.)—“The intimate connexion with the Peshwa, on principles calculated to secure to him the constant protection of the British arms, could not be formed, without, at the same time, establishing our ascendancy in the Mahratta empire.” (Ibid. 34.)—In the next page (35) he calls it “that degree of control and ascendency, which it must be our interest to establish in the Mahratta state, and which it is his object to avoid.”—“The Peshwa is aware, that the permanent establishment of a British force in the neighbourhood of Poona would immediately place him, in some degree, in a state of dependance upon the British power.” (Ibid.)

[1]Governor-General's Narrative, ut supra. Ibid. p. 319: Also the Governor-General's instructions to the resident with Dowlut Rao Scindia. Ibid. p. 129.

[1]For this specimen, see Governor-General's Narrative. Ibid. p. 318: See, too, p. 312. Also his instructions to the resident, ut supra, p. 129; and the dispatch 25th September, 1803, commencing Ibid. p. 169.

[1]Governor-General's Narrative. Ibid. p. 312.

[2]Ibid.

[3]Ibid. p. 303.

[1]Governor-General's Narrative. Ibid. p. 318.

[2]Instructions to Colonel Collins. Ibid. p. 8. See, too, his instructions to the resident at Poona, 22d November, 1802, where he describes it as a plan “to combine the principal powers of Hindustan in a general system of defensive alliance and guarantee.” Ibid. p. 65. See also Governor-General's Narrative. Ibid. p. 307.

[1]Col. Collins's Dispatch. Ibid. p. 17, 18.

[2]The Governor-General himself was of this opinion, when he first sent Colonel Collins to the camp of Scindia, with an expectation that he would not only dismiss the French officers, but accept the English subsidiary force; that is, give up his military power entirely to the English.

[1]See Papers of Instructions. Ibid. p. 156, &c.

[2]Papers on the Mahratta War, ut supra, p. 68.

[1]Gov.-Gen.'s letter to Scindia, Ibid. p. 134, also 129.

[2]When the Governor-General, it may be further observed, tells Scindia, that he had not the means of defending himself against the miserable power of Holkar, (Ibid. p. 131, 133,) he surely made very small account of Perron and his battalions. It has been given, in parliament, as the opinion of two men, not apt to agree on disputable ground, of both Hastings and Francis, that European officers, and disciplined battalions, were to the native princes, especially the Mahrattas, a source of weakness, not of strength, who, though formidable by their irregular warfare, could not be so in a pitched battle. See Report of the debate, on the state of affairs in India, 5th of April, 1805. It was affirmed on that occasion by Mr. Francis, that after the minutest investigation, he found there were not more than twelve French officers in the whole Mahratta service. And it is worthy of remark that no specific statement of the number, nothing but large general expressions, is given by the Indian government. Francis, moreover, affirms, that of the force under the command of Perron, the greater part were ordinary Mahratta troops; but a small portion officered by Europeans, or disciplined in the European manner.

[1]Papers, ut supra, p. 154, 234.

[1]Gov.-Gen.'s Letter to the Commander-in-chief, dated 27th of July, 1803. Ibid. p. 156.

[1]Vide Gov-Gen.'s Notes relative to the late transactions in the Mahratta empire. Ibid. p. 235. It is instructive to observe the prevalence of exaggeration: Col. Collins in his letter from Scindia's camp, dated 7th of April, 1802, says; “Since my arrival at this court, I have obtained more accurate information of the state of the regular infantry in the service of Dowlut Rao Scindia than I heretofore possessed. I believe your Lordship may rely on the correctness of the following statement. General Perron commands four brigades of native infantry, each consisting of ten battalions of sepoys. The complement of a battalion is 716 firelocks, and every corps is commanded by two or three European officers.” Ibid. p. 17. By this statement, Perron's infantry amounted to 28,640, more than one half beyond the estimate of the Governor-General, which yet we may suppose beyond the mark.

[2]This sketch of the history, both of Deboigne and Perron, for which I have been obliged to trust to sources a little uncertain, is given, as exhibiting, which is enough for the present purpose, an idea, correct as to the class of men to which they belonged, rather than, in every minute particular, as to the individuals who are named.

[1]This account, which savours of exaggeration, is derived from an English gentleman, who served at the same time with Deboigne as an officer in Scindia's army. See Asiat. An. Register for 1805, Characters, p. 22.

[1]These particulars, collected by the well-informed editor of the earliest volumes of the As. An. Reg. (see vol. iii. Charac. p. 39), are confirmed by common history in all the leading and material points.

[1]See letters from an officer in Perron's army. Asiat. An. Register, vol. i. Chron. p. 50.

[1]See Rennel Asiat. An. for 1804, Miscel. Tracts, p. 77: Hamilton's East Ind. Gazetteer. The policy of letting him take possession of this country, is thus represented by Lord Wellesley: “The territories of Scindia between the Jumna and the Ganges interrupt the line of our defence in that quarter; and some of his principal posts are introduced into the centre of our dominions; while the possession of Agra, Delhi, and of the western and southern banks of the Jumna, enables him to command nearly the whole line of the western frontier. In the event of any considerable accession to Scindia's power, or in the event of his forming any connexion with France, or with any enemy to the British interests—the actual position of his territories and forces in Hindostan would furnish great advantages to him, in any attack upon the Company's dominions.” Governor-General's Instructions to the Commander-in-Chief, dated 27th July, 1803, Ibid. p. 156. As the Governor-General was making out a case, allowance is to be made for exaggeration.

[1]Of this, as of other parts of the Mahratta history, in which the English were not immediately concerned, when our knowledge is sufficiently certain in all the points of any material importance; we must, for the minute particulars, be satisfied to know that

they cannot be very remote from the truth.—The remaining history of Gholam Khadur is short. He took refuge in Agra, which Scindia besieged—Seeing resistance hopeless, he took advantage of a dark night, stuffed his saddle with the jewels which he had plundered from the family of the Emperor, and with a few followers took his flight towards Persia. On the second night, having fallen from his horse, he gave time to his pursuers to come up, and make him prisoner. Scindia, after exposing him, for some time, first in irons, next in a cage, ordered him to be deprived of his ears, nose, hands, feet, and eyes; in which deplorable condition he was left to expire.—The party who pursued him was commanded by a Frenchman of the name of Lostoneaux. It was under him that Perron is said to have been first admitted into the service of Scindia, when he served as a quarter-master-sergeant. Lostoneaux is said to have got possession of the saddle, which Gholam Khadur is supposed to have stuffed with diamonds. This at least is known, that he soon after contrived to slip away, and returned to Europe. His corps breaking up after his desertion, Perron was in danger of losing employment, till Scindia's General gave him a battalion of his own. Asiat. An. Reg. for 1804, Chron. p. 63.—Also for 1801, Charac. p. 39.

[1]The English officer from whose letters, in the Asiat. An. Reg. vol. i. Chron. p. 50. we have the account of the surrender of Delhi to Perron's battalions, says, “The General, from that amiable humanity, which is a noble trait in his character, endeavoured to avoid recourse to hostile measures, in regard to the old king, the numerous princes, and princesses, who are detained in the fort: and even when the siege was laid, it was with full permission of the king, and every measure adopted to obviate any possible injury to the old monarch and the royal family. Though the troops in the fort, amounting to 600, were debarred from all exterior supplies of provisions, yet General Perron ordered that the royal persons should be amply supplied, and their provisions pass unmolested.” The author of a very intelligent letter (dated Oude, November, 1799, on the military state of the north-west part of the Company's frontier; published in the Asiat. An. Register for 1804, Miscel. Tracts, p. 77) says, “General Perron, a French officer of great experience and consummate abilities, both as a statesman and soldier, represents Dowlut Rao Scindia in Hindustan; and is invested with the most full and absolute authority over every department of the government, civil and military.—This power he exercises with great moderation, at the same time with a degree of judgment and energy, that evince very superior talents.”

[1]Papers relative to the Mahratta war in 1803, ut supra, p. 17.

[1]Letter to Governor-General, dated, Camp, near Ougein, 18th April 1802. Ibid. p. 18. Compare the statement of 1,35,00,000 in the Governor-General's notes. Ibid. p. 222.

[2]Ibid. p. 24.

[1]Letter to Governor-General, dated, Camp near Ougein, 18th April, 1802. Ibid p. 18. Compare the statement of 1,35,00,000 in the Governor-General's notes. Ibid. p. 159.

[2]Letter, ut suppra. Ibid. p. 161.

[1]Letter, ut supra. Ibid. p. 267, 268.

[1]See the Gov.-Gen.'s. Notes, ibid. p. 247–and the Dispatch of the Commander, p. 268.

[1]Letter from Gov.-Gen. in Council, 25th Sept. 1803. Ibid. p. 187.

[1]Gov.-Gen.'s Notes. Ibid. p. 248.

[1]Letter from Gov.-Gen. in Council, to the Secret Committee, 12th of April, 1804; Papers relating to the King or Mogul at Delhi, ordered to be printed 12th of March, 1805. See also the Message of the King, ibid. p. 9, which, so far from expressing great *anxiety of wish,* exhibits much distrust of the English, complaining of their late conduct, and declaring an apprehension, "lest when they gain possession of the country they may prove forgetful of him."

[1]Papers relating to the Mahratta War, ut supra, p. 249.

[2]Papers, ut supra, p. 234

[1]They probably said something not less extravagant, when he passed into the hands of Scindia.

[2]How often, in looking narrowly into the conduct of public affairs, has the friend of humanity occasion to lament the low state in which *political morality* remains! its deplorable state compared even with private morality! How many men would disdain the practice of hypocrisy in private, who, in public, life, regard it, even in its grossest shape, as far from importing the same baseness of mind! Notes, ut supra, p. 249.

[1]Ibid. p. 203.

[1]Notes, ut supra, p. 251.

[1]Notes, ut supra, p. 251 to 254, 288.

[2]Ibid. p. 239, 266.

[1]Notes, ut supra, p. 239, &c. and 280.

[1]General Wellesley's Dispatch, papers relating to East India affairs, (printed June, 1806,) No. 25, p. 82.

[1]Let. Gov.-Gen. in council to the Secret Committee, dated 28th Dec. 1803, ibid. p. 297; also Calcutta Gazettes, ibid. p. 290–295.

[1]Letter, ut supra. Ibid. p. 200, 535.

[1]Letter, ut supra. Ibid. p. 243–5.

[1]Letter, ut supra. Ibid. p. 243.

[1]Memorandum transmitted by General Wellesley to the Governor-General of the conferences between him and the Ambassador of the Rajah of Berar. Papers relating to East India affairs (printed by order of the House of Commons, June 1806), No. 25, p. 124.

[1]Memorandum, ut supra; Letter of General Wellesley to the Governor-General; and copy of the treaty. Ibid. p. 122–132.

[2]Notes relative to the peace. Ibid. p. 183.

[1]Instructions of Gov.-Gen. parag. 62. Ibid. p. 121.

[2]Notes relative to the peace with the confederate Mahratta chieftains. Ibid. p. 143.

[1]Memorandum of the conferences between Major-General the Hon. Arthur Wellesley, and the Ambassadors of Dowlut Rao Scindia; Letter from General Wellesley to Gov.-Gen.; Treaty of peace with Scindia; and treaties with the Rajahs of Bhurtpore, &c. Ibid. p. 132–164; and the Governor-General's “Notes relative to the peace concluded between the British government and the confederate Mahratta chieftains, and to the various questions arising out of the terms of the pacification.” Ibid. p. 177–199.

[1]Treaty of alliance and mutual defence. Ibid. p. 164.

[1]Subsidiary it could not well be, when he paid no subsidy.

[2]Papers, ut supra, p. 197, 198.

[1]Contrast with it the opinions of his successor. Vide infra.

[1]Papers, ut supra, p. 198.

[1]The Governor-General, indeed, takes it as one of his benefits, that the native states would be restrained from war among themselves. But he does not inform us to whom the benefit would accrue. If the English were secure from aggression, the wars of the native princes were of no importance to them. If humanity is pretended, and the deliverance of the people from the horrors of war, it is to be replied, with dreadful certainty, that under the atrocities of a native government, supported by British power, the horrors of peace were no improvement upon the horrors of war. The sufferings of the people under the Nabobs of Carnatic and Oude were described by the English government itself, perhaps with some exaggeration, as unmatched in any portion of India.

[1]Letter from the Governor-General in council to the Secret Committee, dated 15th June, 1804. Papers, ut supra, printed in 1806, No. 23, p. 263; Notes, ut supra, No. 25, p. 205.

[1]Letter from Major Malcolm; Papers, ut supra, No. 23, p. 298; Gov.-Gen.'s Dispatch, ibid. p. 270.

[1]Governor-General's Letter, No. 23, ut supra, p. 271: Notes, No. 25, ut supra, p. 208.

[1]No. 23, p. 264.

[2]Letters, ut supra, Ibid. p. 303, 304.

[1]The documents relative to the correspondence and negotiations with Holkar, previous to the commencement of hostilities, were printed by an order of the House of Commons, under date, 11th of February, 1805.

[1]See the Dispatch of the Governor-General, ut supra, in Papers, No. 23; and Notes, ut supra, No. 25.

[2]Calcutta Gazettes, Papers, ut supra, No. 25, p. 229.

[1]Dispatches from the Commander-in-Chief, and General Monson; Papers, ut supra, No. 25, p. 233.

[1]Printed papers, ut supra, No. 25, pp. 222–339.

[1]Printed papers, ut supra, p. 240.

[1]Printed papers, ut supra, p. 233, 243–248.

[1]Printed papers, ut supra, No. 23, p. 149.

[2]Ibid. No. 25, p. 209.

[1]Printed papers, ut supra, p. 250, 251, 266, 267.

[1]Printed papers, ut supra, p. 224, 252–273; also General Lake's Letter to the Governor-General, dated Muttra, 1st July, 1805; Papers, ut supra, No. 15, p. 35.

[1]Letter from the Governor-General to the Commander-in-Chief. Papers, No. 15, ut supra, p. 23. Compare the sentiments here expressed, with those employed against the Nabobs of Arcot: vide supra, p. 538.

[1]Papers, ut supra, No. 15, p. 7–37.

[1]No. 15, ut supra, p. 37, 38. No. 25, ut supra, p. 272–285.

[1]No. 15, ut supra, p. 40–45, 53.

[1]Printed papers, ut supra, No. 23; Extract of a Letter from the Governor-General, 7th June, 1805, relative to Gualior and Gohud, with enclosure, p. 167–203; and copy of a Letter from ditto, 31st May, with enclosures, p. 5–148.

[2]Compare with these grounds of action, those laid down by Mr. Hastings, in regard to the Rohillas.

[1]Despatch of the Governor-General, dated 30th July, 1805, with its enclosures, No. 23, ut supra, p. 227–248.

[1]No. 23, ut supra, p. 253.

[1]Copies of all letters from the late Marquis Cornwallis, &c. ordered by the House of Commons to be printed, 19th February, 1808, p. 3, 4, and 6. For the reduction of the irregular troops by Lord Wellesley, see the letter of the Commander-in-Chief, No. 23, ut supra, p. 243.

[1]Papers, ut supra, ordered to be printed 19th of February, 1808, p. 5–13.

[1]Papers, (1806) ut supra, No. 11, p. 6–12.

[1]Papers, (1806) ut supra, No. 11, p. 5–13; No. 17; and No. 25, p. 3 and 4.

[2]Malcolm's Sketch, p. 413.

[1]Letter of Sir George Barlow, dated on the river near Chunar, 20th Oct. 1805; Papers, ut supra, No. 18, p. 5–7.

[1]Pepers, ut supra, No. 11, p. 15: and No. 25, p. 19, 20.

[1]Collection of Treaties in India (published 1812), p. 290–297. Malcolm's Sketch, p. 406–436. On the negotiation of the new treaties with Scindia and Holkar, and on the discussions relative to the dissolution of the alliance with the minor states, the official documents, which have yet been printed, furnish scanty information. The supply afforded by Sir John Malcolm is peculiarly authentic, as he was the negotiator and agent, through whom almost every thing was transacted.

[1]The following is a table of the particulars:

| | Revenues. | Charges. | Net Revenue. |
|---|---|---|---|
| 1793–4 | £8,276,770 | £6,066,924 | £2,209,846 |
| 1797–8 | 8,059,880 | 7,411,401 | 648,479 |
| 1805– | 15,409,409 | 15,561,328 | 157,919 net charge |

| | Supplies to Out Settlements. | Interest on Debts. | Surplus Revenus. | Surplus Charge. |
|---|---|---|---|---|
| 1793–4 | £40,822 | £526,205 | £1,642,819 | £– |
| 1797–8 | 163,299 | 630,926 | | 118,746 |
| 1805– | 250,599 | 1,860,090 | | 2,268,608 |

[2]2,992,440*l.* being deducted, viz. the East India Annuities transferred to the Bank. Fourth Report, 1810, p. 450.

[1]See the Third Report of the Committee, 1810, p. 368, and Appendix, No. 2.

[1]See the second and fourth Reports of the Committee of 1810.

[1]Fourth Report, ut supra, p. 451.

[1]Fourth Report ut supra, p. 262. App. No. 51.

[2]Third Report, ut supra, p. 373.

[1]"The passage in the exposition itself, p. 7, requires to be seen. 'The company have long been in the habit of paying in England political charges strictly appertaining to the territory. For these charges he Company never have credit in the Indian accounts. The large supplies of stores, and part even of the goods, sent out annually by the Company to India, are intended for political purposes, and the whole amount of them should be brought in India to the credit of the Home concern from the time they are shipped; but the practice has been to credit the Company for them only as they were taken out from the Indian warehouses for use, and no losses of such articles in the way outwards or in India, have ever been brought to the credit of London at all. Moreover, it is evident from what has been already stated in this exposition that the supplies of goods and bullion from England have at times at least exceeded the returns in the same period. The only way therefore to come to an accurate conclusion, is to state all that England has received from India and China; and sent to or paid for India and China in any given period, and thence to strike the balance. Such a statement is exhibited in the accompanying paper, No. 5, which begins with the year 1797-8, and ends with the year 1806-7. On the one side this statement shows all that has been sent to India and China in goods, stores, and bullion, and all that has been paid for bills drawn from thence or for political charges attaching to the Indian territory; and on the other side, the statement shows all that has been sent from India and China in goods and bills and all payments received here from government, or payments made in India for commercial charges, and also for any loss that has occurred in English exports sold there. India and China are not debited for goods lost in the way thither, and they are credited for goods sent thence which have been captured or lost on the passage home. After all these allowances and adjustments, which, according to the best knowledge of the Court, comprehend every thing the account ought to contain, the balance is in favour of England, or of the Company at home 5,691,689*l.* If it be asked from what funds at home the Company have been able to bring India so largely indebted? the answer is obvious; from the increase of their capital stock and bonded debt, and from the considerable temporary credits they always have for investments

outward. From this account it is clear, that of the sum of 19 millions of debt contracted in India since the year 1798-9 down to the year 1807-8, England, or the Company in its commercial capacity, is justly chargeable with no part, and that, on the contrary, India has in that period become largely indebted to England."